

§ 3. EMERGENCY.] Whereas, an emergency exists in that there are persons condemned to death, and no provision of law exists authorizing the summoning of a jury to witness an execution, therefore this act shall take effect from and after its passage and approval.

Approved March 16, 1909.

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## EXPERIMENT STATIONS

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### CHAPTER 111.

[H. B. No. 316—Sgutt]

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#### HARVEY SUB-STATION.

AN ACT Creating and Establishing an Agricultural Experiment Station to be Located at or Near the City of Harvey, in Wells County, in Connection With the North Dakota Agricultural College, at Fargo, and Under the Direction of the Board of Directors of Said College and Making an Appropriation Therefor.

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

§ 1. CREATED.] There is hereby created and established a state agricultural experiment station to be located at or near the city of Harvey, in Wells county, in connection with the North Dakota agricultural college at Fargo, and under the direction of the board of directors of said college.

§ 2. EXPERIMENTS TO BE MADE.] It shall be the duty of said board of directors at said station to make experiments with native and other grasses and forage product, as well as other agricultural products of the soil, with a view of improving and enlarging the supply of forage of the surrounding district, and extending and increasing the agricultural products thereof; provided, that said experiments shall not be undertaken, nor said station established, unless a suitable area of land, not less than one hundred and sixty acres within two miles of the city of Harvey shall be donated free of charge by warranty deed to the state of North Dakota.

§ 3. APPROPRIATION.] There is hereby appropriated out of the funds of the state treasury not otherwise appropriated, the sum of ten thousand dollars for the purpose of establishing said station and conducting said experiments.

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#### PARTIAL VETO.

Bismarck, March 20, 1909.

*To the Honorable, the Secretary of State:*

I file herewith house bill No. 316, a bill for an act creating and establishing an experiment station at or near the city of Harvey in

the state of North Dakota, with my approval thereon, except as to the item appropriating ten thousand dollars, which item is disapproved for the reason that the appropriations exceed the revenues of the state.

JOHN BURKE,  
Governor.

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CHAPTER 112.

[H. B. No. 306—Hanley]

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AGRICULTURAL SUB-STATION AT MANDAN.

AN ACT Creating and Establishing an Agricultural Experiment Station on the Reform School Grounds Near Mandan, in Morton County, Providing for its Management and Making an Appropriation Therefor.

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

§ 1. STATION CREATED.] There is hereby created and established an agricultural, grass and tree experiment station, to be located on the grounds of the state reform school, and to be operated in connection with the North Dakota agricultural college at Fargo, and under the direction of the board of directors of said college.

§ 2. EXPERIMENTS TO BE MADE.] It shall be the duty of said board, as constituted herein, at said station, to make experiments with native grasses, forage products, other grasses, agricultural products of the soil, trees, etc., both under irrigation and the so-called dry farming, with a view to improving and enlarging the supply of forage of said district and extending and increasing the agricultural products thereof; provided, that all necessary labor in connection with said experiment station, except the services of an expert, shall be performed by the boys of said reform school under the supervision of the officers of said school and all surplus products of said experiment station shall apply on the maintenance of said reform school.

§ 3. APPROPRIATION.] There is hereby appropriated out of the funds of the state treasury, not otherwise appropriated, the sum of five thousand dollars for the purpose of establishing said station and for conducting said experiments, as provided for in this act, and for no other purpose.

§ 4. EMERGENCY.] Whereas, an emergency exists in that there is no provision of law for said experiment station, therefore this act shall take effect and be in force from and after its passage and approval.

## PARTIAL VETO.

Bismarck, March 20, 1909.

*To the Honorable, the Secretary of State:*

I file herewith house bill No. 306, a bill creating and establishing an experiment station at the reform school near Mandan, with my approval thereon, except as to the item appropriating five thousand dollars. This item is disapproved for the reason that the appropriations exceed the revenue of the state.

JOHN BURKE,  
Governor.

## CHAPTER 113.

[S. B. No. 255—Sharpe]

## EDGELEY EXPERIMENT STATION IMPROVEMENTS.

AN ACT Making an Appropriation for the Edgeley Experiment Station Located at the City of Edgeley, in LaMoure County.

