THE EIGHT Proposed Amendments to the

Constitution of the STATE OF **MINNESOTA**

Submitted by the Legislature at Its General Session, 1915, Together With a Statement of the

PURPOSES AND EFFECTS,

Prepared by Hon. Lyndon A. Smith,

Attorney General of Minnesota.

Addressed to

Julius A. Schmahl Secretary of State

DFFICE OF THE ATTORNEY GEN-ERAL, ST. PAUL.

April 7, 1916.

Honorable Julius A. Schmahl, Secretary of State,

DEAR SIR: Pursuant to your re-Quest and in accordance with the provisions of Section 46, Statutes 1913, I herewith hand you statement of the purposes and effect of all amendments the Constitution proposed by the legislature of 1915 and to be submitted to the electors at the next general election; such statement also shows the reading of the existing sections and the way the same will read if the amendments are adopted.

Yours truly, LYNDON A. SMITH, Attorney General.

PROPOSED AMENDMENT NO. 1.

By Chapter 379, Laws 1915, the legistature proposed for adoption by the electors, an amendment of Section Two (2) of Article Eight of the Constitution, by adding to said Section Two a pew paragraph.

Section Two as it now stands reads

Section 2. "SCHOOL AND SWAMP LANDS-SCHOOL FUNDS FROM SALE LANDS—SCHOOL FUNDS FROM SALE
OF—The proceeds of such lands as are
or, hereafter may be granted by the
United States for the use of schools
within each township in this state
shall remain a perpetual school fund
to the state; and not more than onethird of said lands may be sold in two
years, one-third in five years, and onethird in ten years; but the lands of
the greatest valuation shall be sold
first: Provided, that no portion of said
lands shall be sold otherwise than at
public sale. The principal of all funds
arising from sales or other disposition
of lands or other property, granted or
intrusted to this state in each township for educational purposes, shall

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forever be preserved inviolate and undiminished; and the income arising from the lease or sale of said school land shall be distributed to the different townships throughout the state, in proportion to the number of scholars in each township, between the ages of five and twenty-one years; and shall be faithfully applied to the specific objects of the original grants or appropriations. Suitable laws shall be enacted by the legislature for the safe investment of the principal of all funds which have heretofore arisen or which may hereafter arise from the sale or other disposition of such lands, or the income from such lands accruing in any way before the sale or disposition thereof in interest-bearing bonds of the United States, or of the State of Minnesota irsued after the year 1860, or of such other state as the legislature may by law from time to time direct. All swamp lands now held by the state, or that may hereafter accrue to the state, or that may hereafter accrue to the state, shall be appraised and sold in the same less one-third, as is provided by law for the appraisement and sale of the school lands under the provisions of title one of chapter thirty-eight of the General Statutes. The principal of all funds derived from sales of swamp lands as aforesaid shall forever be preserved inviolate and undiminished. One-half of the proceeds of said principal shall be appropriated to the common school fund of the state; the remaining one-half shall be appropriated to the educational and charitable institutions."

The paragraph which it is proposed to support said institutions." forever be preserved inviglate and undiminished; and the income arising

The paragraph which it is proposed

"A revolving fund of not over two hundred fifty thousand dollars (\$250,000) may be set apart from the fund derived from the sale of school and swamp lands, to be used in constructing roads, ditches and fire breaks in, through and around unsold school and swamp lands and in clearing such lands, such fund to be replenished as long as needed from the enhanced value realized from the sale of such lands so benefited."

Under Section Two as it now stands the proceeds of the sale of school and swamp lands constitute the principal of a trust fund, the income of which is used for the support of the schools, educational and charitable institutions of the state. Section Two as it now stands provides that the principal of such fund "shall? rever be preserved inviolate and undiminished."

THE EFFECT of the proposed amendment, if adopted, will be to mod-ify the provision last quoted to the extent of permitting the legislature to set aside not to exceed \$250,000 of the principal of the trust fund as a revolve stated in the amendment proposed.

PROPOSED AMENDMENT NO. 2. By Chapter 380, Laws 1915, the legis-lature proposed for adoption by the electors, an amendment of Section Six (6), of Article Eight (8) of the Con-stitution.

