

an assignment within the provisions of this chapter, unless the instrument on which it is based, shall appear on its face to have been intended by the parties thereto as an assignment.

Approved March 6, 1891.

BLIND ASYLUM.

CHAPTER 36.

[H. B. No. 114.]

LOCATING BLIND ASYLUM IN PEMBINA COUNTY.

AN ACT Providing for the Location of a Blind Asylum in the County of Pembina, State of North Dakota, at Such Place in the County of Pembina as the Qualified Electors of Said County may Determine at an Election to be held as Prescribed by the Legislative Assembly of the State of North Dakota, with a Grant of Land as Provided in Section 216, Article 19, of the Constitution of the State of North Dakota.

WHEREAS, The Constitution of the State of North Dakota reads as follows: "The following public institutions of the State are permanently located at the places hereinafter named, each to have the lands specially granted to it by the United States, in the act of Congress, approved February 22, 1889, to be disposed of and used in such manner as the Legislative Assembly may prescribe, subject to the limitations provided in the article on School and Public lands contained in this Constitution."

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

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

§ 1. LOCATION SUBMITTED TO ELECTORS.] The Blind Asylum of the State of North Dakota is hereby located in the county of Pembina at such place as the qualified electors of said county may determine at an election or elections to be called as hereinafter provided.

§ 2. LAND GRANT.] There is hereby granted to said Blind Asylum, for its use and benefit forever, 30,000 acres of land, as granted to the State of North Dakota by act of Congress, approved February 22, 1889, which said land is to be set apart for said Blind Asylum, as other lands are for similar charitable

institutions, under such rules and regulations as may be hereinafter prescribed by the Legislative Assembly.

§ 3. HOW VOTE SHALL BE HAD.] That at the next general election in the year one thousand, eight hundred and ninety-two (1892) the qualified electors of Pembina county, of the State of North Dakota, are hereby empowered to vote upon the location of the Blind Asylum in said county, by ballot, and for this purpose each voter may designate on his ballot the place of his choice for the location of the said Blind Asylum in said county of Pembina, in manner following, to-wit: "For location of the Blind Asylum," the name of the place to be either written or printed in the foregoing blank.

§ 4. CANVASS OF THE VOTE.] The said election for the location of Blind Asylum in Pembina county shall be governed by the law relating to general elections, and the returns of said vote for location of said Blind Asylum shall be made by the officers appointed under and pursuant to said general election law, in the various voting precincts of said Pembina county, to the auditor of said Pembina county, as therein provided, who shall proceed, with other officers as therein directed, to ascertain the result of said vote, and shall truly certify the same to the county commissioners of said county and to the Secretary of State of North Dakota and to the Governor of the State of North Dakota.

§ 5. IN CASE NO TOWN HAS MAJORITY OF ALL VOTES CAST.] If it shall appear from said certificate of election, as provided for in Section 4 of this act, that no place has received a majority of all the votes cast for or against said particular place, then it is hereby made the duty of the auditor of Pembina county, at the next following general election to be held in Pembina county, to call an election of the qualified voters of said Pembina county to again vote upon the location of said Blind Asylum, naming in said call as the places to be voted for which shall be the two places which received the highest number of votes as prescribed in the election held under Section 3 of this act; said election to be held in every regard as the preceding election was held, and the returns to be made and certified the same as hereinbefore provided.

§ 6. WHEN LOCATION DEEMED PERMANENT.] Whenever it shall appear to the satisfaction of the Governor of the State of North Dakota that a majority of all the votes cast by the electors of Pembina county have been for one particular location in said Pembina county he shall, by proclamation, declare that fact, and from and after the date of such said proclamation the location of said Asylum shall be deemed permanent at the place named therein until otherwise changed by law.

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

Approved March 4, 1891.