

BONDS.

CHAPTER XXIV.

RELIEF BONDS.

AN ACT to provide assistance and seed grain to those settlers in the territory who are needing aid by reason of a failure of crops.

Be it enacted by the Legislative Assembly of the Territory of Dakota:

**Appropriation
for relief.**

SECTION 1. That there be and there is hereby appropriated out of the funds provided in this act the sum of twenty-five thousand dollars, or such sum as the act shall provide by the issue and negotiation of the bonds hereinafter mentioned for the assistance and to provide seed grain for those settlers in this territory who are needy by reason of a failure of their crops in the last harvest, resulting from the grasshopper devastation or other calamity.

**Relief fund,
how provided.**

SEC. 2. To provide such fund, there shall be immediately issued the bonds of this territory to the amount of twenty-five thousand dollars, in denominations of five hundred dollars, bearing date the first day of January, A. D. 1875, with interest payable semi-annually on the first days of January and July in each year, running for ten years, with interest at eight per cent. per annum, and principal and interest payable at the Fourth National Bank in the city of New York.

**Bonds how
executed and
negotiated.**

SEC. 3. Such bonds shall be executed for the territory, and under the seal thereof by the governor, and shall be attested by the secretary, and shall be negotiated by the commissioners hereinafter appointed, at not less than ninety cents on the dollar, and the proceeds thereof deposited with the said Fourth National Bank of New York city, to be drawn upon the order and under the direction of the said commissioners for the purpose herein provided.

**Names of com-
missioners.**

SEC. 4. Governor John L. Pennington, Judge J. P. Kidder, M. D. Thompson, T. M. Sargent and J. A. Potter are hereby appointed commissioners for the purpose of distributing the funds herein provided; and they, or a majority of them, are

authorized to purchase with such funds, from time to time, seed grain and other articles of necessity to the destitute settlers herein mentioned, and to distribute the same where most needed, according to the best evidence which shall come to their possession.

SEC. 5. Before making any distribution of such seed grain or other necessary articles, in any case, they shall require a statement under oath or other satisfactory authentication from the applicant of the existence of such necessity, and shall have power to make any and all needful rules and regulations to carry out the provisions of this act, and for a faithful distribution of such necessary articles to the really destitute.

Commissioners to require statement before making any distribution.

SEC. 6. Such commissioners shall in making their distribution in any county call to their assistance the county commissioners of such county, and it shall be the duty of the county commissioners to render such assistance as they shall be thereunto required by such commissioners herein appointed, and such commissioners may employ and pay any necessary and proper assistance in and about the discharge of the duties herein imposed.

Duty of commissioners before making distribution.

SEC. 7. Such distribution shall be made in time for the seeding in the spring of 1875, and if there should be any surplus of the funds herein provided remaining after making such distribution, such surplus shall be paid into the treasury of the territory to be used as other funds of the territory are used.

Distribution to be made in time for seeding.

SEC. 8. For the purpose of the prompt payment of the principle and interest upon the bonds herein provided, there shall be levied by the territorial board at the time the other taxes are levied and collected in the same manner as other territorial taxes are collected, such sum as shall be sufficient to pay such interest and the exchange thereon, and after five years from the first day of January, 1875, in addition thereto, a sinking fund tax annually sufficient to retire and pay said bonds at their maturity, and as fast as such taxes are collected and promptly upon the first day of January and July of each year, it shall be the duty of the territorial treasurer to pay such interest as shall then fall due, and with the sinking fund tax, as fast as the same shall be received, the treasurer shall with the same buy up said bonds at their market value, and retire and cancel the same. And no tax and no funds

Territorial board to levy tax.

provided for the payment of such bonds, either principal or interest, shall at any time be used for any other purpose whatsoever.

**Territorial
treasurer's du-
ty when he has
no relief funds
on hand.**

SEC. 9. If for any reason the territorial treasurer shall not have in his hands sufficient of the funds herein provided to pay either the principal or interest upon such bonds when due, he shall pay such interest or principal out of any other fund in hands belonging to the territory. And there is hereby appropriated and set apart out of the general funds belonging to the territory sufficient to pay the interest on such bonds that shall fall due before the funds and tax herein provided can be made available; and it shall be the duty of such treasurer to pay such interest promptly at the time it falls due out of such funds as shall come to his hands.

**Commission-
ers to file a
statement.**

SEC. 10. After such distribution shall have been made, the said commissioners shall as soon thereafter as practicable file a statement with the treasurer of the territory, showing the receipt and disbursement of the funds therein provided. And such treasurer shall incorporate such statement into his next report to the legislative assembly, and transmit the same for the inspection of such assembly.

**In what case
new commis-
sioners to be
appointed.**

SEC. 11. In case of a failure or refusal of either of the parties herein named to act as such commissioner, it shall be the duty of the governor to appoint others in their stead, and the person or persons so appointed shall have the like powers as are herein conferred upon those herein named.

**When to take
effect.**

Proviso.

SEC. 12. This act shall take effect and be in force from and after its passage and approval: *Provided, however,* That the persons receiving aid under the provisions of this act, when they are of age, competent to contract, shall execute and deliver to the said commissioners their promissory note for the amount of the aid they may receive respectively, payable to the territory of Dakota, dated January 1st, 1875, and payable five years after date at the treasurer's office of said territory, which note shall be turned over to the said territorial treasurer with the report herein provided for, and shall be held and collected when due by such treasurer, and if not paid at maturity it shall be the duty of the district attorney's of the proper counties to collect the same and pay the money into the treasury, and whatever moneys shall be received upon said notes shall be used exclusively for the redemption of the

bonds herein provided: *And provided further*, That there shall be exempt from the process issued upon a judgment or in an action upon said notes no more than three hundred dollars in value of real property, and two hundred dollars in value of personal property: *And provided further*, That no more than fifty dollars in value of such necessities and grain shall be distributed to any one family.

COUNCIL CHAMBER,
Yankton, D. T., Jan. 15, 1875. }

Authentication
of president of
council.

I hereby certify that on this day, this act was returned to the council, the house in which it originated, without the approval of his excellency, Governor John L. Pennington, with his objections to this bill in writing. His objections were entered at large on the journal of the council, and the council proceeded to reconsider the bill, and after such reconsideration, two-thirds of the council voted to pass the bill, the objections of the governor to the contrary notwithstanding.

JOHN L. JOLLEY,

President of the Council.

Attest:

ARTHUR LINN,

Chief Clerk of the Council.

HALL OF HOUSE REPRESENTATIVES,
Yankton, Dakota, Jan. 15, 1875. }

Authentic
of speaker of
the house.

I hereby certify that on this 15th day of January, 1875, the foregoing bill, together with the objections of the governor, was received from the council by the house, and the house of representatives thereupon proceeded to reconsider said bill, and the question being put, shall the bill pass, the objections of the governor to the contrary notwithstanding, it was decided in the affirmative, two-thirds of the house voting to pass the bill, and then it was approved by the house of representatives.

G. C. MOODY,

Speaker House Representatives.

Attest:

C. F. MALLAHAN,

Chief Clerk House of Representatives.