"Section 6. INVESTMENT OF SCHOOL FUNDS — The permanent achool and university fund of this state may be invested in the bonds of any county, school district, city, town outlings of this state, but no such investment shall be made until approved by the board of commissioners delignated by law to regulate the investment of the permanent school fund and the permanent university fund of this state; nor shall such loan or investment be made when the bonds to be issued or purchased would make the entire bonded indebtedness exceed fifteen per cent of the assessed valuation of the taxable real property of the county, school district, city, town or village issuing such bonds; nor shall such loans or indebtedness be made at a lower rate of interest than three per cent per annum, nor for a shorter period than five years, nor for a longer period than twenty years, and no change of the town, school district, city, village or of county lines shall relieve the real property in such town school district, county, village or city in this state at the time of the issuing of such bonds from any liability for taxation to pay such bonds."

If the proposed amendment is adopt-

"The permanent school and university fund of this state may be invested in the bonds of any county, school district, city, town or village of this state, and in first mortgage loans secured upon improved and cultivated farm lands of this state. But no such investment or loan shall be made until approved by the board of commissioners designated by law to regulate the investment of the permanent school fund and the permanent school fund and the permanent university fund of this state; nor shall such loan or investment be made when the bonds to be insued or purchased would make the nor shall such loan or investment be made when the bonds to be issued or purchased would make the entire bonded indebtedness exceed 15 per cent of the assessed valuation of the taxable property of the county, school district, city, town or village issuing such bonds; nor shall any farm loan, or investment be made when such investment or loan would exceed 30 per cent of the actual cash value of the farm land mortgage to secure said investment; nor shall such investments or loans be made at a lower rate of interest than 3 per cent per anyum, nor for a shorter period than five years, nor for a longer period than thirty years, and no change of the town, school district, city, village or of county lines shall relieve the real property in such town, school district, county, village or city in this state at the time of issuing of such bonds from any liability for taxation to pay such bonds."

THE PURPOSE of the amendment is to authorize the investment of the permanent school and university funds in "first mortgage loans secured upon improved and cultivated farm lands where the amount of the loans so secured does not exceed 30 per cent of the value of the land mortgaged.

THE EFFECT of the adoption of the proposed amendment will be to permit the legislature to authorise the investment of the permanent school and university funds in farm mortgages as above stated, as well as in the bonds of any county, school district, city town or village of this state. Under Section Six as it now reads bonds cannot be purchased unless they mature at least five and not more than twenty years after purchase. If the amendment is adopted, bonds and mortgages may be purchased if they mature not less than five nor more than thirty years after purchase.

PROPOSED AMENDMENT NO. 2.

By Chapter 381, Laws 1915, the legis-lature proposed for adoption by the electors, an amendment of Article Nine (9) of the Constitution by adding thereto a new section, which reads as follows:

"Section 17. The legislature is hereby authorized to provide by law for the mining and sale of any iron ore or other minerals which the state owns, in its sovereign capacity, and as trustee for the people of the state, which are situate under the waters or bed of any meandered public lake or river, and for that purpose may provide for the drainage of any such lake or river. or the diversion of the waters thereof to a new bed or channel, provided however, that the vested riparam rights of pre-

vate persons or corporations own. ing land adjoining such lakes shall not be destroyed or damaged without their consent, unless compensation therefor shall be first paid or secured. The principal of all funds arising from the sale of such iron ore, or other minerals, shall forever be preserved inviolate and undiminished, but the income therefrom shall be used for the , construction, improvement and maintenance of the public roads of the state. The principal of such funds shall be loaned or invested in the same manner, by the same officers and upon the same terms as is, or from time to time hereafter may be authorized by the constitution and laws, for the loaning or investment of the permanent school and university funds of the state."

THE PURPOSE of the proposed stated than is expressed therein.

