

our public institutions and place on the tax rolls several hundred thousand acres of lands now non-taxable.

Therefore, The people of the State of North Dakota do respectfully petition that so much of the act of Feb. 22, 1889, known as the enabling act, as relates to the State of North Dakota, be so amended that lands granted the state under said act may be sold at a minimum price of \$5 per acre; *Provided, further,* that sections 16 and 36, or any indemnity lands selected in lieu of losses thereof appropriated for the common schools of the state, shall not be sold for less than \$10 per acre.

Approved March 10th, 1897.

Proposed Amendments to the Constitution.

CONCURRENT RESOLUTION.

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, be adopted by the Fifth Legislative Assembly of the State of North Dakota, and submitted for approval to the Sixth Legislative Assembly, to-wit:

AMENDMENT.

Section seventy-six (76) of article three (3) of the constitution of the State of North Dakota, is amended so as to read as follows:

"The Governor shall have power in conjunction with the board of pardon of which the Governor shall be ex-officio a member and the other members of which shall consist of the Attorney General of the State of North Dakota, the Chief Justice of the Supreme Court of the State of North Dakota, and two qualified electors who shall be appointed by the Governor, to remit fines and forfeitures, to grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment; but the legislative assembly may by law regulate the manner in which the remission of fines, pardons, commutations and reprieves may be applied for. Upon conviction for treason the Governor shall have power to suspend the execution of sentence until the case shall be reported to the legislative assembly at its next regular session, when the legislative assembly shall either pardon or commute the sentence, direct the execution of the sentence, or grant further reprieve. The Governor shall communicate to the legislative assembly at each regular session, each case of remission of fine, reprieve, commutation or pardon granted by the board of pardon, stating the name of the convict,

the crime for which he is convicted, the sentence and its date and the date of the remission, commutation, pardon or reprieve, with their reasons for granting the same."

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate Concurring:

§ 1. That the following proposed amendment of section 179 of the constitution of the State of North Dakota, relating to the assessment of railroads, express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph companies and telephone companies be referred to the Legislative Assembly to be chosen at the next general election in said state, to be by said last mentioned Legislative Assembly submitted to the people of said state for adoption or rejection in accordance with the provisions of section 202 of the constitution of the State of North Dakota.

§ 2. That section 179 of the constitution of the State of North Dakota be amended to read as follows:

No. 179. All property, except as hereinafter in this section provided, shall be assessed in the county, city, township, town, village or district in which it is situated, in the manner prescribed by law. The franchise, roadway, roadbed, rails and rolling stock of all railroads; and the franchise and all other property of all express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph or telephone companies or corporations operated in this State, and used directly or indirectly in the carrying persons, property or messages, shall be assessed by the state board of equalization at their actual value, and such assessed valuation shall be apportioned to the counties, cities, towns, villages, townships and districts in which such railroad companies, express companies, sleeping car companies, dining car companies, telegraph and telephone companies, are located, or through which they are operated, as a basis for the taxation of such property, in proportion to the number of miles of such property within such counties, cities, towns, villages, townships and districts, or over which any part of such property is used or operated within such counties, cities, towns, villages, townships and districts. But should any railroad allow any portion of its roadway to be used for any purpose other than the operation of a railroad thereon, such portion of its roadway, while so used, shall be assessed in the manner provided for the assessment of other real property.

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives, the Senate Concurring:

First. That section 121 of the constitution be amended so as to read as follows:

Every male person of the age of 21 years or upwards, belonging to either of the following classes who shall have resided in the state one year and in the county six months and in the precinct ninety days next preceding any election shall be a qualified elector at such election.

First. Citizens of the United States.

Second. Civilized persons of Indian descent, who shall have severed their tribal relations two years next preceding such election.

That section 127 be amended as follows:

§ 127. No person who is under guardianship, *non compos mentis*, or insane, shall be qualified to vote at any election, nor shall any person convicted of treason or felony, unless restored to civil rights, and the legislature shall by law establish an educational test as a qualification, and may prescribe penalties for failing, neglecting or refusing to vote at any general election.

CONCURRENT RESOLUTION.

Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:

PROPOSED CONSTITUTIONAL AMENDMENT.

The following proposition to amend the constitution of the State of North Dakota is hereby submitted to the sixth session of the Legislative Assembly of the State of North Dakota to be by it submitted to the qualified electors of the State for approval or rejection, in case the Congress of the United States amends the enabling act to like effect, namely.

Section 158 of the constitution of the State of North Dakota is hereby amended to read as follows: "No lands shall be sold for less than the appraised value and in no case for less than five dollars per acre. The purchaser shall pay one-fifth of the price in cash and the remaining four-fifths as follows: One-fifth in five years, one-fifth in ten years, one-fifth in fifteen years and one-fifth in twenty years with interest at the rate of not less than six per centum payable annually in advance. All sales shall be held at the county seat of the county in which the land to be sold is situated and shall be at public auction and to the highest bidder, after sixty days' advertisement of the same in a newspaper of general circulation in the vicinity of the lands to be sold, and one at the seat of government. Such lands as shall not have been

pecially subdivided shall be offered in tracts of one quarter section, and those so subdivided in the smallest subdivisions. All lands designated for sale and not sold within two years after appraisal shall be reappraised before they are sold. No grant or patent for any such lands shall issue until payment is made for the same; *Provided*, that the lands contracted to be sold by the State shall be subject to taxation from the date of such contract. In case the taxes assessed against any of said lands for any year remain unpaid until the first Monday in October of the following year, then and thereupon the contract of sale for such lands shall become null and void.

Approved March 10, 1897.