

when sales are made of the buildings apart from the land and their removal is ordered by the court, such sale shall be made, and the notice thereof given the same as in sales upon execution in district court.

Approved March 9, 1903.

JAMES McKECHNIE.

CHAPTER 123.

[H. B. No. 11—Buttz.]

RELIEF OF JAMES M'KECHNIE.

AN ACT for the Relief of James McKechnie, a Member of Battery "A,"
North Dakota National Guard.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. ADMITTED TO AGRICULTURAL COLLEGE.] That the trustees of the agricultural college at Fargo are authorized to admit James McKechnie to said college as a student for one year, and for such further period as said trustees shall deem just and proper, to give the said beneficiary a suitable education that will enable him to earn a livelihood.

§ 2. BOARD SHALL PROVIDE FOR MAINTENANCE.] That said James McKechnie, while a member of Battery A of the national guard of the state of North Dakota, without any fault on his part, and while in the performance of his duty as a soldier of the state, on July 4, 1902, at Lisbon, North Dakota, lost his right arm by reason of the premature discharge of a gun belonging to said battery. Said board of trustees shall provide for the maintenance (including suitable clothing) for said beneficiary during the time he remains a student in said college, and they are authorized to designate a class of studies suitable for him.

§ 3. POWERS OF BOARD.] That if said board of trustees shall at any time deem it advisable to discharge said beneficiary from said college, they are authorized so to do.

§ 4. SOLDIERS' HOME AUTHORIZED TO ADMIT.] That if at any time after said James McKechnie shall have left the said agricultural college, his physical condition becomes such that he is not able to provide for the necessaries of life, said condition not having been brought about by his own vicious habits, then the board of trustees of the soldiers' home at Lisbon, in said state, shall upon the application of said James McKechnie, examine him, with a view to his admission in the said soldiers' home, and if, upon examination, the said board of

trustees deem it advisable, they are authorized to admit said James McKechnie as an inmate to the said soldiers' home on an equality with the ex-soldiers of the United States; provided, however, that the additional expense of maintaining said James McKechnie shall be borne by the state of North Dakota.

§ 5. REPEAL.] That all acts and parts of acts in conflict with this act are hereby repealed.

§ 6. EMERGENCY.] Whereas, an emergency exists in this, that there is no law providing for the admission and maintenance of beneficiaries to the agricultural college or other educational institutions of the state, and such institutions close their school year prior to July 1, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved February 24, 1903.

MINORS.

CHAPTER 124.

[S. B. No. 236—Cox.]

ADOPTION OF MINORS.

AN ACT to Provide for the Adoption of a Minor Child Under Certain Specified Conditions.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] Amend section 2800 of the revised codes of 1899 to read as follows:

§ 2800. CONSENT OF PARENTS OR GUARDIAN.] A legitimate child cannot be adopted without the consent of its parents, if living, nor an illegitimate child without the consent of its mother, if living, except that such consent is not necessary from a parent deprived of civil rights, or adjudged guilty of adultery or cruelty, and for either cause divorced, or from a parent adjudged to be an habitual drunkard, or of unsound mind, or who has been judicially deprived of the custody of the child on account of cruelty or neglect. In case the child has no parent living, or the consent of the parent living is not necessary under the provisions of this section, consent to the adoption may be given by the guardian, if the child has a guardian, and if there is no guardian, consent to the adoption may be given by the person having the custody of the child, or by the next of kin of the child residing in this state; provided, however, that if a child under the age of four years, who has been in the sole care of persons other than its parents, with or without their consent and approval, for the period of two