

of any county shall not hold their respective offices for more than four years in succession.

Approved March 7, 1933.

## CORPORATIONS

### CHAPTER 85

S. B. No. 100—(Judiciary Committee.)

#### NOTICE EXPIRATION CORPORATE EXISTENCE

An Act authorizing and directing the Secretary of State to give notice to domestic corporations of the date of expiration of period of duration of their corporate existence.

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

§ 1. The Secretary of State is hereby authorized and directed to cause to be mailed to all corporations heretofore or hereafter organized under the laws of this State, which have complied with the provisions of Section 4518 Compiled Laws of 1913, a notice stating the date upon which the period of corporate existence of such corporation will expire, at least sixty days prior to the date of such expiration.

Approved February 9th, 1933.

### CHAPTER 86

S. B. No. 59—(Fowler.)

#### RENEWAL CORPORATE EXISTENCE AFTER EXPIRATION

An Act authorizing the renewal of the period of corporate existence of certain corporations whose period of duration has expired without the renewal thereof, and legalizing acts and contracts of such corporations made or done and performed subsequent to the expiration of the original period of existence of such corporations.

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

§ 1. RENEWAL OF CORPORATE EXISTENCE.] Any corporation heretofore organized under the laws of this State, whose period of duration has expired and the same has not been renewed and such corporation has continued to transact its business, may renew its corporate existence from the date of the expiration of its period of duration for an additional period not exceeding twenty (20) years from and after the time of its expired period of duration, with the same force and effect as if renewed prior to the expiration of its term of existence, by taking the same proceedings and by paying into the state treasury twenty-five dollars in addition to the fees as now provided by law for the renewal of the corporate existence of such

corporations in cases where such renewal is made before the end of its period of duration.

§ 2. TWO YEAR LIMITATION.] Such proceedings to obtain such extension shall be taken within two (2) years after the taking effect of this Act.

§ 3. ORIGINAL ACTS DECLARED VALID.] When such steps are taken within such period, or have been heretofore taken, such proceedings shall relate back to the date of the expiration of said original corporate period, and when said period is extended as provided by this Act, any and all corporate acts and contracts done, performed, made and entered into after the expiration of said original period, shall be and each is hereby declared to be legal and valid.

§ 4. APPLICATION.] This Act shall not apply to any corporation the charter of which has been declared forfeited by the final judgment of any court of competent jurisdiction in this State, nor to any corporation as to which there is any action or proceedings pending in any of the courts in this State for the forfeiture of its charter, nor to any corporation whose directors have acted as trustees under the provisions of Section 4567, Compiled Laws of 1913.

Approved January 30, 1933.

## CHAPTER 87

H. B. No. 188—(Holthusen.)

### CHANGE CORPORATE HEADQUARTERS SYNODICAL RELIGIOUS DISTRICT

An Act providing ways and methods for changing the corporate headquarters of the synodical religious district which has been incorporated in the State of North Dakota.

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

§ 1. Every religious corporation which consists of the union of two or more congregations into synodical districts within the State of North Dakota, or within and without the State of North Dakota, may change its corporate headquarters, by vote at any regular annual meeting, or any regular annual postponed meeting provided;

(1) That notice of intention to change the corporate headquarters shall have been given to each member congregation, either by written notice mailed by the president of the synodical district to the secretary of each congregation by registered mail, not less than sixty (60) nor more than eighty (80) days before the date previously set for such regular annual meeting, or in lieu of mailing such registered notice, the same may be given by publication of such notice signed by the president of such synodical district corpora-

tion in the official paper of such corporation if it publishes one, such publication to be made at least sixty (60) days before the date previously set for such regular annual meeting; provided, however, that no previous notice of such intended change need be given and such matter of the change of corporation headquarters may be voted upon at any regular annual meeting of such corporation, if eighty-five per cent (85%) of the member congregations are present at such meeting by delegates.

(2) At least two-thirds of the accredited delegates of member congregations present must vote for such change of corporate headquarters to effect the change.

(3) A certificate signed by the chairman and secretary of the meeting at which such vote has been taken, showing compliance with the requirements of this bill or law, the place of the new corporate headquarters, the number of congregations represented and the result of the vote taken must be filed in the office of the Secretary of State, there to be recorded in the book of corporations, and thereupon the corporate headquarters and the place where the business shall be transacted shall be at the place to which changed by such vote.

