

amendment thereto, resolution, legislative proposal or enactment of any character.

The veto power of the Governor shall not extend to the measures initiated by or referred to the electors. No measures enacted or approved by a vote of the electors shall be repealed or amended by the Legislature, except upon a ye and nay vote upon roll call of two-thirds of all the members elected to each house.

This section shall be self-executing and all of its provisions shall be treated as mandatory. Laws may be enacted to facilitate its operation, but no law shall be enacted to hamper, restrict, or impair the exercise of the rights herein reserved to the people.

Filed March 22, 1941.

CORPORATIONS

CHAPTER 115

H. B. No. 61—(Haugen & Sandness)

RESTRICTION OF WORD CO-OPERATIVE

An Act Restricting the Use of the Word "Co-operative" or an abbreviation thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

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

§ 1. It shall be unlawful for any person, firm or corporation organized or doing business in this State, to use or embody the word "co-operative", "co-op" or other abbreviation thereof, as part of its corporate or other business name or title, when said person, firm or corporation is not in fact a co-operative association or corporation, or which is not organized under the co-operative laws of the State.

§ 2. Violation of the provisions of this act constitutes a misdemeanor, and may also be enjoined by any co-operative corporation or association or any member thereof.

§ 3. Sections 4609a18 and 4609b21 of the 1925 Supplement are hereby repealed.

Approved February 21, 1941.

CHAPTER 116

H. B. No. 190—(Drovdal and Anderson)

COOPERATIVE GRAZING ASSOCIATION ACT, AMENDMENT

An Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

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

§ 1. AMENDMENT.] Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, is hereby amended and re-enacted to read as follows:

(e) One director to be elected from each congressional township in the district by the majority vote of the members eligible to vote in such township, providing that for the purposes of the small acreage group that all directors may be elected from any one or more townships,

§ 2. AMENDMENT.] Section 11 of Chapter 106 of the 1935 Session Laws, is hereby amended and re-enacted to read as follows:

§ 11. No member shall be permitted to graze more than five hundred animal units during a full twelve-month period in each year, or a correspondingly larger number for a shorter grazing period during each year.

For the purposes of this act an animal unit shall mean a cow, a bull or a steer, or five sheep over six months of age on the first day of May of the year in which the age is being determined. Two horses shall be equivalent to three animal units. Animals not more than six months old on the first day of May of the year in which the age is being determined, which are natural increase of the permitted livestock, shall not be counted.

Approved March 4, 1941.

CHAPTER 117**S. B. No. 115—(Thatcher and Tweten)**

CO-OPERATIVE MARKETING ASSOCIATION, AMENDMENT

An Act to amend and re-enact Subdivision (f) of Section 4609b8 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913; relating to articles of incorporation of co-operative marketing associations.

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

§ 1. That Subdivision (f) of Section 4609b8 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913 is hereby amended and re-enacted to read as follows:

(f) If organized without capital stock, whether the property rights and interest of each member shall be equal or unequal; and if unequal, the articles shall set forth the general rule or rules applicable to all members by which the property rights and interests, respectively, of each member may and shall be determined and fixed; and the association shall have the power to admit new members who shall be entitled to share in the property of the association with the old members, in accordance with such general rule or rules.

This provision of the Articles of Incorporation may be altered, amended, or repealed and provisions under Subdivision (g) hereof substituted therefor by a resolution approved by two-thirds of the directors and then adopted by a vote representing a majority of the members of the association voting upon the proposal.

Approved February 20, 1941.

CHAPTER 118**S. B. No. 45—(Committee on Judiciary)**

RENEWAL OF CORPORATE EXISTENCE

An Act to re-enact Chapter 110 of the Session Laws of North Dakota for the year of 1935, 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:

That Chapter 110 of the Session Laws of North Dakota for the year 1935 be re-enacted as follows:

§ 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 corporation 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 March 7, 1941.

CHAPTER 119

S. B. No. 165—(Kehoe and Bridston)

ISSUE STOCK WITHOUT PAR VALUE

An Act Providing for the issue of stock without par value with such qualifications, limitations, restrictions, and such special and relative rights and value as shall be stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

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

§ 1. Every Corporation shall have the power to issue stock without par value with such qualifications, preferences, limitations, restrictions, and such special and relative rights and value as shall be stated in the articles of incorporation or in the by-laws of the corporation.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 7, 1941.

