

peal shall be served by the appellant upon the Commissioner of Insurance.

§ 25. REPEAL.] All Acts and parts of Acts in so far as they conflict with the provisions of this Act are hereby repealed.

§ 26. This Act shall take effect January 1st, 1916.

Approved, March 8, 1915.

CAPITAL PUNISHMENT

CHAPTER 63.

[H. B. No. 33—Torson.]

ABOLISHING CAPITAL PUNISHMENT.

AN ACT Prescribing and Limiting the Punishment for the Crime of Murder in the First Degree and Limiting the Time, Manner and Conditions Whereby such Person may be Pardoned and Repealing Section 9472 of the Compiled Laws of 1913 of the State of North Dakota.

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

§ 1. PUNISHMENT FOR MURDER IN THE FIRST DEGREE.] Every person who has been or may be hereafter convicted of murder in the first degree shall be punished by confinement at hard labor in the State Penitentiary for life.

Provided, That if a person shall be convicted of murder in the first degree while under such life sentence he may be punished by death.

§ 2. PERSONS CONVICTED AND UNDER SENTENCE OF MURDER IN FIRST DEGREE WHEN SUBJECT TO PARDON.] No person hereafter convicted of murder in the first degree shall be eligible to pardon until after he shall have been confined in the State Penitentiary for at least fifty per cent. of the time of his life expectancy, to be determined on the day and date of his age on the date of entry of final judgment of conviction, and such life expectancy shall be based on the life expectancy tables known as the Carlisle tables of mortality, or unless it shall be made to appear to the satisfaction of the Pardon Board that the person convicted is innocent of the charge for which he was convicted.

§ 3. REPEAL.] Section 9472 of the Compiled Laws of 1913 for the State of North Dakota is hereby repealed.

§ 4. EMERGENCY.] An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval.

Approved, March 9, 1915.