

REFERENDUM ON LEGISLATION

Defining Crime of Bootlegging.

I, Thomas Hall, secretary of state of the state of North Dakota, acting under the authority of the amendment to section 25 of article 2 of the constitution of the state of North Dakota proposed and passed by the Twelfth and Thirteenth Legislative assemblies, adopted by the people at the general election held on Nov. 3rd, 1914, and election held on Nov. 3rd, 1915, and election held on Nov. 3rd, 1916, do hereby certify that, pursuant to the filing in the office of the secretary of state of the state of North Dakota, there has been submitted to the people for their approval or rejection, at the general election to be held on Nov. 7th, 1916, chapter 194 of the Session Laws of 1915, which defines the crime of bootlegging and prescribes the penalty therefor.

And I further certify that the following is a true and correct copy of the form of petition filed in the office of the secretary of state, together with a true and correct copy of said laws, and that in accordance with the power vested in me by the amendment to section 25 of article 2 of the constitution of the state of North Dakota, approved March 9th, 1915, being an Act entitled "An Act Amending and Re-enacting Chapter 194 of the Laws of 1915, known as the Mill Tax for Terminal Elevators."

THOMAS HALL,
Secretary of State.

Done at the Capitol at Bismarck this 27th day of July, A. D. 1916.

Referendum Petition.

Petition to refer to the people for their approval or rejection at the polls house bill No. 114 as passed by the fourteenth session of the state of North Dakota, to the Honorable Thomas Hall, as Secretary of State, for the State of North Dakota, Bismarck, North Dakota.

We, the undersigned, legal voters of the state of North Dakota, do hereby petition, request and order that you refer to the people of the state of North Dakota for their approval or rejection at the polls, at the next regular biennial election to be held in the State of North Dakota, on the first Tuesday after the first Monday in January, 1916, the following Bill and Act, to-wit: House Bill, No. 114, and the whole thereof, and each section thereof, passed at the Fourteenth Session of the State of North Dakota, held at Bismarck, the Capitol of said State, on the 14th day of January, 1915, and which Bill and Act of the said Legislative Assembly was approved by the people of the State of North Dakota, on the 4th day of March, 1915, and which is as follows:

"A BILL

(House Bill, No. 114, of 1915, of Kinder)

An Act defining the crime of bootlegging, fixing the punishment therefor, and repealing Section 10144 and 10145, Compiled Laws of the State of North Dakota, 1913, being Chapter 60, Session Laws, 1913.

Be it enacted by the Legislative Assembly of the State of North Dakota: Section one. That bootlegging is defined as follows:—Any person who shall sell or barter any intoxicating liquor upon any premises or place, public or private, within the State of North Dakota, not owned, kept, maintained or controlled by him, or who shall act, directly or indirectly, with or without compensation, as the agent of another in the purchase, sale or purchase, or sale of intoxicating liquors; or who shall solicit, procure or receive from any person, any order, providing for the purchase, sale or furnishing of intoxicating liquors, either for delivery from within or without this state, except from a person authorized by law to sell or barter the same within this state; or, who shall aid, assist or abet in the commission of such crime, shall be guilty of the crime of bootlegging.

Section two (2). Penalty.—Every person convicted of the crime of bootlegging shall be punished by imprisonment in the county jail for not less than ninety days or more than one year, or by imprisonment in the state penitentiary under an indeterminate sentence of not more than three years, or by both the second and each succeeding offense shall be punished by imprisonment in the state penitentiary under an indeterminate sentence of not less than two or more than five years.

Section three. (3). Sections 10144 and 10145, Compiled Laws of the State of North Dakota, 1913, being Chapter 60, Session Laws of the State of North Dakota, 1913, are hereby repealed.