THE EFFECT of the amendment, if adopted, would be to confer power on the legislature to provide by law for the mining of iron ore and other minerals, which the state owns in its sovereign capacity and situate under the bed of any meandered public lake or the rights of riparian owners on any such lake or river, shall not be destroyed or injured without compensation. If the legislature exercises the power, in case it is conferred, it could also provide for the drainage or diversion of the waters of the lake or river with reference to which it so legislates; it could also prescribe by whom such miner is could be mined and the compensation to be paid to the state therefor. The proceeds of the sale of any such minerals would constitute a fund to be loaned and invested the same as the permanent school and university funds, the income of such fund to be used in the construc-tion, improvement and maintenance of

PROPOSED AMENDMENT NO. 4. By Chapter 382, Laws 1915, the legislature proposed an amendment to Section Two (2) of Article Six of the Constitution.

"Section 2 now reads as follows:

"Section 2. SUPREME COURT—
The supreme court shall consist of one chief justice and two associate justices, but the number of associate justices may be increased to a number not exceeding four, by the legislature, by a two-thirds vote, when it shall be deemed necessary. It shall have original jurisdiction in such remedial cases as may be prescribed by law and appellate jurisdiction in all cases, both in law and equity, but there shall be no trial by jury in said court. It shall hold one or more terms in each year, as the legislature may direct, at the seat of government, and the legislature may provide, by a two-thirds vote, that one term in each year shall be held in each or any judicial distict. It shall be the duty of such court to appoint a reporter of its decisions. There shall be chosen, by the qualified electors of the state, one clerk of the supreme court, who shall hold his office for the term of four years, and until his successor is duly elected and qualified; and the judges of the supreme court, or a majority of them, shall have the power to fill any vacancy in the office of clerk of the supreme court until an election can be regularly had." Said Section 2 now reads as follows:

If the proposed amendment is adopted the section will then read as fol-

"Sestion 2. The supreme court shall consist of one chief justice and six associate justices. Five shall constitute a quorum, and the concurrence of at least four shall be necessary to a decision. It shall have original jurisdiction in such remedial cases as may be prescribed by law, and appellate jurisdiction in sil cases, both in law and equity, but there shall be no trial by jury in said court. It shall hold one or more terms in each year, as the legislature may direct, at the seat of government, and the legislature may provide, by a two-thirds vote, that one term in each year shall be held in each or any judicial district. It shall be the duty of such court to appoint a reporter of its decisions and a clerk of the supreme court. porter of its decisions and a clerk of the supreme court."

PURPOSE AND EFFECT: The Supreme Court as now constituted con-aists of a chief justice and four associate justices. The clerk of said court is now elected. If the amendment is dopted, two associate justices will be added to the court and the clerk will be appointed by the court instead of heing elected by the voters.

PROPOSED AMENDMENT NO. 5.

By Chapter 383, Laws 1915, the legis-lature proposed for adoption by the electors, an amendment of Section Eleven (11) of Article Four (4) of the Constitution.

Eleven (11) of Article Four (4) of the Constitution.

Said section now reads as follows:

"Section 11. APPROVAL OF BILLS BY GOVERNOR — VETO POWER—Every bill which shall have passed the senate and house of representatives, in conformity to the rules of each house and the joint rules of the two houses, shall, before it becomes a law, be presented to the governor of the skate. If he approves he shall sign and deposit it in the office of the secretary of state for preservation, and notify the house where it originated of the fact. But if not, he shall return it with his objections, to the house in which it shall have originated; when such objections thall be entered at large on the journal of the same, and the house shall proceed to reconsider the bill. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if it be approved by two-thirds of that house it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law. The governor may approve, sign and file in the office of the secretary of state, within three days after the adjournment of the legislature, any act passed during the last three days of the session, and the same shall be come a law. If any bill presented to the governor contains several items of appropriation of money he may object to one or more of such items, while approving of the other portion of the bill. In such case, he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and the appropriation so objected to shall not take effect. If the legislature be in session, he shall append to the bill an Said section now reads as follows:

It is proposed to amend that section so that it shall read as follows: "Section 11. Every bill which

shall have passed the senate and house of representatives, in conformity to the rules of each house and the jeint riles of each house and the jeint riles of the two houses, shall, before it becomes a law, be presented to the governor of the state. If he approves he shall sign and deposit it in the pence of the secretary of state for preservation, and notify the house where it originated of the fact. But if not, he shall return it, with his objections, to the house in which it shall have originated; when such objections shall be entered at large on the journal of the same, and the house shall agree to pass the bill, it shall be sent, togather with the objections, to the other house, by which it shall likewise be reconsidered; and if it be approved by two-thirds of that house it shall become a law. But in all rich cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be ertered on the in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be ertered on the journal of each hot se respectively. If any bill shall not be related by the governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislature by adjournment within that time, prevent its return; in which case it shall not be a law. The governor may approve, sign and file in the office of the secretary of state, within three days after the adjournment of the legislature, any act passed during the last three days of the session, and the same shall become a law. If any bill presented to the governor contains leveral items of appropriation of money, he may object to one or more of such items in whole or in part, while approving of the other portion of the bill. In such case he shall append to the bill, at the time of signing it, a statem nt of the items and parts of items to which he objects, and the part oany appropriation so objected to shall not take effect. If the legislature be in session, he shall transmit to the house in which the bill originated a copy of such statement, and the items objected to in whole or in part shall be separately reconsidered. If, on reconsideration, one or more of such items be approved by two-thirds of the members elected to each house, the same shall be part for the law, notwithstanding the objections of the shall withhold his approval in whole or in part from any item or 'tems contained in a bill appropriating money."

PURPOSE AND EFFECT: Under the Constitution as it now is the constitution as it now its the constitution as it now is the constitu

PURPOSE AND EFFECT: Under the Constitution as it now is, the govcific purpose. The amendment, if adopt ed, will give the governor power t. for any given purpose, unless upon statement of the part of an item of an appropriation bill to which he objects. the two houses, each by a two-thirds vote, approve the item as it was origin-

PROPOSED AMENDMENT NO. 6. By Chapter 384, Laws 1915, the legislature proposed an amendment of Section Thirteen (13) of Article One (1) of the Constitution.

The section as it now stands reads as follows:

"Section 18, PRIVATE PROPERTY FOR PUBLIC USE — Private property shall not be taken, destroyed or gam-aged for public use, without just com-pensation therefor first paid or se-cured."

tion will read as follows:

"Section 13. Private property shall not be taken, destroyed or damaged for public use, without just compensation therefor first paid or secured, and such private property may be taken, destroyed or damaged for the purpose of private as well as public drainage upon just compensation therefor being first paid or secured."

THE PURPOSE of the proposed mendment is to permit the taking of private lands for the purpose of drainage purposes where the drain or ditch will be of no public benefit, but on the contrary will only benefit the land or lands of the person or persons constructing the drainage ditch.

PROPOSED AMENDMENT NO. 7.

By Chapter \$85, Laws 1915, the legis-lature proposed for adoption by the electors, an amendment of Section One (1) of Article Four (4) of the Consti-tution.

Section One as it now stands, reads

"Section 1. TWO HOUSES — SESSIONS — The legislature shall consist of the senate and house of representatives, which shall meet biennially at the seat of government of the state, at such time as shall be prescribed by law, but no session shall exceed the term of ninety legislative days, and no new bill shall be introduced in either branch except on the written request of the governor, during the last twenty days of such session, except the attention of the legislature shall be called to some important matter of general interest by a special message from the governor."

If the amendment is adopted, the section will then read as follows:

Sec. 1. TWO HOUSES—SES-SIONS.—The legislature shall consist of the senate and house of representatives, which shall meet biennially at the seat of government of the state, at such time as shall be prescribed by law, but no session shall exceed the term of ninety (90) legislative days, and no bill shall be introduced in either branch, except on the written request of the governor, during the last twenty days of such session, except the attention of the legislature shall be called to some important matter of general interest by a special message from the governor; but the people reserve to themselves direct power as follows:

