

Deaf, Dumb and Blind.

CHAPTER 13.

AN ACT to Provide for the Instruction and Education of of Deaf, Dumb and Blind Persons.

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

§ 1. GOVERNOR TO MAKE CONTRACT FOR CARE OF DEAF, ETC.] That the governor of this Territory is authorized, and it is hereby made his duty to enter into a contract for not more than five years, at one time, with the proper authorities of the State of Iowa, Minnesota or Nebraska, where the most favorable contract can be made, keeping in view economy and the welfare of the patients, to keep, maintain, instruct and educate any deaf, dumb or blind persons who now is or may hereafter become a *bona fide* resident of the Territory of Dakota.

§ 2. DECLARED TO BE DEAF AND DUMB INSTITUTION OF DAKOTA.] That after such contract is made, the institution of the State, with which such contract is made, shall be the institution for the deaf, dumb or blind of this Territory the same as though such institution was located within the Territory.

§ 3. COUNTY SUPERINTENDENT TO REPORT DEAF, DUMB AND BLIND.] That each county superintendent of public schools shall report to the county commissioners of his county, at any regular meeting of said commissioners, the name, age, name of parent or guardian, and postoffice address of every deaf, dumb and blind person, and all such persons as may be too deaf or blind to acquire an education in the common schools, between the age of five and twenty one years, residing in his county.

§ 4. DUTY OF COUNTY COMMISSIONERS.] That it shall be the duty of the county commissioners, when they have been notified that there are any deaf, dumb or blind persons in their county, who are entitled to the benefits of an institution for the support and education of the deaf, dumb or blind, to at

once report the name, age and residence of such persons in their county to the governor of this Territory.

§ 5. WHO MAY BE EDUCATED AT EXPENSE OF TERRITORY.] That every deaf, dumb or blind person of this territory, and all such as may be too deaf or blind to acquire an education in the common schools, of suitable capacity, between the age of five and twenty-one years, shall be entitled to receive an education for at least five years at the expense of the Territory of Dakota at the said institution for the support and education of the deaf, dumb or blind: *Provided*, That the time that any pupil or pupils have spent in any institution for the education of the deaf, dumb or blind, shall be deducted from the five years above specified: *And provided further*, That whenever the parent, guardian or other person being responsible for the support of such deaf, mute or blind, shall be able thereto; such parent, guardian or other person shall defray the expenses of the support and education of such deaf, mute or blind, at such institution, and the board of the county commissioners shall be the judges of the ability of such person responsible for such support.

§ 6. PROCEEDINGS TO ENTITLE PERSONS TO BENEFITS OF THIS ACT.] That in order to entitle any deaf, dumb or blind person to the benefits of this act, it shall be necessary for such person to obtain a certificate of the superintendent of schools of the county in which such person resides, that such person (giving name, age and residence) is deaf, dumb or blind, or too deaf or blind to acquire an education in the common schools, and is entitled to the benefit of such an institution, which certificate shall be approved by the governor; and upon presentation of such certificate and an order from the governor of this Territory to the authorities of the institution, to admit such person, specifying the time for which he or she shall be admitted under the existing contract, such person shall be admitted into such institution and receive all the benefits of the same.

§ 7. AUTHORITIES OF ASYLUM TO NOTIFY GOVERNOR.] That the authorities of such institution, when they receive any such person from this Territory, under the contract, shall at once notify the governor of this Territory, giving name of person

so admitted, the date when admitted and the time for which such persons are admitted.

§ 8. AUDITOR AUTHORIZED TO AUDIT ACCOUNTS.] That it shall be the duty of the auditor of this Territory to audit all accounts presented by the authorities of the institution for the support of the deaf, dumb or blind persons of the state with which the governor has made a contract, as provided in section one of this act, under such regulations as such auditor may prescribe, and to draw his warrant or warrants on the territorial treasurer for the amount due such institution.

§ 9. This act shall take effect and be in force from and after its passage and approval.

Approved, February 21, 1879.

Education.

CHAPTER 14.

AN ACT to Establish a Public School Law for Dakota Territory.

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

§ 1. SUPERINTENDENT OF PUBLIC INSTRUCTION, HOW APPOINTED—VACANCY HOW FILLED.] At each biennial session of the legislative assembly, the governor shall nominate, and, by and with the advice and consent of the legislative council of the Territory shall appoint a superintendent of public instruction, who shall hold his office for two years, and until his successor is appointed and qualified: *Provided*, That when any vacancy occurs in said office by death, resignation or otherwise, the governor shall appoint some skilled and suitable person to perform the duties of the office for the remainder of the unexpired term: *And, provided further*, That the governor be and is hereby authorized, and it is expressly made his duty to remove from office any superintendent of public instruction who violates his duty or who, in judgment of the governor, fails at any time to faithfully discharge the duties of his office