§ 2. REPEAL.] Every Act or part of Act including Section 4564 of the Compiled Laws of the State of North Dakota, in conflict herewith are hereby repealed insofar as the same affect corporations herein designated.

§ 3. EMERGENCY.] This is declared to be an emergency measure and shall go into effect immediately on its passage and approval.

Approved March 6th, 1933.

## CHAPTER 88

H. B. No. 189—(Holthusen.)

### CHANGE CORPORATE NAME SYNODICAL RELIGIOUS DISTRICT

An Act providing ways and methods for changing the corporate name of the synodical religious district which has been incorporated in the State of North Dakota.

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

§ 1. Every religious corporation which consists of the union of two or more congregations into synodical districts within the State of North Dakota, or within and without the State of North Dakota, may change its corporate name by vote at any regular annual meeting, or any regular annual postponed meeting, provided;

(1) That notice of intention to change the corporation name shall have been given to each member congregation either by written notice mailed by the president of the synodical district to the sec-

retary of each member congregation by registered mail, not less than sixty (60) or more than eighty (80) days before the date previously set for such regular annual meeting; or, in lieu of mailing such registered notice, the same may be given by publication of such notice signed by the president of such synodical district corporation in the official paper of such corporation if it publishes one, such publications to be made at least sixty days before the date previously set for such regular annual meeting; provided, however, that no previous notice of such intended change need be given and such matter of the change of corporate name may be voted upon at any regular annual meeting of such corporation, if eighty-five per cent of the member congregations are present at such meeting by delegates.

(2) At least two-thirds of the accredited delegates of member congregations present must vote for such change of corporation name to effect the change.

(3) A certificate signed by the chairman and secretary of the meeting at which such vote has been taken, showing compliance with the requirements of this bill or law, the new corporate name, the number of congregations represented, and the result of the vote taken must be filed in the office of the Secretary of State, there to be recorded in the book of corporations, and thereupon the corporate name as so changed by such vote.

§ 2. REPEAL.] Every Act or part of Act including Section 4563 of the Compiled Laws of the State of North Dakota, in conflict herewith are hereby repealed in so far as the same affects corporations herein designated.

§ 3. EMERGENCY.] This Act is declared to be an emergency measure and shall go into effect immediately upon its passage and approval.

Approved March 6th, 1933.

## CHAPTER 89

S. B. No. 151—(Fowler and Matthaei.)

### PROHIBITING CORPORATION FARMING

An Act to amend and re-enact Sections 1, 2 and 3 of that certain initiated law adopted by the voters of the State of North Dakota at the primary election held June 29, 1932, entitled as follows: "An Act prohibiting corporation farming and relating to corporations acquiring and holding real estate not necessary in the operation of their business, and to legalize the title and ownership of any real estate acquired since the approval and adoption of said initiated law, and declaring an emergency."

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

§ 1. AMENDMENT.] That Section 1 of said initiated law be and the same is hereby amended to read as follows:

“That all corporations, both domestic and foreign, except as otherwise provided in this Act, are hereby prohibited from engaging in the business of farming or agriculture.”

§ 2. AMENDMENT.] That Section 2 of said initiated law be amended to read as follows:

“That all corporations, both domestic and foreign, who now own or hold rural real estate, used or usable, for farming or agriculture, except such as is reasonably necessary in the conduct of their business, shall dispose of the same within ten years from the date that this Act takes effect, provided that during said ten year period said corporations may farm and use said real estate for agricultural purposes provided further that the ten year limitation provided by this Section shall be deemed a covenant, running with the title to the land against any grantee, successor of (or) assignee of such corporation, which is also a corporation.”

§ 3. AMENDMENT.] That Section 3 of said initiated law be amended to read as follows:

“That any corporation, either domestic or foreign, that acquires any rural real estate, used or usable, for farming or agriculture, by judicial process or operation of law, hereafter, except such as is reasonably necessary in the conduct of its business, shall dispose of such real estate within ten years from the date that it is so acquired, provided that during said ten year period it may farm and use the same for agricultural purposes, provided further that the ten year limitation provided by this Section shall be deemed a covenant, running with the title to the land, against any grantee, successor or assignee of such corporation, which is also a corporation.”