(a) CONSTITUTIONAL INITIATIVE.—When at any time prior to
the commencement of any session
of the legislature, there shall have
been filed with the secretary of
state a petition proposing an
amendment to the constitution,
signed by two per centum of the
electors of the state, the secretary
of state shall transmit the
same to the legislature not later
than ten (10) days after the commencement of the session. If the
amendment so proposed be not submitted to the electors by the legislature at such session, or. if it be
submitted in an amended form,
then, upon a furthen petition or
petitions, each signed by eight per
centum of the electors of the state,
filed with the secretary of state
within six months after the adjournment of the legislature, the
amendment proposed in the first
petition, or one or more amended
forms thereof, shall be submitted
to the electors for their approval
or rejection at the next general or
special state-wide election occurring not less than ninety days
after the filing of any such further petition. Any amendment
proposed by initiative petition and
its original or in an amended

form, submitted to the electors by the legislature or by a further petition, shall become a part of the constitution, if approved by a majority of the electors voting at such election, or by four-sevenths of the electors voting on the proposed amendment; provided, not less than three-sevenths of the electors voting at said election voted for the proposed amendment. This section shall be construed as a means in addition to fiction 1, Article 14, of the state constitution, for amending the same.

(b) STATUTORY INITIATIVE.

—When at any time prior to the commencement of any session of it e legislature there hall have been filed with the secretary of state, a petition proposing a law, signed by two per centum of the electors of the state, the secretary of state shall transmit the same to the legislature not later than ten (10) days after the commencement of the session. If the law so proposed be not passed by the legislature at such session, or if it be passed in an amended form, then upon a further petition or petitions, each signed by six percentum of the electors of the state, filed with the secretary of state within six months after the adjournment of the legislature, he law proposed in the first petition or one or more amended forms thereof, shall be submitted to the electors at the next general or special state-wide election, occurring not less than ninety days after the filing of any such further petition or petitions, and if approved by a majority of the electors voting thereon, provided the vote in favor of the proposed law be not less than thirty-three per centum of the total number of votes cast at such election, the same shall become a law and go into effect thirty days after such election, and shall supersede any amended form of such law which may have been passed by the initiative petition and approved by the electors, shall be subject to the veto of the governor. The authority of the people to enact laws, as provided in this subdivision, shall extend only to laws authorized by the provisions of the constitution.

(c) THE R. FERFENDUM. — If within ninety days fiter the final (b) STATUTORY INITIATIVE.

of the constitution.

(c) THE RIFERENDUM. — If within ninety days fter the final adjournment of any session of the legislature, a referendum petition, signed by six por centum of the electors of the state, shall be filed with the secretary of state against any law or any part of a law, passed by the legislature at such session, such law, or such part of a law shall be submitted to the electors at the next general or special state-wide election, occurring not less than ninety days after the filing of said petition. If a majority of the votes cast thereon be in the negative, provided such negative vote be not less than thirty-three per centum of the total number of votes cast at such election, such law or such part of a law shall thereby be repeated. Provided, that if a referendum petition is signed by fifteen per centum of the electors of the state, the law, or part of a law, against which such petition is filed shall be suspended pending the referendum vote thereon. Provided the same shall equal 33 per cent of the votes at such election.

Any law providing for a tax levy

Any law providing for a tax levy or appropriating money for the current expenses of the state government or state institutions, any act of the legislature submitting a constitutional amendment or other question to the electors of the state, or any emergency law necessary for the immediate preservation of the public peace, health, or safety, shall go into effect immediately upon its passage and approval by the governor, and such laws, except emergency laws, shall not be subject to a referendum vote. All other laws shall go into effect ninety days after the adjournment of the legislature. A bill proppsing an emergency law shall contain a preamble briefly setting forth the facts constituting the emergency. A separate vote shall be taken upon the preamble of such bill by a call of the yeas and mays, and if the preamble be adopted by a two-thirds vote of all the members of each house, it shall be an emergency law.

ble be adopted by a two-thirds vote of all the members of each house, it shall be an emergency law.

