

PUBLIC LANDS.

CHAPTER 135.

LEASING PUBLIC LANDS.

[S. B. 197.]

AN ACT to Amend Section 217 of the Revised Codes of 1899, Providing for the Leasing of Public School Lands.

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

§ 1. AMENDMENT.] That section 217 of the Revised Codes of 1899, be amended to read as follows:

§ 217. LANDS SUBJECT TO LEASE.] All the common school lands and all other public lands of the state that are not of such value as will admit of appraisal at ten dollars or more per acre, at the time of any regular appraisal, may be leased; provided, that no leases can be granted for a period longer than five years, and only for pasturage and meadow purposes, and at public auction after notice as hereinafter provided; provided, further, that all of such school and public lands now under cultivation may be leased at the discretion and under the control of the board of university and school lands for other than pasturage and meadow purposes until sold; provided, further, that in case of a sale of the lands so leased during the term of the lease, the lessee to be given ninety days' notice, and provided, further, that at the expiration of said lease or within ninety days of the date of receiving the aforesaid notice, the said lessee may remove from said lands so leased, all fences, sheds, water tanks, wind mills, etc., used upon said lands by said lessee. All rents shall be paid annually in advance.

§ 2. EMERGENCY.] Whereas, there is no law to regulate cancellation of land leases in cases of sale of such land, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 13, 1901.

CHAPTER 136.

[S. B. 228.]

SALE OF PUBLIC LANDS.

AN ACT Providing for the Sale of Public Lands During the Year 1901, and for the Disposal of the Proceeds of Such Sale and the Revenue Accruing Thereon.

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

§ 1. PUBLIC LAND. SALE OF.] The board of university and school lands shall, during the year 1901, appraise, advertise and sell public lands, or so much thereof as can be sold at or above the minimum price of ten dollars per acre, as follows:

One hundred and twenty-five thousand acres of the common school lands.

Twenty thousand acres of the agricultural college lands.

Fifteen thousand acres of the university lands.

Ten thousand acres of the normal school lands, providing that the revenue accruing from the last mentioned sale shall be divided pro rata between the normal schools at Valley City and Mayville in proportion to the lands granted to each.

Five thousand acres of the deaf and dumb asylum lands.

Five thousand acres of the reform school lands.

Five thousand acres of the industrial school lands.

Five thousand acres of the school of mines lands.

Five thousand acres of the blind asylum lands.

Five thousand acres of the soldiers' home lands, and ten thousand acres of the capitol building lands; total, two hundred and ten thousand acres.

§ 2. PROCEEDS OF SALE. HOW DISPOSED OF.] The proceeds of the sale of the common school lands shall remain a perpetual fund and the revenue accruing on the same shall be applied as now provided by law.

§ 3. PROCEEDS OF SALE OF AGRICULTURAL LANDS TO REMAIN A PERPETUAL FUND.] The proceeds of the sale of the agricultural college lands, the university lands, the normal school lands, the deaf and dumb asylum lands, the reform school lands, the industrial school lands, the blind asylum lands, and the school of mines lands, shall remain a perpetual fund, the revenue of which shall be applied towards the maintenance, or the liquidation of the indebtedness of the respective institutions. Each institution shall be credited for the proceeds of the sale of its lands and shall receive the revenues accruing thereon.

§ 4. PROCEEDS OF SALE OF SOLDIERS' HOME LANDS. HOW APPLIED.] The proceeds of the sale of the soldiers' home lands shall be applied; first, towards liquidating the bonded indebtedness of the institution, and second, the balance, with the revenue accruing thereon, shall go towards its maintenance as may be required.

§ 5. PROCEEDS OF CAPITOL BUILDING LANDS. HOW APPLIED.] The proceeds of the sale of the capitol building lands shall be applied; first, towards reimbursing this state for the fifty thousand dollars (\$50,000) bonds issued by it under chapter thirty-nine (39) of the laws of 1893, for the erection of the new wing to the capitol, and second, the balance to be retained in a capitol building fund to be disposed of as may be provided by law.

§ 6. EMERGENCY.] Whereas, an emergency exists in the fact that sales of land should take place before July 1st, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 11, 1901.

CHAPTER 137.

[H. B. 22.]

SCHOOL AND PUBLIC LANDS.

AN ACT to Amend Section 225 of the Revised Codes of 1899, so as to Enable the Lessee of Common School and Public Lands of the State, During and Within a Reasonable Time After His Term Shall Have Expired, to Remove From Such Lands Any Fencing, Buildings or Improvements He May Have Made Thereon, or Have Purchased From His Predecessor.

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

§ 1. AMENDMENT.] That section 225 of the Revised Codes of 1889 of this state be so amended as to read as follows:

§ 225. LESSEE NOT TO DESTROY TIMBER.] No lessee of any of the common school or public lands of the state or his heirs or assigns shall cut down or take away from such tract any timber, trees or wood, or suffer or cause the same to be done, by any person, except that such lessee may cut down or use such amount of dead or prostrate trees or timber as may be sufficient to supply him with fuel for his family, or the families of his employes actually residing upon said tract; and further, that such lessee, his representative or assigns may, during his term or within a reasonable time thereafter, remove any pump, curbing, fencing, or any other improvement he may have placed thereon or received from any preceding occupant or lessee of the land. Any lessee violating the provisions of this section shall forfeit his lease and all rights and interests thereunder, and shall be liable to the state for damages sustained by the state by reason thereof, and shall be guilty of a misdemeanor.

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

§ 3. EMERGENCY.] An emergency exists in this, that leasing of the common school and other public lands of this state will take place prior to the first day of July next. Therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 12, 1901.

PUBLIC FUNDS.

CHAPTER 138.

[S. B. 217.]

FUNDS OF AGRICULTURAL COLLEGE AND DEAF AND DUMB ASYLUM.

AN ACT Directing State Auditors to Pay Over Funds Belonging to Agricultural College, Deaf and Dumb Asylum, and State University, and School of Mines, to the Respective Institution Treasurers, and Providing for the Application of Such Funds.

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

§ 1. STATE AUDITORS TO PAY OVER FUNDS.] All moneys received and interest for rents, penalties, permits or from any other source than from the principal of sales of agricultural college lands, and lands belonging to the deaf and dumb asylum, state university, and school of mines, shall be paid over to the respective institution treasurers of the agricultural college, deaf and dumb asylum, and state university and school of mines, upon the warrant of the state auditor on the first day of January, April, July and October in each year.

§ 2. FUND SUBJECT TO ORDER OF.] The funds herein referred to shall be subject to the order of the respective boards of trustees of each institution herein mentioned and shall be used for the maintenance of such institutions.

§ 3. EMERGENCY.] An emergency exists in that there is no law authorizing the distribution of the funds referred to in this act, therefore this act shall be in force from and after its passage and approval.

Approved March 13, 1901.