

of section five (5) in township one hundred fifty-one (151), north of range fifty (50) west, save and except a strip of ground lying south and west of the north line of the right of way of the Great Northern Railway Company, in the southwest quarter of the southwest quarter of section five (5). in the aforesaid township and range, containing twelve (12) and 65-100 acres, which said strip of land the governor and secretary of state shall grant and convey unto the Great Northern Railway Company in consideration of the sum of five hundred dollars heretofore contributed by said railway company toward the purchase of said fair grounds. Such deeds to be under the seal of the state.

§ 2. TRUSTEES AUTHORIZED TO NEGOTIATE.] To secure a tract contiguous to the land already owned by said University, its trustees are authorized and empowered to negotiate with the owner of twenty acres lying near and adjacent to the land owned by the University, and separating the same from the eighty acres herein authorized to be transferred to the University, for twenty acres of the same on the west and north thereof, and when said negotiations are concluded, and a deed in fee simple for the same is delivered, then the governor and secretary of state, under the seal of the state, shall grant and convey by fee simple twenty acres of the aforesaid eighty acres in exchange therefor.

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 All acts or parts of acts in conflict herewith are hereby repealed.

§ 4. EMERGENCY.] An emergency exists in that it is essential to conclude the negotiations herein provided for prior to the close of the school year; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 4, 1899.

UNIVERSITY AND SCHOOL LANDS.

CHAPTER 165.

[S. B. 84]

MAY CHARGE CERTAIN FEES.

AN ACT Authorizing the Commissioner of University and School Lands to Charge Certain Fees for Services and to Establish the Same.

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

§ 1. FEES FOR SERVICES.] It shall be the duty of the commissioner of University and school lands to charge and collect the following fees: For each lease of school or other state lands, 75

cents; for each contract for lands purchased, \$1.00; for each patent, \$1.25; for approving and recording each assignment of school land contract, \$1.50; for furnishing certified copies of school land contract, \$1.50.

§ 2. FEES PAID IN ADVANCE.] All fees must be paid in advance and when collected must be paid into the state treasury at the end of each month and be placed to the credit of the expense fund of the board of University and school lands.

§ 3. DUTY OF COUNTY TREASURER.] It shall be the duty of the county treasurer of any county where any of the above lands are leased or sold to collect the fees hereinbefore provided for at the time the first payment thereon is made for leases and contracts of sale and transmit the same to the commissioner on the first day of each month.

§ 4. EMERGENCY.] Whereas, an emergency exists in that a large amount of business is being daily transacted in the office of the commissioner of University and school lands and no fees are collected by law for the same; therefore, this act shall be in force from and after its passage and approval.

§ 5. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

Approved February 24, 1899.

CHAPTER 166.

[H. B. 96.]

EMPOWERED TO LEASE LANDS.

AN ACT for the Purpose of Authorizing the Commissioner of University and School Lands to Lease Cultivated Land to Clear the Same of Noxious Weeds.

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

§ 1. MAY LEASE CULTIVATED LANDS.] The commissioner of University and school lands is hereby authorized and empowered to lease cultivated school and institution lands in the several counties of the state for the period of two years for the purpose of summer-fallowing the first year and cropping the next, when in his opinion it is necessary so to do in order to clear the same of noxious weeds, said lessee to pay only one year's rent for the same.

§ 2. RENT IN ADVANCE.] When any lands are leased as above provided the party so leasing the same, before lease is approved by the board of University and school lands, shall pay to the county treasurer of the county in which the land is situated the total amount of rent therefor.

§ 3. WHEN LEASE MAY BE CANCELLED.] Should the lessee so renting the land as above provided fail or neglect to summer-fallow

the same at the proper time, the board of University and school lands in their discretion may declare the lease cancelled and the amount paid thereon will thereby become forfeited.

§ 4. EMERGENCY.] Whereas, an emergency exists in that there is no provision of law for the clearance of school lands of foul weeds; therefore, this act shall take effect and be in force immediately upon its passage and approval.

Approved March 9, 1899.

UNRECORDED INSTRUMENTS.

CHAPTER 167.

[S. B. 48.]

UNRECORDER INSTRUMENTS.

AN ACT to Amend Section 3598 of the Revised Codes, Relating to the Recording of Certain Instruments.

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

§ 1. AMENDMENT.] Section 3598 of the Revised Codes is hereby amended to read as follows:

§ 3598. UNRECORDED INSTRUMENTS VALID AS TO WHOM.] An unrecorded instrument is valid as between the parties thereto and those who have notice thereof; but knowledge of the record of an instrument out of the chain of title does not constitute such notice.

§ 2. EMERGENCY.] Whereas, an emergency exists in that instruments are frequently found of record out of the chain of title, which are a cloud upon such title; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved February 24, 1899.