(d) GENERAL PROVISIONS—All petitions provided for in this section shall contain a title indicating the subject and purpose of the proposed law or constitutional amendment, or the law, or part of a law to be referred, and if a change is proposed in an existing constitutional provision or statute, in addition to referring to the same, it shall state the general effect of the proposed change and also the full text of the proposed law or amendment to the constitution, or of the law or part of a law, to be referred. Any initiative or referendum petition may be signed in separate parts but each part shall conform to the provisions herein contained. All petitions shall be signed and verified before a person authorized to administer an oath, and shall be in such form that a person signing a petition thereby states under oath, the date of his signature, his residence, that he has signed the petition, and that he has signed the petition, and that he has signed the petition, and that he has signed, which affidavit of the person before whom the same was signed, which affidavit of the person before whom the same was signed, which affidavit shall contain a statement of the number of signers thereon, that each of the signatures attached to such part was made in the presence of the affiant, that to the best of his knowledge and belief each signature is the genuine signature of the person whose name it purports to be, that he believes the persons who have signed such petition provided for herein, or the prohibition of the circulation of the percentage of signers required on any petition is prohibited by law, and in case the circulation of any petition is prohibited by law, the percentage specified in subdivisions a, b and c of this section.

The percentage in any case shall be based upon the total number of

The percentage in any case shall be based upon the total number of votes cast for governor at the next preceding election. All petitions provided for in this section shall contain the signature of not less than one-half of the designated percentage of the electors in hot less than one-fourth of the counties of the state. In initiating a law or constitutional amendment, electors who have signed the first shall be qualified to sign the second petition.

The sufficiency of all petitions shall be decided by the secretary of state subject to review by the court. If the secretary of state decides that any petition is insufficient, he shall permit a reasonable time for making corrections or for filing additional signatures. In the event of legal proceedings in court to prevent giving effect to any such petition on account of insufficiency, or any other ground, the burden of proof shall be upon the person attacking the petition. No law or amendment to the constitution initiated and approved by the electors as herein provided, shall be held unconstitutional or void on account of the insufficiency of any initiative petition; nor shall the repeal of any law submitted by referendum petition be held invalid for such insufficiency.

All initiative laws and consti-tutional amendments shall be so submitted to the electors as to permit an affirmative or negative vote upon each measure submit-ted. If conflicting proposed laws or conflicting proposed amend-ments to the constitution be ap-proved at the same election, the

one receiving the highest number of affirmative votes shall provail as to conflicting previsions.

The style of all legislative measures and amendments to the constitution initiated by the people under this section shall be: "Be it enacted by the People of the State of Minnesota."

The provisions of this section may be enforced by appropriate legislation, but until such legislation has been enacted, this section shall be self executing.

THE PURPOSE AND EFFECT of this amendment, if adopted, will be

(a) It will permit the voters to pre pose amendments to the state constituion, for adoption, without action by be legislature. Under the constitution as it now stands constitutional amendments can be proposed only by the leg-

(b) So, too, if adopted, the amendment will permit electors to pr some laws for enactment and if not enacted by the legislatures, the voters may by uffici : petition, require the question of the nastment of the proposed law to be submitted to the voters. If approved by a majority of the electors voting, thereon, provided th vote in favor of the proposed law is not less than thirty-three per cent of the total number of votes cant at such election, the same becomes a law with the same the legislature. The governor will have no power to veto a law so passed, but the people cannot so pass any law which is prohibited by the constitution.

ment will permit the voters by proper petition to require a vote on the question of whether or not any law or part thereof, of certain classes of laws, passed by the legislature shall be reperied. If the petition asking for the referendum is signed by afteen per cent of the voters of the state, the number of whom is to be determined by the number of votes cast for Governos at the preceding election, the law se referred to the voters will not take effect pending the referendum vote thereon. The vote required to repeal a law passed by the legislature and the classes of laws which cannot be se repealed are specified in Subdivisio "C" of the proposed amendment as above printed.

PROPOSED AMENDMENT NO. 8. By Chapter 386, Laws 1915, the legislature proposed for adoption by the electors an amendment of Section 7, Article 6, of the constitution.

"Section 7. PROBATE COURTS—There shall be established in each organized county in the state a p hate court, which shall be a court of record, and be held at such times and places as may be prescribed by law, it shall be held by one judge, who shall be elected by the voters of the county for the term of two years. He shall be a resident of such county at the time of his election, and reside therein during his continuance in cince; and his compensation shall be provided by law. He may appoint his own clerk where none has been elected; but the legislature may authorize the election, by the electors of any county, of one clerk of register of probate for such county, whose powers, duties, term of office and compensation shall be prescribed by law. A probate court shall have jurisdiction over the estates of deceased persons and persons under guardianship, but no other jurisdiction, except as prescribed by this constitution." The section now reads as follows:

PURPOSE AND EFFECT. amendment, if adopted will make the term of office of the Judge of Probate four years instead of two.