REFERENDUM ON LEGISLATION

MILL TAX FOR ELEVATORS

I, Thomas Hall, Secretary of State of the state of North Dakota, acting under the authority of the Amendment to Section 25 of Article 2 of the Constitution of the State of North Dakota, proposed and passed by the Twelfth and Thirteenth Legislative Assemblies, adopted by the people at the General Election held on November 3rd, 1914, and reported by me to the Fourteenth Legislative Assembly, do hereby certify that, pursuant to the filing in the office of the Secretary of State of petitions containing the signatures of ten per cent of the legal voters of a majority of the counties of the State of North Dakota, there will be submitted to the people for their approval or rejection, at the General Election to be held on November 7th, 1916, which repeals the Session Laws of 1915, which repeals the Mill Tax for Terminal Elevators and in lieu thereof makes an appropriation of

\$1,000,000 therefor: And I further certify that the following is a true and correct copy of the form of petition filed in the office of the Secretary of State, together with a true and correct copy of said Chapter 238 of the 1915 Session Laws, and that in accordance with the power vested in me by the Amendment to Section 25 of Article 2 of the constitution of the state of North Dakota, approved March 9th, 1915, being an Act entitled "An Act Amending and Re-enacting Chapter 238 of the Laws of 1915, known as the Mill Tax for Terminal Elevators."

THOMAS HALL,
Secretary of State.

Done at the Capitol at Bismarck this 27th day of July, A. D. 1916.

REFERENDUM PETITION

To the Honorable Secretary of State, State of North Dakota, Bismarck.

We, the undersigned citizens and legal voters of the State of North Dakota, do hereby petition, request and order that you refer to the people of the State for approval or rejection, by means of a vote taken at the polls, at the next regular biennial election of the State of North Dakota, approved March 9th, 1915, being an Act entitled "An Act Amending and Re-enacting Chapter 238 of the Laws of 1915, known as the Mill Tax for Terminal Elevators."

TERMINAL ELEVATORS.

Chapter 238—1915 Session Laws.

Mill Tax for Terminal Elevators.

An Act Amending and Re-enacting Chapter 238 of the Laws of 1915, known as the Mill Tax for Terminal Elevators.

Be it enacted by the Legislative Assembly of the State of North Dakota: Section one. That there shall be levied upon all the taxable property within this state, real and personal, for the years 1915 and 1916, to be paid during each of said years the sum of \$1,000,000, and all the revenue collected under such levy shall be considered as a special fund to be known as the State Terminal Elevator Fund, which shall be used for the following and no other purpose, to-wit: for the purchase, equipment, maintenance and operation, and for investigation as to the practicability of a terminal elevator or elevators in the State of North Dakota, Minnesota or Wisconsin.

Section two. It is hereby made the duty of the State Board of Commissioners, in addition to all other duties imposed upon it by law, to investigate the matter of the erection of a terminal elevator or elevators, the cost of building and obtaining sites, and to submit a general plan for the building and equipment of such elevator or elevators, and the rules of operation of the same to the legislative assembly of this state in case it shall deem the proposition feasible and practicable, and it is hereby made the duty of said board of all-ian commissioners to so report their findings in such feasibility and practicability at the meeting of the next legislative assembly.

Section three. There is hereby appropriated out of the sum of two thousand dollars or so much thereof as may be necessary to pay the expenses of such investigation and report.

Section four. All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved March 9, 1915.

Notice of General Election

NOTICE IS HEREBY GIVEN THAT on Tuesday, the 7th day of November, 1916, at the several election precincts in the County of Steele, State of North Dakota, a general election will be held for the purpose of electing the following officers:

STATE OFFICERS:

Five Presidential Electors

One United States Senator

One Congressman, First District

Three Justices of the Supreme Court

One Governor

One Lieutenant Governor

One Secretary of State

One State Auditor

One State Treasurer

One Superintendent of Public Instruction

One Commissioner of Insurance

One Attorney General

One Commissioner of Agriculture and Labor

Three Commissioners of Railroads

DISTRICT OFFICERS:

One Judge of the District Court, Third Judicial District

Three members of the House of Representatives, County of Steele, North Dakota

COUNTY OFFICERS:

One Sheriff

One Assessor

One Treasurer

One Clerk of District Court

One Register of Deeds

One State Attorney

One County Judge

One Surveyor

One Superintendent of Schools

One Public Administrator

Four Justices of the Peace

One Constable

One County Commissioner, First District

One County Commissioner, Fourth District

Section one. That the election shall be held in the forenoon and remain open all day on the following polling places:

Newburg at School House on section No. 15, Beaver Creek, at School House on Sec. No. 20, Westfield, at School House on Sec. No. 20, Sargent, at School House on Sec. No. 20, Enger at Town Hall on Sec. No. 15, Golden Lake, at School House on Sec. No. 20, Finley, at School House on Sec. No. 8, Franklin, at School House on Sec. No. 22, Primrose, at School House on Sec. No. 2, Sherbrooke, at the Court Rooms in town of Sherbrooke; at School House on Sec. No. 14, Metros, at Greenview, at School House on Sec. No. 14, Edendale, at Town Hall on Sec. No. 22, Hugo, at School House on Sec. No. 14, Metros, at School House on Sec. No. 8, Broadlawn, at School House on Sec. No. 17, Colgate, at Old School House in Town of Colgate; Carpenter, at School House on Sec. No. 28, Willow Lake, at School House on Sec. No. 20, Village of Sharon, at School House on Sec. No. 24, 1st Addition; Village of Sharon, at Commercial Club Rooms in Second Story of the Store on Lot 23, Block 2; City of Hope, 1st Ward, at the Old City Hall on Lot 12, Block 23, Second Ward, at the Hardware Store of J. H. McCollom, on Lot 13, Block 17, Third Ward, in City of Bismarck, Block 35.

Dated at Sherbrooke, N. D., this 25th day of September, 1916.

G. J. MUSTAD,
County Auditor,
Steele County, N. D.

Certificate of Nominations

In accordance with Section 975 C. L. 1913, I hereby certify that the following named candidates have been duly nominated for the offices hereinafter indicated, and will be voted upon at the General Election held at the designated polling places in the County of Steele, State of North Dakota, on Tuesday, the seventh day of November, A. D. 1916.

REPUBLICAN

Presidential Electors:
A. B. Cox, Valley City
F. M. Jackson, Hettinger
C. E. Johnson, Langdon
E. H. Nelson, Flandreau
John H. Werner, Burlington
U. S. Senator: Porter J. McCumber, Wahpeton
Representative in Congress, First District:
H. T. Holzerson, Milton
Governor: Lynn J. Frazier, Hoople
Lieutenant Governor: A. T. Kraabel, Clifford
Secretary of State: Thomas Hall, Bismarck
State Auditor: Carl R. Kostzky, Bismarck
State Treasurer: John Steen, Rugby
Clerk of Court: B. W. Vadie, Sherbrooke
Attorney General: William Langer, Mandan
Commissioner of Insurance: S. A. Olness, Sheyenne
Commissioner of Agriculture and Labor: John N. Hagun, Deering
Commissioners of Railroads:
S. J. Aandahl, Livestock
Charles W. Bleick, Elin
M. P. Johnson, Tolley
Members House of Representatives, 16th District:
E. W. Everson, Walum
Porter Kimball, Hope
F. W. Christianson, Lyster
Sheriff: G. N. Grimson, Finley
County Auditor: G. J. Mustad, Sherbrooke
County Treasurer: Alvin P. Bos, Sherbrooke
Clerk of Court: B. W. Vadie, Sherbrooke
Register of Deeds: G. H. Gilbertson, Sherbrooke
State Attorney: P. O. Sathre, Finley
County Judge: Adam S. Mote, Sherbrooke
County Surveyor: Chas. Mills, Hatton
Members of the Senate:
First District: S. W. Johnson, Colgate
Fourth District: O. W. Williams, Finley
Justices of the Peace:
R. L. Curry, Lyster
N. A. Johnson, Hatton
M. J. Monteth, Finley
E. D. Washburn, Hope
Constables:
N. A. Anderson, Sharon
F. W. Christianson, Lyster
H. O. Haenson, Portland
Oscar Johnson, Hope