CHAPTER 120

H. B. No. 168—(Committee on Drainage and Irrigation by Request)

ORGANIZATION OF CORPORATIONS FOR IRRIGATION PURPOSES

An Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supplying and Delivering Water for Irrigation Purposes, or for Domestic Use, to its Members or Stockholders, Providing that the Shares of Stock in such Corporations may be Appurtenant to Certain Lands, Prescribing the Rights and Powers of such Corporations; Providing for the Transferability of Stock therein and Repealing all Acts and Parts of Acts in Conflict Herewith.

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

§ 1. Corporations may be formed under the general laws of this state or under Chapter 109 of the Session Laws of 1935 and acts amendatory thereof, for the purpose of acquiring water rights and for the purpose of establishing, owning, leasing, operating and maintaining irrigation systems and selling, distributing, supplying and delivering water for irrigation purposes, or for domestic use, to its members or stockholders.

§ 2. Corporations organized under this act shall have the power:

1. To engage in any corporative activity not otherwise prohibited by law and not inconsistent with the purposes mentioned in section one hereof.

2. To acquire water rights, easements, sites and all means, property, machinery and equipment necessary or required in connection with the operation and maintenance of an irrigation system and to establish, construct, maintain and operate pumping plants, canals and ditches and all necessary facilities required for the operation and maintenance of an irrigation system.

3. To borrow money to an amount (whether in excess of the amount of its capital stock or not) necessary to enable it to carry out the intent and purposes for which it is organized and as security for the payment of such loan, to pledge or mortgage real or personal property acquired by the proceeds of such loan, or otherwise, including future earnings or income of the corporation.

4. To acquire, purchase, or lease the water rights, franchises, canals, ditches, pumping plants and irrigation facilities or any part thereof from any person, firm, corporation, or irrigation district and from any state or federal agency.

5. To furnish water for irrigation, or domestic use, to its members or stockholders and to furnish and sell water to any person, firm or corporation.

6. To adopt by-laws and rules and regulations for the furnishing of water, and for charges to be made therefor.

7. To levy assessments against its members or stockholders necessary for the maintenance and operation of the irrigation system.

8. To fix rates of tolls and charges for water, to collect the same, to require that charges for water be paid in advance of the irrigation season, to suspend the delivery of water to any land for the irrigation of which the charges and tolls have not been paid, and to provide for the suspension of water delivery to any land to which assessments, apportioned and levied, remain unpaid for one year after having become due and payable.

9. To enter into contracts with any person, firm, association, corporation, irrigation district, the state of North Dakota or any department or agency thereof, or the United States of America, or with any department or agency of the United States of America, for supplying water for the irrigation of the lands of its members or stockholders, and such supply of water may be either the entire supply of water necessary to irrigate said lands or to supplement waters supplied or controlled by the corporation organized under the provisions of this act.

10. To do each and everything necessary, suitable or proper

for the accomplishment of any one of the purposes, or the attainment of any one or more of the objects herein enumerated, and to exercise and possess all powers, rights and privileges necessary or incidental to the purposes for which the corporation is organized, or to the activities in which it is engaged; and in addition, any other rights, powers and privileges, not inconsistent with the purposes of this act, granted by this state to ordinary corporations or to mutual aid corporations organized under the provisions of Chapter 109 of the Session Laws of 1935 and acts amendatory thereof.

§ 3. Any corporation organized under the provisions of this act may provide in its articles of incorporation, or by-laws, that water shall be sold, distributed, supplied or delivered only to owners of its shares of stock and that such shares shall be appurtenant to the lands described in the certificate issued and evidencing such shares of stock, and when such certificate, and a copy of such articles of incorporation, or by-laws, are recorded in the office of the register of deeds of the county in which such lands are situated such shares of stock shall become appurtenant to said lands and shall only be transferred with the sale or transfer of such lands, except in the event of sale or forfeiture of such shares of stock for delinquent assessments thereon as provided in Section 4 of this act. Notwithstanding, however, such provision in its articles of incorporation or by-laws, any corporation organized hereunder may sell water to an irrigation district, the State of North Dakota, or any department or agency thereof, and to the United States of America, or any department or agency thereof, at the same rates as to holders of shares of such corporation. In the event lands, to which any such stock is appurtenant, are acquired by the state, the United States, or any department or agency thereof, such stock shall be cancelled by the corporation, but shall be reissued to any person subsequently acquiring title to such land.