Order to Examine Final Account.

Order to Examine Final Account,
STATE OF MINNESOTA, COUNTY OF
St. Louis.—ss. In Probate Court.
In the Matter of the Estate of Charles
Oberg, Decedent.
The Petition of C. E. Wallerstedt as
representative of the above named decedent, together with his final account
of administration of said estate, having
been filed in this court, representing,
among other things that he has fully
administered said estate, and praying
that said final account of said administration be examined, adjusted and allowed by the Court, and that the Court
make and enter its fixel decree of distribution of the residue of the estate
of said decedent to the persons entitled
thereto, and for the discharge of the
representative and the sureties on his
bond.
It is Ordered, That said petition be

representative and the sureties on his bond,
It is Ordered, That said petition be heard, and said final account examined, adjusted, and if correct, allowed by the Court, at the Probate Court Rooms in the Court House, in the City of Duluth in said County, on Monday the 13th day of November, 1916; at ten o'clock A, M., and all persons interested in said hearing and in said matter are hereby cited and required at said time and place to show cause, if any there be, why said petition should not be granted.
Ordered Further, That this order be served by publication in The Labor World according to law.
Dated at Duluth, Minn., October 13th, 1916.

By the Court.

By the Court,
S. W. GILPIN,
Attest:
Judge of Probate.
A. R. MORTON,
Clerk of Probate.
(Seal Probate Ct., St. Louis Co., Minn.)
Andrew Nelson, Attorney.
L. W., Oct. 21-28-Nov. 4-1916.

L. W., Oct. 21-23-Nov. 4-1916.

Order of Hearing on Petition for Administration.

STATE OF MINNESOTA. COUNTY OF St. Louis.—ss. In Probate Court. In the Matter of the Estate of Irving W. Foglesong, Decedent.

The Petition of Louise Foglesong Aras having been filed in this Court, representing, among other things, that Irving W. Foglesong, then being a resident of the County of Gem. State of Idaho, on the 13th day of May, 1913; leaving estate in the County of St. Louis, State of Minnesota, and that said petitioner is a daughter of said decedent and praying that letters of administration of the estate of said decedent be granted to Louise Foglesong Aras.

It is Ordered That said netition be

By the Court,
S. W. GILPIN,
Attest: Judge of Probate.
A. R. MORTON,
Clerk of Probate. By the Court,
S. W. GILPIN,
Attest:
Judge of Probate.
A. R. MORTON,
Clerk of Probate.
(Seal Probate Ct., St. Louis Co., Minn.)

1916.
BUNDLIE & POIRIER,
Attorneys for Plaintiffs,
5628 Grand Avenue, Nelson Block,
Duluth, MMinnesots.

L. W., Oct. 14-31-28-1916.

Leonard McHugh
Attorney for Petition,
512 Providence Bldg, Duluth, Minn.
L. W., Oct 7-14-21-1916.

Default having been made in the payment of the sum of Sixty (\$60) interest which became due April 24, 1916, and of \$200 principal which became due Oct. 24, 1915, which is claimed to be due and is due at the date of this notice upon a certain Mortgage, duly executed and delivered by John Stocker. and Anna Stocker, his wife, Mortgagors, to M. M. Hudson, Mortgage, bearing date the 24th day of October 1914, and with a power of sale therein contained, duly recorded in the office of the Register of Deeds in and for the County of St. Louis and State of Minnesota, on the 30th day of October, 1914, at 4:45 o'clock P. M., in Book 343 of Mortgages, on page \$5.

And Whereas the said M. Hudson died on the 10th day of March, 1915 leaving a last will and testament and the undersigned Matilda Lenora Hudson and Theodore T. Hudson having been duly appointed Representatives or her estate.