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

§ 1. APPROPRIATION.] The sum of two thousand five hundred dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the Edgeley experiment station located at the city of Edgeley, LaMoure county, for the purpose of providing a seed house and equipment and other improvements for properly carrying on the work of the station.

§ 2. EMERGENCY.] Whereas, an emergency exists in that part of this money is needed for immediate use, this law shall be in force and effect after its passage and approval.

Approved March 3, 1909.

## CHAPTER 114.

[S. B. No. 90—Simpson]

## DICKINSON EXPERIMENT STATION IMPROVEMENTS.

AN ACT Making an Appropriation for the Dickinson Experiment Station, Located at the City of Dickinson, in Stark County.

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

§ 1. APPROPRIATION.] The sum of three thousand five hundred dollars is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the Dickinson experiment station, located at the city of Dickinson, Stark county, for the purpose of erecting a seed house and granary.

§ 2. EMERGENCY.] An emergency exists, in that some of the above appropriated sums will be required prior to July 1, 1909, therefore this act shall be in force from and after its passage and approval.

Approved March 4, 1909.

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CHAPTER 115.

[S. B. No. 91—Simpson]

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HETTINGER SUB-STATION.

AN ACT Creating and Establishing an Agricultural Experiment Station to be Located at or Near the Village of Hettinger, in Adams County, in Connection With the North Dakota Agricultural College at Fargo, and Under the Direction of the Board of Directors of Said College, and Making an Appropriation Therefor.

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

§ 1. CREATED.] There is hereby created and established a state agricultural experiment station to be located at or near the village of Hettinger, in Adams county, in connection with the North Dakota agricultural college at Fargo, and under the direction of the board of directors of said college.

§ 2. OBJECT OF. DONATION REQUIRED.] It shall be the duty of said board of directors at said station to make experiments with native and other grasses and forage product, as well as other agricultural products of the soil, with a view of improving and enlarging the supply of forage of the surrounding district, and extending and increasing the agricultural products thereof; provided, that said experiments shall not be undertaken, nor said station established, unless a suitable area of land, not less than one hundred sixty acres, within two miles of the said village of Hettinger, shall be donated free of charge by warranty deed to the state of North Dakota.

§ 3. APPROPRIATION.] There is hereby appropriated out of the funds of the state treasury not otherwise appropriated, the sum of ten thousand dollars for the purpose of establishing said station and conducting said experiments.

Approved March 4, 1909.

## CHAPTER 116.

[S. B. No. 37—Cashel]

## WHEAT EXPERIMENTS.

AN ACT Providing for Experiments to Determine the Milling Value of Cereals, the Baking and Other Economic Properties of the Flours Produced Therefrom and the Chemical Composition Thereof, and to Provide for the Publication of the Information Thereby Obtained; to Provide an Appropriation for Such Work, and to Repeal Section 1118 of the Revised Codes of 1905 Pertaining Thereto.

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

§ 1. AGRICULTURAL COLLEGE MAKES TESTS.] It shall be the duty of the North Dakota government agricultural experiment station at Fargo to conduct experiments and determine the comparative milling values of the different grades and kinds of cereals and baking tests of the flours made therefrom. Such tests, as far as possible, shall be made from the products grown on soils in North Dakota which have been analyzed and tested and reported on by the geological survey branch of said government agricultural experiment station. A record shall be kept and published of the different kinds and grades of cereals received and by whom graded, the name of the person from whom received, with address, the nature of the soil, previous cropping and number of years which the land has been cropped. No cereals shall be tested if the same cannot be identified and reported on as hereinbefore mentioned. The result of the chemical analysis of each sample shall be kept, which shall show the total weight of the sample, total weight of flour, total weight of feed, total weight recovered and per cent of flour; also data as to the moisture and proteids in the different grades of cereals, and analysis of the flour or other product made from the different kinds and grades of cereals and the yield and quality of bread or other product made from the same. In addition to such information it shall be the duty of the said North Dakota government agricultural experiment station to obtain, tabulate and publish such other and further information in relation to the comparative values of the different kinds and grades of cereals and products made therefrom as shall be of value to the residents of this state.

