

the Secretary of State, to draw his warrant on the State Treasurer for the amount due each of said papers, as shown by said account.

Approved February 28, 1891.

CHAPTER 47.

PROPOSED AMENDMENT TO PROHIBIT LOTTERIES.

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring, That the following amendment to the Constitution of the State of North Dakota, providing that the Legislative Assembly shall have no power to authorize lotteries or gift enterprises for any purpose and shall pass laws to prohibit the sale of lottery or gift enterprise tickets shall be referred to the Legislative Assembly to be chosen at the next general election, after the passage of this resolution, as provided in Article 15 of the Constitution of the State of North Dakota.

AMENDMENT.

The Legislative Assembly shall have no power to authorize lotteries or gift enterprises for any purpose and shall pass laws to prohibit the sale of lottery or gift enterprise tickets.

Filed in the office of the Secretary of State, March 18, 1891.

CORPORATIONS.

CHAPTER 48.

[S. B. No. 183.]

AMENDING CIVIL CODE IN RELATION TO INCORPORATION OF CERTAIN INSTITUTIONS.

AN ACT to Amend Section 407, Civil Code 1877, and Section 538, Civil Code of 1877.

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

§ 1. AMENDMENT.] That Section 407 of the Civil Code of 1877 be and the same is hereby amended so as to read as follows:

Sec. 407. NUMBER AND POWER OF DIRECTORS.] The corporate power, business and property of all corporations found under this chapter must be exercised, conducted and controlled by a board of

not less than three nor more than eleven directors, to be elected from among the holders of stock; or where there is no capital stock, then from the members of such corporation. Directors of corporations for profit must be holders of stock therein in an amount to be fixed by the by-laws of the corporation. Directors of all other corporations must be members thereof, [and] unless a quorum is present and acting, no business performed or act done is valid as against the corporation. Whenever a vacancy occurs in the office of director, unless the by-laws of the corporation otherwise provide, such vacancy must be filled by an appointee of the board; *Provided*, That the trustees or directors of any private corporation created for religious, educational or benevolent purposes may be elected at such times and in such manner and their qualifications be such as may be provided by the articles of incorporation or by-laws of such corporation.

§ 2. AMENDMENT.] That Section 538 of the Civil Code of 1877 be and the same is hereby amended so as to read as follows:

Sec. 538. TRUSTEES, NUMBER.] Persons associated together for religious, educational, benevolent, charitable or scientific purposes may elect trustees or directors, not less than three nor more than twenty-one, and may incorporate themselves as generally provided for in this chapter.

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

§ 4. EMERGENCY.] Whereas an emergency exists, in that there is no adequate or proper law for the incorporation of educational or charitable institutions in connection with or under the supervision of other religious, educational or charitable organizations, and it is essential that a law for such purpose be enacted as soon as practicable, and long before July 1, 1891; therefore an emergency exists, and this act shall take effect and be in force from and after its passage and approval.

Approved March 9, 1891.

CHAPTER 49.

[S. B. No. 117.]

AMENDING ACT OF 1890, RELATING TO THE INCORPORATION OF CERTAIN BENEVOLENT INSTITUTIONS.

AN ACT to Amend Section 8 of Chapter 72 of the General Laws of 1890, the Same Being "An Act Entitled An Act to Provide for the Incorporation of Certain Classes of Benevolent and Charitable Institutions."

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

§ 1. AMENDMENT.] That Section 8 of Chapter 72 of the General Laws of 1890, be amended so as to read as follows:

Sec. 8. ARTICLES, WHAT MAY CONTAIN—DISSOLUTION.] It may be provided in the articles of incorporation of any corporation formed under this act, that such corporation and the members thereof shall be subject to the jurisdiction of some grand, supreme or sovereign lodge or other body or bodies, of the association, or fraternity to which the lodge or other organization forming such corporation may belong, and that in case such supreme, grand or sovereign lodge, or other superior body or bodies shall at any time revoke or suspend the charter granted by it to such subordinate lodge or other organization, or whenever by the laws and usages of the organization of which such subordinate body forms a part, the said subordinate body shall become defunct, then the corporate powers of such lodge or other subordinate organization shall cease and determine, except that such corporation as such, shall have power to sell, convey, and dispose of its property, and collect debts due it; and all such property and debts shall be delivered up to the grand, supreme or sovereign lodge or other body or bodies of the association or fraternity to which such subordinate body forming such corporation may belong, or owe allegiance in accordance with the laws and usages of said fraternity or association.

Approved March 9, 1891.

COUNTY BOUNDARIES.

CHAPTER 50.

[H. B. No. 183.]

CHANGE AND INCREASE OF BOUNDARIES OF CERTAIN COUNTIES.

AN ACT to Increase the Revenues of the State by Changing and Increasing the Boundaries of the Counties of Pierce, McHenry, Bottineau, Ward, McLean, Williams, Billings, Stark, Morton and Mercer, and by Repealing the Act Entitled "An Act Pertaining to the Subdivision of the Counties of Wallette and Howard, Dakota Territory," Approved March 9, 1883.

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

§ 1. PIERCE COUNTY.] Pierce county shall be comprised of the following townships, to-wit: Townships 157 and 158 north, of ranges 69, 70 and 71, and townships 151, 152, 153, 154, 155, 156, 157 and 158 north, of ranges 72, 73 and 74, all west of the 5th principal meridian.

Sess. Laws 91—9