

PUBLIC AND LOCAL ACTS
OF
THE LEGISLATURE
OF THE
STATE OF MICHIGAN
PASSED AT THE
REGULAR SESSION OF 1935

CONTAINING JOINT RESOLUTIONS AND ABSTRACTS
OF PROCEEDINGS RELATIVE TO CHANGE OF BOUND-
ARIES OF TOWNSHIPS AND INCORPORATION, ETC.,
OF CITIES AND VILLAGES.



COMPILED BY
ORVILLE E. ATWOOD
SECRETARY OF STATE

1935
FRANKLIN DEKLEINE COMPANY
PRINTERS AND BINDERS
LANSING

[No. 2.]

A JOINT RESOLUTION proposing an amendment to section ten of article two of the state constitution, with reference to immunity from unreasonable searches and seizures.

Resolved by the Senate and House of Representatives of the State of Michigan, That the following amendment to section ten of article two of the state constitution, with reference to immunity from unreasonable searches and seizures, is hereby proposed, agreed to and submitted to the people of this state:

ARTICLE II

Unreasonable searches and seizures; admission in evidence of firearms seized outside of dwelling house.

Sec. 10. The person, houses, papers and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation: *Provided, however,* That the provisions of this section shall not be construed to bar from evidence in any court of criminal jurisdiction, or in any criminal proceeding held before any magistrate or justice of the peace, any firearm, rifle, pistol, revolver, automatic pistol, machine gun, bomb, bomb shell, explosive, blackjack, slungshot, billy, metallic knuckles, gas-ejecting device, or any other dangerous weapon or thing, seized by any peace officer outside the curtilage of any dwelling house in this state.

Resolved further, That the foregoing proposed amendment be submitted to the people of this state at the general November election to be held in nineteen hundred thirty-six. The secretary of state is hereby required to certify said proposed amendment to the clerks of the various counties of the state in the manner required by law. It shall be the duty of the board of election commissioners of each county to prepare ballots for the use of the electors when voting on said proposed amendment, which ballots, after setting forth the section proposed to be amended and the proposed amendment in full, shall be in substantially the following form:

"Vote on amendment amending section ten of article two of the state constitution, with reference to immunity from unreasonable searches and seizures.

Section ten of article two now stands as follows:

"Sec. 10. The person, houses, papers and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, or without probable cause, supported by oath or affirmation."

It is proposed to amend section ten of article two to read in full as follows:

"Sec. 10. The person, houses, papers and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation: *Provided, however,* That the provisions of this section shall not be construed to bar from evidence in any court of criminal jurisdiction, or in any criminal proceeding held before any magistrate or justice of the peace, any firearm, rifle, pistol, revolver, automatic pistol, machine gun, bomb, bomb shell, explosive, blackjack, slungshot, billy, metallic knuckles, gas-ejecting device, or any other dangerous weapon or thing, seized by any peace officer outside the curtilage of any dwelling house in this state."

Shall section ten of article two of the state constitution be amended so

as to provide that said section shall not be construed to bar from evidence in any court of criminal jurisdiction, or in any criminal proceeding held before any magistrate or justice of the peace, any firearm, rifle, pistol, revolver, automatic pistol, machine gun, bomb, bomb shell, explosive, black-jack, slungshot, billy, metallic knuckles, gas-ejecting device, or any other dangerous weapon or thing, seized by any peace officer outside the curtilage of any dwelling house in this state?

Yes ()

No ()."

It shall be the duty of the board of election commissioners in each county to deliver the ballots so prepared to the inspectors of election of the several voting precincts within their respective counties within the time ballots to be used at said election are required to be delivered to such inspectors under the general election law. All votes cast upon said amendment shall be counted, canvassed and returned in the same manner as is provided by law for counting, canvassing and returning votes cast for state officers.

[No. 3.]

A JOINT RESOLUTION proposing an amendment to article eight of the constitution of the state of Michigan by adding two new sections to said article, to stand as sections thirty-two and thirty-three thereof, authorizing the legislature to provide by general law for the incorporation of counties and to authorize the electors of any county to frame, adopt and amend a charter for its government.

Resolved by the Senate and House of Representatives of the state of Michigan, that the following amendment to article eight of the state constitution, by adding thereto two new sections to stand as sections thirty-two and thirty-three thereof, authorizing the legislature to provide by general law for the incorporation of counties and to authorize the electors of any county to frame, adopt and amend a charter for its government, is hereby proposed, agreed to and submitted to the people of this state:

Incorporation of counties by legislature.

Sec. 32. The legislature shall provide by a general law for the incorporation of counties; such general law shall limit the rate of taxation for municipal purposes and restrict their powers of borrowing money and contracting debts.

Same; powers of counties; referendum.

Sec. 33. Under such general laws, the electors of each county shall have power and authority to frame, adopt and amend its charter and, through its regularly constituted authority to pass all laws and ordinances relating to its municipal concerns, subject to the constitution and general laws of this state: *Provided*, That no such charter or amendment thereto shall become effective in any county unless the same shall have been approved by a majority of the electors voting thereon of that city located within such county in which are cast the largest number of votes upon such proposition and also by a majority of the electors voting thereon residing outside the corporate limits of such city.

Resolved further, That the foregoing amendment be submitted to the people of this state at the general November election in the year nineteen hundred thirty-six. The secretary of state is hereby required to certify the said proposed amendment to the clerks of the various counties of the state in the

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CONTAINING JOINT RESOLUTION, AMENDMENT TO
CONSTITUTION AND ABSTRACTS OF PROCEEDINGS
RELATIVE TO CHANGE OF BOUNDARIES OF TOWN-
SHIPS AND INCORPORATION, ETC., OF CITIES AND
VILLAGES.



COMPILED BY
LEON D. CASE
SECRETARY OF STATE

FRANKLIN DEKLEINE COMPANY
PRINTERS — BINDERS — LITHOGRAPHERS
LANSING . . . 1937

AMENDMENT TO THE CONSTITUTION.

Proposal No. 1.

Amendment to the constitution "to permit firearms and other dangerous weapons seized outside dwellings, outbuildings and lands closely adjacent thereto, to be introduced as evidence in any criminal procedure", proposed by the legislature of nineteen hundred and thirty-five, and ratified by the people at the general November election of nineteen hundred thirty-six.

ARTICLE II.

Sec. 10. The person, houses, papers and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation: *Provided, however,* That the provisions of this section shall not be construed to bar from evidence in any court of criminal jurisdiction, or in any criminal proceeding held before any magistrate or justice of the peace, any firearm, rifle, pistol, revolver, automatic pistol, machine gun, bomb, bomb shell, explosive, blackjack, slung-shot, billy, metallic knuckles, gas-ejecting device, or any other dangerous weapon or thing, seized by any peace officer outside the curtilage of any dwelling house in this state.