§ 4. Any corporation, organized under the provisions of this act, unless otherwise provided in its articles of incorporation or by-laws, may levy assessments upon its capital stock whether or not such stock is fully paid. If any shares of stock of any such corporation, which have been made appurtenant to any land as provided in Section 3 hereof, become delinquent in payment of assessments, the right to receive water thereunder or through dividends on such stock, may be denied and such shares may be forfeited to the corporation.

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

Approved March 17, 1941.

CHAPTER 121

S. B. No. 100—(Bridston)

CORPORATIONS, SALE AND REORGANIZATION

An Act to permit Sales of total assets and reorganizations of corporations when authorized by a two-thirds vote of stockholders or members, to validate past sales and reorganizations where such two-thirds vote has authorized same and to declare an emergency.

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

§ 1.] A private corporation organized under the laws of this state may sell, lease, exchange or otherwise dispose of all or substantially all of its property and assets including its good will, upon such terms and conditions and for such considerations, which may be money, stocks, bonds, or other instruments for the payment of money or other property, or considerations, as its Board of Directors deems expedient, when and as authorized by a two-thirds affirmative vote of the issued and outstanding stock, both preferred and common as separate classes, or its members, given at a regular or special meeting of such stockholders or members called for that purpose. The authority granted hereby shall be construed to include the transfer or conveyance of such property or assets to carry out any plan for the reorganization of the corporation, whether such reorganization contemplates the organization of a new corporation or contemplates a merger or consolidation with an existing corporation or corporations.

§ 2.] Any such proceedings heretofore had or authorized by such two-thirds vote shall be in all things deemed legal and binding upon all stockholders or members unless within ninety days after this Act takes effect, non-assenting stockholders or members shall by action to enjoin or by other appropriate judicial process question the legality of the sale or authorization.

§ 3.] This Act is hereby declared to be an emergency measure and shall be in full force and effect immediately upon its passage and approval.

Approved March 7, 1941.

CHAPTER 122

H. B. No. 306—(Collette, Saumur & Halvorson)

ELECTRIC COOPERATIVE CORPORATIONS, 1941 AMENDMENT

An Act to amend and re-enact sub-section (1) of Section 2, sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, relating to electric cooperative corporations, their powers, incorporation, corporate names, amendment of by-laws and articles of incorporation, quorum and voting requirements, qualifications of directors, exemptions from certain statutory requirements; and providing for the extension of Chapter 115 of the Session Laws of 1937 to certain foreign corporations, repealing all Acts or parts of Acts in conflict herewith, and declaring an emergency.

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

§ 1. AMENDMENT.] That sub-section (1) of Section 2 of Chapter 115 of the Session Laws of 1937 be and the same is hereby amended and re-enacted as follows:

(1) "Corporation" means a corporation organized pursuant to the provisions of this Act or which becomes subject to this Act in the manner hereinafter provided.

§ 2. AMENDMENT.] That sub-section (4) of Section 4 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted to read as follows:

(4) To generate, manufacture, purchase, acquire, and accumulate electric energy and to transmit, distribute, sell, furnish and dispose of such electric energy to its members only, and to construct, erect, purchase, lease as lessee and in any manner acquire, own, hold, maintain, operate, sell, dispose of, lease as lessor, exchange and mortgage plants, buildings, works, machinery, supplies, equipment, apparatus, electric cold storage and processing plants, and transmission and distribution lines or systems necessary, convenient or useful.

§ 3. AMENDMENT.] That Section 5 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted to read as follows:

§ 5. INCORPORATORS.] Any three or more natural persons of the age of twenty-one years or more, residents of this State, or any two or more corporations, may act as incorporators of a corporation to be organized under this Act by executing articles of incorporation as hereinafter provided in this Act.

§ 4. AMENDMENT.] That sub-section (1) of Section 6 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted to read as follows:

(1) The name of the corporation, which name shall include the words "Electric Cooperative" and the word "Corporation," "Incorporated," "Inc.," or "Company", unless, in an affidavit made by the persons executing the articles of incorporation, and filed in the office of the Secretary of State, it shall appear that the corporation desires to do business in another State and is or would be precluded therefrom by reason of the inclusion of such words or any of them in its name. The name of the corporation shall be such as to distinguish it from any other corporation organized under the laws of, or authorized to do business in this State.