And Whereas, The duly qualified and acting representatives of the Estate of said M. M. Hudson, are the Holders of said Mortgage, and have duly elected and do hereby elect to declare the whole principal sum of said Mortgage and the power of sale therein contained; and whereas there is actually due and claimed to be due and payable at the date of this notice, under the terms and conditions of said Mortgage, and have duly elected and do hereby elect to declare the whole principal sum of said Mortgage and the power of sale thereon at the rate of eight per cent per annum from the 24th day of April 1916, and whereas the said power of sale has become operative, and no action or proceeding having been instituted, at law or otherwise, to recover the debt secured by said Mortgage, or any nart thereof.

Now, Therefore, Notice is Hereby Glven, That by virtue of the nower of sale has become operative, and no action or proceeding having been instituted, at law or otherwise, the recover the debt secured by said Mortgage, valued to the southerly line of First avenue with near the first state of the movtherly line of Grand Avenue and within one hundred Sixty Do

the time of his election, and reside therein during his continuance in cide; and his compensation shall be provided by law. He may appoint his own clerk where none has been elected; but the legislature may authorize the election, by the electors of any county, of one clerk of register of probate for such county, whose powers, duties, term of office and compensation shall be prescribed by law. A probate court shall have jurisdiction over the estates of deceased persons and persons under guardianship, 'ut no other jurisdiction, except as prescribed by this constitution."

The amendment simply proposes to substitute the word "four" for the word "two" so that the science prescribing the duration of the term of office will, if the amendment is adopted, read as follows:

"It shall be held by one judge, who shall be elected by the voters of the county for the term of four years."

PURPOSE AND EFFECT: The Rooms in the Court House, in the City of Duluth in said County, on Monday the 6th day of November, 1916, at ten o'clock A. M., and all persons interested in said hearing and in said matter are hereby cited and required at said time and place to show cause, if any there be, why said petition should not be granted.

Ordered Further, That this order be served by publication in The Labor World according to law.

Dated at Duluth, Minn., October 6th, 1916.

By the Court,

By the Court,
S. W. GILPIN,
Judge of Probate,
A. R. MORTON,
Clerk of Probate.
(Seal Probate Ct., St. Louis Co., Minn.)

H. Clapp. Attorney. L. W., Oct. 14-21-28, 1916.

H. Clapp. Attorney.
L. W., Oct. 14-21-28, 1916.

Order Limiting Time to File Claims, and for Hearing Thereon.
STATE OF MINNESOTA, COUNTY OF St. Louis.—ss. In Probate Court.
In the Matter of the Estate of Lars M. Stapness, Decedent.
Letters testamentary having been granted to Theoline Stapnes,
It is Ordered, That the time within which all creditors of the above named decedent may present claims against his estate in this court, be, and the same hereby is, limited to three months from and after the date hereof; and that the 9th day of January, 1917, at ten o'clock A. M., in the Probate Court Rooms at the Court House at Duluth in said County, be, and the same hereby is, fixed and appointed as the time and place for hearing upon the examination, adjustment and allowance of such claims as shall be presented within the time aforesaid.
Let notice hereof be given by the publication of this order in The Labor World as provided by law.
Dated, Duluth, Minn., October 6th, 1916.

S. W. GILPIN,

S. W. GILPIN.
Judge of Probate.
(Seal Probate Ct., St. Louis Co., Minn.) L. W., Oct. 14-21-28-1916.

ing W. Foglesong, then being a resident of the County of Gem, State of Gounty of Gem, State of Jidaho, on the 13th day of May, 1913; leaving estate in the County of St. Louis, State of Minnesota, and that said petitioner is a daughter of said decedent and praying that letters of administration of the estate of said decedent be granted to Louise Foglesong Aras,

It is Ordered. That said petition be heard before this Court, at the Probate Court House in Duluth, in said County on Monday, the 30th day of October, 1916, at ten o'clock A. M., and all persons interested in said hearing and in said matter are hereby cited and required at said time and place to show cause, if any there be, why said petition should not be granted.

Ordered Further. That this order be served by publication in The Labor World according to law, and that a copy of this order be served on the County Treasurer of St. Louis County not less than ten days prior to said day of hearing.

Dated at Duluth, Minn., October 2nd, 1916.

By the Court.

S. W. GILPIN,
Attest:

Judge of Probate.