

the State of Minnesota, for the care and instruction of blind children of school age, and shall authorize the state auditor to issue warrants upon the state treasury for that purpose.

§ 2. EMERGENCY.] Whereas, there is no provision of law for the care and instruction of the blind, therefore, an emergency exists, and this act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1899.

ELECTION.

CHAPTER 87.

[H. B. 70.]

PUBLICATION OF ELECTION RETURNS.

AN ACT to Amend Section 527 of the Revised Codes of 1895, Relating to the Canvass and Publication of Election Returns and Issuing of Certificates of Election.

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

§ 1. AMENDMENT.] Section 527 of the Revised Codes of 1895 is hereby amended to read as follows:

§ 527. ABSTRACT OF VOTES. CERTIFICATE OF ELECTION. PUBLICATION OF ELECTION RETURNS.] On the fifteenth day after the close of any election, or as soon as the returns are received, the county auditor shall call to his assistance a majority of the county commissioners of the county or the county treasurer, county judge and one county commissioner, and none of the persons so called shall be candidates for office, unless there is not sufficient of such officers who are not candidates, and shall proceed to open such returns and make abstracts of the votes in the manner following: The abstract of votes for member of congress, governor, state auditor, commissioner of insurance, commissioner of agriculture and labor, state treasurer, secretary of state, attorney general, commissioners of railroads, superintendent of public instruction, lieutenant governor shall be on one sheet; the abstract of votes for members of the legislative assembly shall be on one sheet; the abstract of votes for county and precinct officers shall be on one sheet; and it shall be the duty of the county auditor immediately to make out a certificate of election to each of the persons having the highest number of votes for members of the legislative assembly, county and precinct officers respectively and to deliver such certificate to the person entitled thereto on his making application to the county auditor therefor; provided that when a tie shall exist between two or more persons for the senate

and house of representatives the county auditor shall give notice to the sheriff of the county who shall immediately advertise another election giving at least ten days notice. It shall be the duty of the county auditor of each county on receipt of the returns of any election to make out his certificate, stating therein the compensation to which the judges and clerks of election may be entitled for their services and lay the same before the board of county commissioners at their next session, and the said board shall order the compensation aforesaid to be paid out of the county treasury. And immediately after canvassing the returns and making the abstract of votes as provided in this section, the county auditor shall make a certified copy of each abstract and forward it to the secretary of state, and also cause to be published in at least one of the newspapers of the county in tabular form the vote by precincts for each officer and proposition, voted for at said election, and such publication to be paid for at a rate not exceeding the rate paid for publishing county commissioners' proceedings. If the county auditor is a candidate for office he shall take no part in the canvass, but shall act as clerk of such board of canvassers, and the two officers called to the assistance of the county auditor to make such canvass shall call to their assistance one of the officers mentioned in this section who is not a candidate and if there is no such officer, they shall call to their assistance a justice of the peace and it shall thereupon be their duty at once to attend and canvass such returns as provided by law.

§ 2. REPEAL.] All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Approved March 9, 1899.

EMINENT DOMAIN.

CHAPTER 88.

[H. B. 179.]

REPEALING LAWS OF 1897.

AN ACT to Repeal Chapter 29 of the Session Laws of 1897, Relating to Assessments of Damages Under the Law of Eminent Domain.

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

§ 1. REPEAL.] Chapter twenty-nine (29) of the Session Laws of 1897 is hereby repealed.

Approved March 8, 1899.