§ 5. AMENDMENT.] That Section 7 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted as follows:

§ 7. PROHIBITION ON USE OF WORDS "ELECTRIC COOPERATIVE."] The words "Electric Cooperative" shall not be used in the corporate name of corporations organized under the laws of this State or authorized to do business herein, other than those organized pursuant to the provisions of this Act, or those authorized to do business in this State under this Act.

§ 6. AMENDMENT.] That Section 11 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted as follows:

§ 11. BY-LAWS.] The power to make, alter, amend, or repeal the by-laws of the corporation shall be vested in the Board of Directors; provided, however, that the articles of incorporation may reserve to the members of the corporation the power to alter, amend or repeal by-laws. The by-laws may contain any provisions for the regulation and management of the affairs of the corporation not inconsistent with law or the articles of incorporation.

§ 7. AMENDMENT.] That Section 17 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted as follows:

§ 17. QUORUM OF MEMBERS.] Unless otherwise provided in the articles of incorporation or in the by-laws, a majority of the members, present in person or represented by proxy, shall constitute a quorum for the transaction of business at a meeting of members, but if voting by mail is provided for in the by-laws, members so voting shall be counted as if present.

§ 8. AMENDMENT.] That Section 19 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted as follows:

§ 19. ELECTION, QUALIFICATION AND COMPENSATION OF DIRECTORS.] The directors, other than those named in the certificate of incorporation to serve until the first annual meeting of members,

shall be elected annually or as otherwise provided in the by-laws, by the members. The directors shall be members of the corporation or of another corporation which is a member thereof and shall be entitled to such compensation and reimbursement for expenses actually and necessarily incurred by them as may be provided in the by-laws.

§ 9. AMENDMENT.] That Section 26 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted as follows:

§ 26. AMENDMENT OF ARTICLES OF INCORPORATION.]

(a) A corporation may amend its articles of incorporation by an affirmative vote of a majority of the members voting thereon at any regular meeting, or at any special meeting, of its members called for that purpose. The power to amend shall include the power to accomplish any desired change in the provisions of its articles of incorporation and to include any purpose, power or provision which would be authorized to be included in original articles of incorporation if executed at the time the amendment is made. Articles of amendment signed by the president or vice-president, and attested by the secretary certifying to such amendment and its lawful adoption shall be executed, acknowledged, filed and recorded in the same manner as the original articles of incorporation of a corporation organized under this Act; and as soon as the Secretary of State shall have accepted the articles of amendment for filing and recording, and issued a certificate of amendment, the amendment or amendments shall be in effect.

(b) A corporation may, upon authorization of its Board of Directors or its members, change the location of its principal office by filing a certificate reciting such change of principal office, executed and acknowledged by its president or vice-president under its seal attested by its secretary, in the office of the Secretary of State.

§ 10. AMENDMENT.] That Section 31 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted as follows:

§ 31. EXEMPTIONS.] (a) Whenever any corporation organized under this Act shall have received an allotment of funds or borrowed money from any Federal agency, the obligations issued to secure the payment of such money or the issuance of membership certificates shall be exempt from the provisions of the Securities Act (Chapter 182, Laws of North Dakota, 1923, as amended), nor shall the provisions of said Act apply to the issuance of membership certificates.

§ 11. AMENDMENT.] That Section 33 of Chapter 115 of the Session Laws of 1937, be and the same is hereby amended and re-enacted as follows:

§ 33. ACT EXTENDED TO EXISTING CORPORATIONS AND TO CERTAIN FOREIGN CORPORATIONS.] (a) Any existing cooperative or non-profit corporation or association, organized under any other law of this State, for the purpose of engaging in rural electrification, may, by the affirmative vote of not less than two-thirds of the members voting thereon, at a meeting called for that purpose, amend its articles of incorporation so as to comply with this Act.