DEMOCRATIC

Presidential Electors:
George A. Gilmore, Williston
David J. Gorman, Grand Forks
John Mahon, Langdon
John A. Wright, Cassin
U. S. Senator: John Burke, Devils Lake
Representative in Congress, First District:
George A. Bangs, Grand Forks
Governor: D. H. McArthur, Fargo
Lieutenant Governor: M. J. Kitzman, Williston
Secretary of State: William Olson, Valley City
State Auditor: G. I. Solum, Mandan
State Treasurer: P. M. Casey, Lisbon
Attorney General: G. S. Woodledge, Minot
Commissioner of Insurance: Denis M. Lynch, Fargo
Commissioner of Agriculture and Labor: John Harvey, Cando
Commissioners of Railroads:
B. F. Brockhoff, Grand Forks
Charles Hein, Hankinson
F. H. Grace, Minot
Member of House of Representatives, 16th District: Neils M. Lund, Cooperstown

SOCIALIST

Presidential Electors:
N. H. Bjorklund, Edendale
A. T. Hegreberg, Minot
W. G. Johnson, Fargo
U. S. Senator: E. R. Fry, Crosby
Representative in Congress, First District:
Governor: Oscar A. Johnson, Bergen
Lieutenant Governor: John Plecten, Kenyon
Secretary of State: H. R. Martinson, Minot
State Auditor: John W. Clark, Donnybrook
State Treasurer: O. E. Loftus, Kloten
Attorney General: H. Goer, Devils Lake
Commissioner of Insurance: James Maloney, Baker
Commissioner of Agriculture and Labor: L. Knokke, Willow City
Commissioners of Railroads:
George G. Kirkpatrick, Minot
C. J. Kretschmer, Minot
James Murphy, Portal

INDIVIDUAL NOMINATIONS

Presidential Electors:
N. W. Whitton, Minot
George Lipmann, Prohibition, Grand Forks
W. H. Cassare, Prohibition, Newville
J. P. Shively, Prohibition, Starkweather
E. E. Saunders, Prohibition, Appleton
Member of House of Representatives, 16th District: John L. Mickelson, Independent, Williston

NON-PARTISAN JUDICIARY

Judges of the Supreme Court:
Luther E. Birdzell, Grand Forks
E. T. Burke, Valley City
Charles J. Fisk, Grand Forks
H. H. Grace, Minot
J. E. Robinson, Fargo
Burling H. Spaulding, Fargo
Judge of the District Court, Third District:
A. T. Cole, Fargo
Charles A. Pollock, Fargo

NON-PARTISAN SCHOOL

Superintendent of Public Instruction:
W. E. Hoover, Fargo
N. C. McDonald, Valley City
County Superintendent of Schools:
Gina O. Wainnesen, Finley

I further certify that the following proposed amendments to the Constitution of the State of North Dakota, which were submitted to the electors of said county and state at said General Election:

PROPOSED AMENDMENTS TO THE CONSTITUTION.

The following proposed amendments to the Constitution of the State of North Dakota, having passed the Thirteenth and Fourteenth Legislative Assemblies, will be submitted to the electors of the State of North Dakota, at the general election to be held November 7th, 1916, for approval or rejection.

THOMAS HALL,
Secretary of State.

PROPOSED AMENDMENT TO THE STATE CONSTITUTION.

Chap. 99 (S. B. No. 319—McBride) 1913

Chapter 84 (S. B. No. 111—McBride) 1915 Session Laws.

STATE NORMAL SCHOOL AT DICKINSON.

A Concurrent Resolution Amending Section 216 of the Constitution of the State of North Dakota, to establish and maintain a state normal school in the City of Dickinson, County of Stark.

That the following proposed amendment to the Constitution of the State of North Dakota, adopted by the 13th Legislative Assembly and by it referred to the 14th Legislative Assembly for approval or rejection, is hereby agreed to, and such amendment shall be submitted to the electors of the state at the next general election of the state for approval or rejection in accordance with the provisions of Section 212 of the Constitution of the State of North Dakota (Amendment). That Section 216 of the Constitution of the State of North Dakota shall be amended to read as follows:

Section 216. The following named public institutions are hereby permanently established 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 the State of North Dakota as shall be allotted by law, namely:

First: A soldiers' home, when located, to be situated in the County of Lincoln, as provided by law, and the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, 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 shall be determined by the legislative assembly, with a grant of thirty thousand (30,000) acres.