§ 4. TITLE LEGALIZED.] That the title and ownership of any real estate acquired, in any manner, by any domestic or foreign corporation, since the approval and adoption of the aforesaid initiated law, is hereby declared to be legal and valid for all purposes, notwithstanding any provisions in said initiated law contained, but subject however, to all of the provisions now contained in said initiated law as hereby amended and re-enacted.

§ 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 4, 1933.

**CHAPTER 90**

S. B. No. 180—(Jones.)

**POWER FRATERNAL CORPORATIONS TO ACQUIRE  
PROPERTY**

An Act to amend and re-enact Section 1 of Chapter 110 of the Session Laws of 1927, relating to limit of property that may be acquired by fraternal corporations.

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

§ 1. AMENDMENT.] That Section 1 of Chapter 110 of the Session Laws of 1927 be amended and re-enacted to read as follows:

§ 5031. PROPERTY, POWER TO ACQUIRE.] Any such association shall have power to acquire property, both real and personal, by purchase, devise, or bequest, to an amount not exceeding five hundred thousand dollars in value, and to hold the same, and may sell, exchange or mortgage any or all property held or owned by it, in the manner determined by its by-laws or by a majority vote of its members present at a meeting called for such purpose.

Approved March 9th, 1933.

**CHAPTER 91**

S. B. No. 252—(Committee on Judiciary.)

**ANNUAL REPORTS AND REINSTATEMENT OF CORPORATIONS**

An Act to amend and re-enact Section 4520, Compiled Laws of 1913, and Section 4521, Supplement to the Compiled Laws of 1913, relating to annual reports and reinstatement of corporations.

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

§ 1. AMENDMENT.] That Section 4520, Compiled Laws of 1913, is hereby amended and re-enacted as follows:

§ 4520. AMENDMENT.] The Secretary of State is hereby required on or before the twenty-fifth day of June of each year to mail to every corporation embraced in this article proper blanks to be used in making the report hereinbefore provided for; also a copy of this article together with a notice that a failure on the part of said corporation to make such report within the time prescribed by law, shall be prima facie evidence that such corporation is out of business and that upon such failure its articles of incorporation will be cancelled upon the records in the office of Secretary of State.

§ 2. AMENDMENT.] That Section 4521, Supplement to the Compiled Laws of 1913, is hereby amended and re-enacted as follows:

§ 4521. AMENDMENT.] Reinstatement of corporations. Any domestic corporation which is engaged in active business under its charter, or any foreign corporation engaged in active business under its certificate of authority to transact business in this state, failing to make said report as required by Section 4518, may be reinstated upon the records of the office of the Secretary of State upon the filing of such annual corporation report accompanied by an affidavit stating that such corporation was at the time of default and is still engaged in active business in the State of North Dakota, and the payment of the required report fee of \$2.50 with an additional reinstatement fee of \$1.00. Such reinstatement may be made at any time between August first and September thirtieth inclusive upon payment of said fees—and at any time after October first upon filing the required report with the \$2.50 fee and an additional reinstatement fee of \$5.00; provided that when default extends over several years annual reports must be filed for each year with a fee of \$2.50 for every report and payment of the \$5.00 reinstatement fee for each and every year the corporation has failed to file its report.

Approved March 4, 1933.

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## COUNTIES

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### CHAPTER 92

S. B. No. 221—(Cain, Brunsdale and Wog.)

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#### CONSOLIDATION COUNTIES AND PARTS OF COUNTIES

An Act providing for the consolidation of counties and parts of counties; the petition and election therefor; the vote thereon; result thereof; and proclamation by the Governor; the officers; expiration of their terms and transfer of all books, records and property; nominations, when void; the transfer and trial of all actions; the debts, taxes and issuance of bonds or certificates of indebtedness, and repealing all Acts in conflict herewith.

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

§ 1. Whenever twenty per cent (20%) of the legal voters as determined by the vote cast for the office of Governor at the last preceding general election, who are freeholders residing in any county of this state, shall petition the board of county commissioners of their county for permission to have their county consolidated with and annexed to any adjoining or partly adjoining county, and shall also petition the board of county commissioners of the county to which they desire their county to be annexed or united, ninety (90) days before any election as hereinafter defined, and if such petitions are found to conform to the provisions of this Act, it shall be the duty of the board of county commissioners of the counties so petitioned to submit to the voters of each of said counties the