

# SCHOOLS AND STATE LANDS

## CHAPTER 254

H. B. No. 234—(Brusseau, by request)

### CONVEYANCE TO STATE BY OWNER OF MORTGAGED LAND

An Act relating to foreclosure of real estate mortgages held by the State of North Dakota as security for investment of permanent school funds, authorizing the Board of University and School Lands to accept from record title owner deed of conveyance of mortgaged land in lieu of foreclosure, effect of such deed, dispensing with execution and delivery of power of attorney in conducting proceedings for the foreclosure of such mortgages, repealing all acts or parts of acts in conflict herewith, and declaring an emergency.

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

§ 1. CONVEYANCE TO STATE BY OWNER OF MORTGAGED LAND. EFFECT OF CONVEYANCE.] In all cases where a mortgage held by the State of North Dakota as security for investment of the permanent school funds of this state is in default and foreclosure thereof is deemed advisable, the Board of University and School Lands may, at its discretion, accept from the record title owner of the land covered by that mortgage a deed of conveyance to the State of North Dakota of said mortgaged land, and said deed of conveyance shall extinguish all title, interest, and right of redemption of the grantor of said deed, but shall not extinguish the mortgage lien thereon. The mortgage lien may subsequently be foreclosed in the manner provided by law therefor. The deed of conveyance so taken may be recorded in the office of the register of deeds of the county wherein the land is situated, and the mortgage held by the state may be released and satisfied by an instrument executed by the President of the Board of University and School Lands and attested by its secretary, and written notice of such release and satisfaction shall be given by the secretary of the board to the State Treasurer, and that deed of conveyance shall have from the date of its execution the same legal effect for all purposes that a sheriff's deed would have had the mortgage involved been foreclosed.

§ 2. NO POWER OF ATTORNEY REQUIRED.] In all cases where a mortgage held by the State of North Dakota as security for the investment of the permanent school funds is foreclosed, it shall not be necessary or required that any Power of Attorney be given and furnished the attorney conducting the proceedings and recorded as provided in Sections 8075 and 8076 of the Compiled Laws of North Dakota, as amended by Chapter 144 of the 1927 Session Laws.

§ 3. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

§ 4. EMERGENCY.] An emergency is hereby declared to exist, and this act shall be operative and in effect from the date of its enactment and approval.

Approved March 14, 1935.

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## CHAPTER 255

S. B. No. 26—(Miklethun)

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### REDUCTION PAST DUE INTEREST UNIVERSITY AND SCHOOL LAND LOANS, ETC.

An Act to provide for the scaling down and discounting of past due interest on loans made by the Board of University and School Lands.

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

§ 1. That whereas the farming industry in the State of North Dakota has suffered many serious setbacks in the past few years and the value of farm land, on account of the depression and general condition of the times under which we are living, has greatly depreciated; and, whereas, it has been impossible for many of our best farmers to make payment upon the lands purchased from the Board of University and School Lands of this state, or to pay interest upon the loans borrowed from such Board; now, therefore, it is hereby provided that from and after the passage and approval of this act the Board of University and School Lands shall be authorized, through its proper officials, to reduce, scale down, or throw off the interest that may be due upon any land contract or real estate mortgage, or rentals, to the end that justice may be done in dealing with our farmers and to enable the farmers indebted to the Board of University and School Lands to pay their debts and retain their property.

§ 2. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

§ 3. EMERGENCY.] This act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

Approved February 6, 1935.

## CHAPTER 256

## S. B. No. 124—(Irrigation and Drainage)

WATER AND/OR WILDLIFE CONSERVATION PROJECTS ON  
STATE LANDS

An Act declaring Water and/or Wildlife Conservation to be a state purpose, providing the Board of University and School Lands with the authority to grant to the United States of America, or to any of its instrumentalities or agencies, any and all easement rights as shall be required for the construction, maintenance and operation of Water and/or Wildlife Conservation Projects to be constructed on the public lands of the State of North Dakota, declaring that such Water and/or Wildlife Conservation Projects shall be considered as a benefit to said lands and not to diminish the value or purchase price thereof, repealing any and all acts or parts thereof in conflict herewith, and declaring an emergency.

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

§ 1. WATER AND/OR WILDLIFE CONSERVATION A STATE PURPOSE.] It is hereby declared that the public interest, welfare, convenience and necessity require the construction of Water and/or Wildlife Conservation Projects for the conservation, development, storage, distribution and utilization of water, and for the preservation of wildlife, and the construction of such projects is hereby declared to be in all respects for the welfare and benefit of the people of the state, for the improvement of their prosperity and living conditions.

§ 2. That whereas, the United States of America, through its various instrumentalities and agencies, is prepared to render aid, assistance and co-operation in the construction of Water and/or Wildlife Conservation Projects, and

Whereas, in order to avail itself of such aid, assistance and co-operation from the Federal Government for the construction, maintenance and operation of such Water and/or Wildlife Conservation Projects on its public lands it is necessary that the State of North Dakota shall grant to the Federal Government, its instrumentalities or agencies, certain easement rights to said lands,

Now, therefore, the Board of University and School Lands are hereby authorized and empowered to grant to the United States of America, its instrumentalities or agencies, such easement rights as may be required for the construction, maintenance, and operation of any dam, dike, ditch, fill, spillway or other structure erected or to be erected for Water and/or Wildlife Conservation purposes on the public lands of the State of North Dakota.

§ 3. It is hereby declared that any and all Water and/or Wildlife Conservation Projects erected or constructed on the public lands of the State of North Dakota shall at all times be considered as bene-

ficial to said lands and shall at no time be declared or determined to diminish, directly or indirectly, the value or purchase price thereof.

§ 4. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed.

§ 5. EMERGENCY.] This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 5, 1935.

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## SCHOOLS

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### CHAPTER 257

S. B. No. 158—(Committee on Education.)

#### FREE HIGH SCHOOL CORRESPONDENCE COURSES

An Act to require free correspondence courses to be provided for all North Dakota children of high school age.

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

§ 1. The State of North Dakota shall provide free correspondence courses for North Dakota children of high school age under the rules and regulations hereinafter defined:

(a) A complete high school curriculum by correspondence shall be set up by one state institution of higher learning to be designated by the Board of Administration and the necessary machinery shall be developed at said institution to carry on high school instruction by correspondence on a high level.

(b) Every child living in a rural community in North Dakota shall upon compliance with regulations of the State Department of Public Instruction be entitled to the full benefits of this act up to and including the second year in high school, and also the third and fourth years if space accommodation is available in the local school.

(c) All pupils choosing to come under this act shall be required to continue to attend their local district school and study their correspondence lessons under the supervision of their local public school teacher, which means: That the pupils will be furnished with free desk space in their respective school districts; that they will attend school regularly and be under the same disciplinary supervision of the teacher as the grade school pupils.

(d) It shall be the duty of said teacher to see that said pupils shall complete their correspondence work in accordance with the rules and regulations set up by the state director. Said rural teach-