Third: An industrial school and school for manual training, or such other educational or charitable institution as the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, with a grant of forty thousand (40,000) acres.

Fourth: A school of forestry, or such other institution as the legislative assembly may determine, at such place in the County of McHenry, Ward, Bottineau or Rolette, as the electors of the county may determine, with a grant of forty thousand acres.

Fifth: A scientific school or such other educational or charitable institution as the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, with a grant of forty thousand acres.

Sixth: A state normal school at the City of Dickinson, in the County of Stark.

Seventh: (a) A state normal school at the City of Dickinson, in the County of Stark.

Provided, that no other institution of a character similar to any one of those created by this article shall be established or maintained without a revision of this constitution.

STATE OF NORTH DAKOTA
Department of State.

In accordance with section 975, article 13, chapter 11, of the Political Code, compiled by the State of North Dakota, 1915, I, Thomas Hall, Secretary of State, do hereby certify that the foregoing proposed amendments to the constitution of this state have passed the Thirteenth and Fourteenth legislative assemblies; have been published as required by section 988, chapter 11, of the Political Code, Compiled Laws of North Dakota, 1915, and will be placed upon the official ballot and submitted to the electors to be voted upon at the next general election to be held on the 7th day of November, A. D. 1916.

THOMAS HALL,
Secretary of State.

Done at the Capitol, Bismarck, North Dakota, this 2nd day of October, A. D. 1916.

G. J. MUSTAD,
County Auditor.

PROPOSED AMENDMENT TO THE STATE CONSTITUTION.

Chap. 99 (S. B. No. 319—McBride) 1913

Chapter 84 (S. B. No. 111—McBride) 1915 Session Laws.

TO PROVIDE A SECOND HOSPITAL FOR THE INSANE.

A Concurrent Resolution Amending the Constitution of the State of North Dakota, providing for the establishment and location of a state hospital for the insane.

BE IT RESOLVED BY THE SENATE of the State of North Dakota, the House of Representatives concurring: That the following proposed amendment to Section 216, Article 19, of the Constitution of the State of North Dakota adopted by the Thirteenth and Fourteenth Legislative Assemblies of the State of North Dakota, and by it

referred to the Fourteenth Legislative Assembly of said state; for approval or rejection is hereby agreed to, and said 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 212 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:

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 (170,000) acres of land made by the United States for the State of North Dakota as shall be allotted by law, namely:

First: A soldiers' home, when located, to be situated in the County of Lincoln, as provided by law, and the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, in the County of Ransom, with a grant of forty thousand (40,000) 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 shall be determined by the legislative assembly, with a grant of thirty thousand (30,000) acres.

Third: An industrial school and school for manual training, or such other educational or charitable institution as the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, with a grant of forty thousand (40,000) acres.

Fourth: A school of forestry, or such other institution as the legislative assembly may determine, at such place in the County of McHenry, Ward, Bottineau and Rolette, as the electors of the county may determine, with a grant of forty thousand acres.

Fifth: A scientific school or such other educational or charitable institution as the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, with a grant of forty thousand (40,000) acres.

Sixth: A state normal school at the City of Dickinson, in the County of Stark.

Seventh: (a) A state hospital for the insane at such place within this state as shall be selected by the legislative assembly, 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.

PROPOSED AMENDMENT TO THE STATE CONSTITUTION.

Chap. 96 (S. B. No. 259—McBride) 1913

Chapter 84 (S. B. No. 111—McBride) 1915 Session Laws.

STATE NORMAL SCHOOL AT DICKINSON.

A Concurrent Resolution Amending Section 216 of the Constitution of the State of North Dakota, to establish and maintain a state normal school in the City of Dickinson, County of Stark.

