

cation in writing, duly verified, showing the location and character of such lands, together with a proper plat showing the location of the proposed route across the same, and the permission may be granted under such conditions as shall be prescribed by them, with the approval of the Board of University and School Lands.

§ 12. EMERGENCY.] Whereas, it is important for the best interests of this State that the system of irrigation provided for in this act should be set in motion at once, to promote the raising of crops during the coming season, it is hereby declared that an emergency exists, and that this act shall be in full force and effect from and after its passage and approval.

Approved March 6, 1891.

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## ASSIGNMENTS.

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### CHAPTER 35.

[S. B. No. 179]

#### AMENDING CIVIL CODE IN RELATION TO ASSIGNMENT FOR BENEFIT OF CREDITORS.

AN ACT to Amend Section 2027 of Title III of Part II of the Civil Code.

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

§ 1. AMENDMENT.] That Section 2027 of Title III of Part II of the Civil Code, shall be amended so as to read as follows:

Sec. 2027. ASSIGNMENT, WHEN ALLOWABLE.] An insolvent debtor may, in good faith, execute an assignment of property to one or more assignees, in trust towards the satisfaction of his creditors, in conformity to the provisions of this title; subject, however, to the provisions of this Code relative to trusts and to fraudulent transfers and to the restrictions imposed by law upon assignments by special partnerships, by corporations or by other specified classes or [of] persons; *Provided, moreover,* That such assignment shall not be valid if it be upon, or contain any trust or condition by which any creditor is to receive a preference or priority over any other creditor; but in such case the property of the insolvent shall become a trust fund to be administered in equity, in the district court, and shall inure to the benefit of all the creditors in proportion to their respective claims or demands; and *Provided, further,* That no transaction shall be deemed to be

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.

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## BLIND ASYLUM.

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### 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