

loss, waste or injury and which by law ought to be in the hands of the public administrator.

§ 9. SHALL PROSECUTE NECESSARY SUITS.] The public administrator shall institute all manner of suits and prosecutions that may be necessary to recover the property, debts, papers or other estates of the person deceased, or of any minor, or insane person, in his charge or custody.

§ 10. COURT MAY ORDER HIM TO ACCOUNT TO SUCCESSOR. WHEN.] The probate court may at any time, for good cause shown, order the public administrator to account for and deliver all money, property or papers belonging to any estate in his hands to his successor in office or to the heirs of said estate, or to any executor or administrator regularly appointed as provided by law.

Approved March 12, 1903.

PUBLIC HIGHWAYS.

CHAPTER 141.

[S. B. No. 198—Hale.]

HIGHWAY ACROSS DEVILS LAKE.

AN ACT Granting the Consent and Permission of the State of North Dakota to the Construction and Maintenance of a Highway Across, Within, Under and Through the Waters of Devils Lake, Extending From Pelican Point to the Southerly Bank of Said Lake, and Ratifying all Acts Heretofore Performed in the Construction or Maintenance Thereof.

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

§ 1. CONSENT OF STATE GRANTED.] There is hereby granted to the public, and to each and every county, township, municipal corporation and political subdivision interested in, or affected or benefited by the provisions hereof, the consent and permission of the state of North Dakota to construct and at all times maintain a public highway, consisting either in whole or in part of grades, fills, embankments or bridges, or any combination thereof, or otherwise, across, within, under and through the waters of Devils Lake, extending from the point known as Pelican Point on the northerly bank of said lake, in a southerly direction by the most feasible and practicable route to the southerly bank of said lake.

§ 2. FORMER ACTS RATIFIED.] All acts heretofore performed in the construction or partial construction or maintenance of a highway

between the points designated in section 1 hereof by grades, fills, embankments or otherwise, are hereby ratified, approved and confirmed.

§ 3. EMERGENCY.] And whereas, an emergency exists in that a portion of said highway has already been constructed, and it is necessary to resume and complete the construction thereof as soon as possible, and there is no existing law on the subject, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved February 28, 1903.

PUBLIC WAREHOUSES.

CHAPTER 142.

[S. B. No. 51—Kirkeide.]

WAREHOUSES ON RAILROAD RIGHTS OF WAY.

AN ACT to Provide for the Erection of Public Grain Warehouses and Grain Elevators, on or Near the Right of Way of Railways, and Providing for Condemnation Proceedings in Connection Therewith, and to Repeal Sections 1796, 1797 and 1799, of the Revised Codes, North Dakota, 1899.

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

§ 1. WAREHOUSE ON RAILROAD RIGHT OF WAY. APPLICATION.] Any person, firm or corporation desirous of erecting and operating at or contiguous to any railway station or siding a warehouse or elevator for the purchase, sale, shipment or storage of grain for the public for hire may make application in writing, containing a description of that portion of the right of way of said railroad on which said person, firm or corporation desires to erect a warehouse or elevator, and the size and capacity of the warehouse or elevator proposed to be erected, and the time for which it is desired to maintain said warehouse or elevator to the person, firm or corporation owning, leasing or operating the railway at such station or siding for the right, privilege and easement of erecting and maintaining for the time stated in said application, and for reasonable compensation such warehouse or elevator as aforesaid, upon the right of way appertaining to such railway at such siding or station, and within and between the outside switches of the yard of such railway station or siding, and upon paying or securing in the manner hereinafter prescribed reasonable compensation for the right, privilege and easement aforesaid, shall absolutely and unconditionally be entitled to the same.