

# JUDICIAL PROCEDURE, CIVIL

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## CHAPTER 226

S. B. No. 185  
(Reichert)

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### CHANGE OF VENUE

#### AN ACT

To amend and reenact subsection 4 of section 28-04-07 of the North Dakota Century Code, relating to the change of the place of trial when there appears to be an insufficient number of jury cases for trial to warrant the expense of a jury.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Subsection 4 of section 28-04-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. When upon the call of the calendar at any regular or special term there appears to be an insufficient number of jury cases for trial to warrant the expense of a jury, the court, on application of any party to such an action, or on its own motion, taking into consideration the convenience of witnesses and the promotion of justice, may order the transfer of such jury cases as are on the calendar to any county within the judicial district where a jury session of court will be held in the immediate future, so that a prompt trial of such cases may be had.

Approved March 10, 1965.

## CHAPTER 227

S. B. No. 328  
(Chesrown, Longmire)

## EXPERT WITNESS FEES

## AN ACT

To amend and reenact subsection 5 of section 28-26-06 of the North Dakota Century Code, relating to expert witness fees.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Amendment.)** Subsection 5 of section 28-26-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. The fees of expert witnesses. Such fees shall not exceed fifty dollars per day for each witness, plus his actual expense. The following shall nevertheless be in the sole discretion of the trial court:
  - a. The number of expert witnesses who shall be allowed fees or expenses;
  - b. The amount of fees to be paid such allowed expert witnesses, up to the fifty-dollar per day individual limitation, including an amount for time expended in preparation for trial; and
  - c. The amount of costs for actual expenses to be paid such allowed expert witnesses.

Approved March 18, 1965.