§ 2. APPROPRIATION.] For the purpose of carrying out the provisions of this act there is hereby appropriated the sum of five thousand dollars, or so much thereof as is necessary, out of any money in the state treasury not otherwise appropriated, to the North Dakota government agricultural experiment station at Fargo, the said money to be used in the further equipping of the experimental

flour mill, adding room for storing and testing cereals, for the purchase of samples, for the expense of collecting samples, and the gathering of information regarding the properties of cereals and for employing competent investigators.

§ 3. REPEAL.] All acts or parts of acts in conflict with the provisions of this act, and especially section 1118 of the revised codes of 1905, are hereby repealed.

Approved March 20, 1909.

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CHAPTER 117.

[S. B. No. 159—Simpson]

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MANAGEMENT OF AGRICULTURAL SUB-STATIONS.

AN ACT Providing for the Management and Control of, for Making Annual Reports by the Respective Superintendents and Appropriating Money Annually for the Support and Maintenance of the Agricultural Sub-Experiment Stations Located at Dickinson, Williston and Langdon.

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

§ 1. HOW GOVERNED.] Each of the sub-experiment stations located at Dickinson,, Williston and Langdon, and such other agricultural sub-experiment stations as may hereafter be established by law, shall be operated in connection with the North Dakota government experiment station at Fargo and under the exclusive management and control of the board of trustees of the agricultural college, as provided for in sections 1101 and 1102 of the revised codes of 1905, and as provided for in the several acts establishing said sub-stations, except as herein amended.

§ 2. DUTY OF SUPERINTENDENTS.] It shall be the duty of the superintendent of each of said sub-experiment stations to make an annual report to the board of trustees on or before the first day of January of each year. Said report shall set forth in detail the investigations and experiments made during the year, together with recommendations for the welfare of the sub-experiment station; said report shall be printed in such numbers as the board may direct and the expense thereof shall be charged to the sub-station making such report; provided, however, the director of the government experiment station may require of the superintendent of each of said sub-experiment stations a summarized statement setting forth the condition of the sub-experiment station in his charge and an outline of the work accomplished during the preceding biennial period, for said director's biennial report.

§ 3. APPROPRIATION.] There is hereby annually appropriated out of any moneys in the state treasury not otherwise appropriated the sum of fifteen thousand dollars to be paid quarterly to the treasurer of the North Dakota agricultural college on the first days of

April, July, October and January of each year, upon the order of the state auditor, who is hereby directed to draw his order for the same for the use of the government experiment station at Fargo and it shall be the duty of the board of trustees of the North Dakota agricultural college to set apart annually this sum for the support and maintenance of the sub-experiment stations located at Dickinson, Williston and Langdon; said fifteen thousand dollars to be divided as follows: Five thousand dollars annually for the support and maintenance of the Dickinson sub-experiment station; five thousand dollars annually for the support and maintenance of the Williston sub-experiment station; and five thousand dollars annually for the support and maintenance of the Langdon sub-experiment station.

§ 4. REPEAL.] All acts or parts of acts in conflict with any of the provisions of this act are hereby repealed.

§ 5. EMERGENCY.] The fact that work at these sub-stations must begin as soon as spring opens creates an emergency, therefore this act shall take effect upon its passage and approval.

Approved March 4, 1909.

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## FEES

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### CHAPTER 118.

[H. B. No. 69—Fraine]

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#### FEES OF ADMINISTRATORS.

AN ACT to Amend Section 8184 of the Revised Codes of North Dakota, for 1905, Relating to the Commissions to be Allowed Administrators and Executors When No Provision Is Made in the Will.

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

§ 1. AMENDMENT.] Section 8184 of the revised codes of North Dakota, is amended to read as follows:

§ 8184. WHEN NO PROVISION IN WILL, COMMISSIONS ALLOWED.] When no compensation is provided by the will or the executor renounces all claim thereto, he must be allowed commissions on the amount of the whole estate accounted for by him, excluding all property not ranked as assets, as follows: For the first one thousand dollars, at the rate of five per cent; for all above that sum and not exceeding five thousand dollars, at the rate of two per cent; for all above that sum at the rate of one per cent; and the same commissions shall be allowed administrators. In all cases such further