

PROPOSED AMENDMENTS TO CONSTITUTION

MINOT NORMAL SCHOOL.

[H. B. No. 6—Chatfield]

A CONCURRENT RESOLUTION Amending the Constitution of the State of North Dakota, Establishing and Locating a Normal School in the City of Minot, County of Ward.

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

The following amendment to the constitution of the state of North Dakota, adopted by the tenth legislative assembly of the state of North Dakota, and by it referred to the eleventh legislative assembly of the said state for approval or rejection, is hereby agreed to and such amendment shall be submitted to the qualified electors of the state at the next general election for approval or rejection in accordance with the provisions of section 202 of the constitution of the state of North Dakota:

AMENDMENT.] Section 216 of the constitution of the state of North Dakota is amended to read as follows:

§ 216. The following named public institutions are hereby permanently located as hereinafter provided, each to have so much of the remaining grant of one hundred and seventy thousand acres of land made by the United States for "other educational and charitable institutions" as is allotted by law, namely:

First. A soldiers' home, when located, or such other charitable institution as the legislative assembly may determine, at Lisbon, in the county of Ransom, with a grant of forty thousand acres of land.

Second. A blind asylum, or such other institution as the legislative assembly may determine at such place in the county of Pembina as the qualified electors of the said county may determine at an election to be held as prescribed by the legislative assembly, with a grant of thirty thousand acres.

Third. An industrial school and school for manual training, or such other educational or charitable institution as the legislative assembly may provide, at the town of Ellendale, in the county of Dickey, with a grant of forty thousand acres.

Fourth. A school of forestry, or such other institution as the legislative assembly may determine, at such place in one of the

counties of McHenry, Ward, Bottineau or Rolette as the electors of the said counties may determine by an election for that purpose, to be held as provided by the legislative assembly.

Fifth. A scientific school, or such other educational or charitable institution as the legislative assembly may prescribe, at the city of Wahpeton, county of Richland, with a grant of forty thousand acres.

Sixth. A state normal school at the city of Minot, in the county of Ward; provided, that no other institution of a character similar to any one of those located by this article, shall be established or maintained without a revision of this constitution.

Filed in the office of the secretary of state, March 16, 1909.

INCREASING NUMBER OF JUSTICES OF THE PEACE.

[H. B. No. 8—Schull]

A CONCURRENT RESOLUTION for an Amendment to the Constitution of the State of North Dakota, Creating the Office of Justice of the Peace, and Fixing and Providing for the Jurisdiction Thereof.

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

The following amendment to the constitution of the state of North Dakota is agreed to and referred to the twelfth legislative assembly of the said state for approval, to be by said last mentioned legislative assembly submitted to the qualified electors of the state for approval or rejection in accordance with the provisions of section 202 of the constitution of the state of North Dakota:

AMENDMENT.] Section 112 of the constitution of the state of North Dakota is amended so as to read as follows:

§ 112. The legislative assembly shall provide by law for the election of justices of the peace in each organized county within the state, but the number of said justices to be elected in each organized county shall be limited by law to such a number as shall be necessary for the proper administration of justice. The justices of the peace herein provided for shall have concurrent jurisdiction with the district courts and with all county courts in all civil actions when the amount in controversy, exclusive of costs, does not exceed two hundred dollars, and they shall have such jurisdiction to hear and determine cases of misdemeanor as may be provided by law, but in no case shall said justices of the peace have jurisdiction when the boundaries of or title to real estate shall come in question. The legislative assembly shall have power to abolish the office of justice of the peace and confer that jurisdiction upon judges of county courts or elsewhere.

Filed in the office of the secretary of state, February 24, 1909.

TERM OF OFFICE OF JUDGES SUPREME COURT.

[H. B. No. 44—Skulason]

A CONCURRENT RESOLUTION Amending the Constitution of the State of North Dakota, Relating to the Term of Office of the Judges of the Supreme Court.

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

The following proposed amendment to section 91 of article 4 of the constitution of the state of North Dakota is 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 qualified electors of the state for approval or rejection, in accordance with the provisions of section 202 of the constitution of the state of North Dakota:

AMENDMENT.] Section 91 of the constitution of the state of North Dakota is amended to read as follows:

§ 91. The term of office of the judges of the supreme court, except as in this article otherwise provided, shall be ten years, beginning on the first Tuesday after the first Monday in January of the year next following their election, and they shall hold their offices until their successors are duly qualified. This section shall not be construed as extending the term of office of the judges serving at the time of the adoption of this amendment, except as herein provided. The terms of office of the judges of the supreme court elected at the general election in 1910 shall be as follows: The one receiving the highest number of votes at such election shall hold his office for a term of ten years; the one receiving the next highest number of votes at such election shall hold his office for a term of eight years, and the one receiving the lowest number of votes at such election shall hold his office for a term of six years.

Filed in the office of the secretary of state, February 24, 1909.

SALE OF PUBLIC LANDS.

[H. B. No. 146—Putnam]

A CONCURRENT RESOLUTION Amending Section 158 of the Constitution of the State of North Dakota, Providing for the Purchase of and Sale of School and Public Lands.