(b) Any foreign non-profit or cooperative corporation supplying or authorized to supply electric energy and owning or operating electric transmission or distribution lines in an adjacent State may construct or acquire extensions of such lines in this State and operate such extensions without complying with any statute of this State pertaining to the qualifications of foreign corporations for the doing of business in this State. Any such corporation shall, before constructing or operating such extensions, or by instrument executed and acknowledged on its behalf by its president or vice-president, under its seal attested by its secretary, and filed in the office of the Secretary of State, designate the Secretary of State its agent to accept service of process on its behalf. Thereafter, such corporation shall have all the rights, powers, privileges, and immunities of a corporation organized under this Act. In the event any process shall be served upon the Secretary of State, he shall forthwith forward the same by registered mail to such corporation at the address thereof specified in the aforesaid instrument.

§ 12. REPEAL.] All acts and parts of Acts in conflict herewith are hereby repealed.

§ 13. 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 17, 1941.

CHAPTER 123

S. B. No. 149—(Gronvold)

MUTUAL AID CORPORATIONS, AMENDMENT

An Act to amend and re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the year 1935 relating to Mutual Aid Corporations and declaring an emergency.

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

§ 1. AMENDMENT.] That Section 1 of Chapter 109 of the Session Laws of North Dakota for the year 1935 is hereby amended and re-enacted so as to read as follows:

§ 1. Non-profit corporations, with or without capital stock, may be organized for the purpose of effectuating any plan or program for rural rehabilitation, subsistence farming, housing, or for the purpose of effectuating any plan or program of any state or federal department or agency, or any other agency, or corporation, for giving assistance, financial or otherwise, in such endeavors, or cooperative endeavors of any nature or description, or engaging in such endeavors with or without such assistance. Such corporations may be organized on a cooperative plan. A corporation organized under this Act shall be known as a "Mutual Aid Corporation," which three words shall form a part of the name of each corporation so organized.

§ 2. AMENDMENT.] That Section 10 of Chapter 109 of the Session Laws of North Dakota for the year 1935 is hereby amended and re-enacted so as to read as follows:

§ 10. Such corporation may provide, in its articles of incorporation or in its by-laws, for qualifications and limitations of stock ownership or of membership in the corporation, and may provide that no member or stockholder shall be entitled to more than one vote regardless of the amount of his interest in the corporation or the number of shares of stock held by him.

§ 3. EMERGENCY.] An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval.

Approved March 14, 1941.

CHAPTER 124

H. B. No. 200—(Committee on Corporations other than Municipal)

MEMBERSHIP DUES AND ASSESSMENTS—NON-STOCK CORPORATIONS

An Act to provide for the levying of dues or assessments upon members in non-stock corporations, and Declaring an Emergency.

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

§ 1. Non-stock corporations may levy dues or assessments, or both, upon their members, if such authority is conferred either by the articles of incorporation or by their by-laws, and subject to any limitation therein contained. Such dues or assessments, or both, may be levied upon all classes of membership alike, or in different amounts or proportions, or upon a different basis upon different or various classes of membership, and memberships of one

or more classes may be made exempt from either dues or assessments or both, in the manner and to the extent provided either in the articles of incorporation or by the by-laws.

The amount of the levy and method of collection of such dues or assessments, or both, may be fixed in the articles of incorporation or by-laws, or the articles of incorporation, or the by-laws, may authorize the board of directors to fix the amount thereof from time to time and make them payable at such times or intervals, and upon such notice and by such methods of collecting as the directors may prescribe and may be made enforceable by action or by forfeiture of membership, or both, upon such notice as the articles of incorporation or by-laws may prescribe.

§ 2. EMERGENCY.] An emergency is hereby declared to exist and this act shall take effect and be in force from and after its passage and approval.

Approved March 17, 1941.

COUNTIES

CHAPTER 125

H. B. No. 117—(Tuff and Allen by Request)

DUTIES OF CORONER

An Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to the Duties of the Coroner; Repealing all Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

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

§ 1. AMENDMENT.] That Section 3406 of the Compiled Laws of the State of North Dakota for the year 1913 be and the same is hereby amended and re-enacted to read as follows:

§ 3406. The coroner shall hold an inquest upon the dead bodies of such persons only as are supposed to have died by unlawful means, except as otherwise specifically provided. When he has notice of the dead body of a person supposed to have died by unlawful means found or being in his county he shall summon the sheriff or a police officer or the states attorney to accompany him, and he shall be required to issue his warrant to the sheriff or any constable of his county, requiring him to summon forthwith three electors,