That the following proposed amendment to the Constitution of the State of North Dakota, adopted by the 13th Legislative Assembly and by it referred to the 14th Legislative Assembly for approval or rejection, is hereby agreed to, and such amendment shall be submitted to the electors of the state at the next general election of the state for approval or rejection in accordance with the provisions of Section 212 of the Constitution of the State of North Dakota (Amendment). That Section 216 of the Constitution of the State of North Dakota shall be amended to read as follows:

Section 216. The following named public institutions are hereby permanently established 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 the State of North Dakota as shall be allotted by law, namely:

First: A soldiers' home, when located, to be situated in the County of Lincoln, as provided by law, and the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, in the County of Ransom, with a grant of forty thousand (40,000) acres.

Second: A blind asylum, or such other institution as the legislative assembly may determine, at such place in the County of Pembina as shall be determined by the legislative assembly, with a grant of thirty thousand (30,000) acres.

Third: An industrial school and school for manual training, or such other educational or charitable institution as the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, with a grant of forty thousand (40,000) acres.

Fourth: A school of forestry, or such other institution as the legislative assembly may determine, at such place in the County of McHenry, Ward, Bottineau or Rolette, as the electors of the county may determine, with a grant of forty thousand acres.

Fifth: A scientific school or such other educational or charitable institution as the legislative assembly may prescribe, at the City of Wahpeton, County of Lincoln, with a grant of forty thousand acres.

Sixth: A state normal school at the City of Dickinson, in the County of Stark.

Seventh: (a) A state normal school at the City of Dickinson, in the County of Stark.

Provided, that no other institution of a character similar to any one of those created by this article shall be established or maintained without a revision of this constitution.

STATE OF NORTH DAKOTA
Department of State.

In accordance with section 975, article 13, chapter 11, of the Political Code, compiled by the State of North Dakota, 1915, I, Thomas Hall, Secretary of State, do hereby certify that the foregoing proposed amendments to the constitution of this state have passed the Thirteenth and Fourteenth legislative assemblies; have been published as required by section 988, chapter 11, of the Political Code, Compiled Laws of North Dakota, 1915, and will be placed upon the official ballot and submitted to the electors to be voted upon at the next general election to be held on the 7th day of November, A. D. 1916.

THOMAS HALL,
Secretary of State.

Done at the Capitol, Bismarck, North Dakota, this 2nd day of October, A. D. 1916.

G. J. MUSTAD,
County Auditor.

STATE OF NORTH DAKOTA

Department of State.

In accordance with section 975, article 13, chapter 11, of the Political Code, compiled by the State of North Dakota, 1915, I, Thomas Hall, Secretary of State, do hereby certify that the foregoing proposed amendments to the constitution of this state have passed the Thirteenth and Fourteenth legislative assemblies; have been published as required by section 988, chapter 11, of the Political Code, Compiled Laws of North Dakota, 1915, and will be placed upon the official ballot and submitted to the electors to be voted upon at the next general election to be held on the 7th day of November, A. D. 1916.

THOMAS HALL,
Secretary of State.

Done at the Capitol, Bismarck, North Dakota, this 2nd day of October, A. D. 1916.

G. J. MUSTAD,
County Auditor.

DISTRICT COURT

Summons.

William V. Picken, Plaintiff

vs.

David M. Clough, D. M. Clough, Roland H. Clough, Chas. F. Clough, Ada Clough; Gilbert, Marston Clough, and all other persons unknown claiming any estate or interest in or lien or incumbrance upon the property described in the complaint.

Defendants.

The State of North Dakota to the Above Named Defendants:

You are hereby summoned to answer complaint in this action and to serve a copy of your answer upon the subscriber within thirty days after the service of this summons upon you, exclusive of the day of such service; and in case of your failure to appear or answer, judgment will be taken against you for relief demanded in the complaint.

F. W. AMES,
Plaintiff's Attorney.

Residence and Post Office Address, Mayville, N. Dak.

To the Above Named Defendants:

Take notice that the complaint in the action entitled in the foregoing summons was filed Oct. 28th, A. D. 1916, in the office of the Clerk of the District Court of Steele County, N. D., and that said action relates, and is to be tried, to the North Half of Section No. 100, in Township No. 46 North and Range No. 45 West, Range No. 45 West