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

The following amendment to the constitution of the state of North Dakota, adopted by the tenth legislative assembly of the state of North Dakota, and by it referred to the eleventh legislative assembly of said state for approval or rejection, is hereby agreed to, and such amendment shall be submitted to the qualified electors of the state at the next general election for approval or rejection, in accordance with the provisions of section 202 of the constitution of the state of North Dakota:

AMENDMENT.] Section 158 of the constitution of the state of North Dakota is amended so as to read as follows:

§ 158. No land shall be sold for less than the appraised value, and in no case for less than ten 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 on or before the expiration of ten years, one-fifth on or before the expiration of fifteen years, and one-fifth on or before the expiration of twenty years, with interest at the rate of not less than five per cent per annum payable annually in advance; provided, that when payments are made before due they shall be made at an interest paying date, and one years' interest in advance shall be paid on all moneys so paid. All sales shall be held at the county seat of the county in which the land to be sold is situated, and all be at public auction and to the highest bidder after sixty days advertisement of the same in a newspaper in general circulation in the vicinity of the land to be sold, and also published in a newspaper published at the county seat, and also in a newspaper published at the seat of government. Such lands as shall not have been especially subdivided shall be offered in tracts of one-quarter section and those subdivided in the smallest subdivision. All lands designated for sale and not sold within two years after appraisal shall be re-appraised before they are sold. No grant or patent for 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, if the board of university and school lands so determine, become null and void. Any lands under the provisions of section 158 of the constitution of the state of North Dakota that have heretofore been sold may be paid for, except as to interest, as provided herein; provided, further, that any school or institution lands that may be required for townsite purposes, may be paid for at any time and patent issued therefor.

Filed in the office of the secretary of state, March 16, 1909.

SALE OF PUBLIC LANDS TO RAILROADS.

[S. B. No. 114—Purcell]

A CONCURRENT RESOLUTION to Amend Section 158 of the Constitution of the State of North Dakota, Governing the Sale of School Lands to Railroad Companies.

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

The following proposed amendment to article 9, section 158 of the constitution of the state of North Dakota, is referred to the legislative assembly to be chosen at the next general election in the state

of North Dakota, to be by said last mentioned legislative assembly submitted to the qualified electors of said state for approval or rejection, in accordance with the provisions of section 202 of the constitution of the state of North Dakota:

AMENDMENT.] Article 9, section 158 of the constitution of the state of North Dakota, is amended so as to read as follows:

§ 158. No land shall be sold for less than the appraised value, and in no case for less than ten 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 on or before the expiration of ten years, one-fifth on or before the expiration of fifteen years, and one-fifth on or before the expiration of twenty years, with interest at the rate of not less than five per cent per annum, payable annually in advance; provided, that when payments are made before due they shall be made at an interest paying date, and one year's interest in advance shall be paid on all money so paid. 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 land to be sold, and one at the seat of government. Such lands as shall not have been especially sub-divided shall be offered in tracts of one-quarter section, and those sub-divided in the smallest sub-division. All lands designated for sale and not sold within two years after appraisal shall be re-appraised before they are sold. No grant or patent for such lands shall issue until payment is made for the same; provided, that the land 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, if the board of university and school lands so determine, become null and void. Any lands under the provisions of section 158 of the constitution of the state of North Dakota that have heretofore been sold, may be paid for, except as to interest, as provided herein; provided, further, that any school or institution lands that may be required for townsite purposes, school house sites, church sites, cemetery sites, sites for other educational or charitable institutions, public parks, fair grounds, public highways, railroad right of way, or for other railroad uses and purposes, reservoirs for the storage of water for irrigation, drain ditches or irrigation ditches, and lands that may be required for any of the purposes over which the right of eminent domain may be exercised under the constitution and the laws of the state of North Dakota, may be sold under the provisions of this section, and shall be paid for, principal and interest, in full, in advance, at the time of sale, or at any time thereafter, and patent issued therefor, when principal and interest are paid.

Filed in the office of the secretary of state, March 11, 1909.

TERMINAL ELEVATOR.

[S. B. No. 71—Duis]

A CONCURRENT RESOLUTION Amending the Constitution of the State of North Dakota, Empowering the Legislative Assembly to Provide by Law for the Erection, Leasing, Purchasing and Operating Terminal Elevators in the States of Minnesota and Wisconsin, or Either.

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

The following proposed amendment to the constitution of the state of North Dakota is referred to the legislative assembly to be chosen at the next general election in this state, to be by said last mentioned legislative assembly submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of section 202 of the constitution of the state.

AMENDMENT.] The legislative assembly is hereby authorized and empowered to provide by law for the erection, purchasing or leasing and operation of one or more terminal grain elevators in the states of Minnesota or Wisconsin, or both, to be maintained and operated in such manner as the legislative assembly shall prescribe, and provide for inspection, weighing and grading of all grain received in such elevator or elevators.

Filed in the office of the secretary of state, March 11, 1909.