

girl from said school as a reward of good conduct in the school, and upon satisfactory evidence of reformation.

§ 17. [18.] SAME.] Any boy or girl committed to the State Reform School shall be there kept, disciplined, instructed, employed and governed under the direction of the trustees until he or she arrives at the age of majority or is bound out, reformed, or *or* legally discharged. The binding out or discharge of a boy or girl as reformed or having arrived at the age of majority, shall be a complete release from all penalties incurred by conviction of the offense for which he or she was committed.

§ 18. [19.] DISPOSITION OF INCORRIGIBLE INMATE.] If any boy or girl, convicted of a felony, committed to the Reform School, shall prove unruly or incorrigible, or if his or her presence shall be manifestly and persistently dangerous to the welfare of the school, the trustees shall have power to order his or her removal to the county from which he or she came and delivery to the jailor of the said county, and proceedings against him or her shall [be] resumed as if no warrant or order committing him or her to the Reform School had been made.

§ 19. [20.] PENALTY FOR AIDING ESCAPE, ETC.] Every person who unlawfully aids or assists any boy or girl lawfully committed to the Reform School in escaping or attempting to escape therefrom, or knowingly conceals such boy or girl after his or her escape, shall be punished by fine not exceeding one thousand dollars and imprisonment in the penitentiary not exceeding five years.

Approved, March 9, 1883.

## Deaf and Dumb.

### CHAPTER 26.

#### ESTABLISHING DEAF AND DUMB INSTITUTE.

*A BILL For An Act Establishing the Dakota School for Deaf Mutes, and Providing for the Government and Maintenance of the Same.*

*Be it Enacted by the Legislative Assembly of the Territory of Dakota :*

§ 1. ESTABLISHED AT SIOUX FALLS.] The Dakota school for deaf mutes is hereby established and located on the southwest quarter of section No. 15, in township No. 101, range No. 49, in

the county of Minnehaha, and within the corporate limits of the city of Sioux Falls, Dakota Territory, and shall be under the charge of a board of trustees to consist of five residents of this Territory.

§ 2. TRUSTEES, HOW APPOINTED.] The Governor shall, by and with the advice and consent of the council, appoint said trustees, whose term of office shall be for two years and until their successors are appointed and qualified.

§ 3. OATH OF TRUSTEES.] The trustees so appointed before entering upon their duties shall take and subscribe an oath to support the Constitution of the United States and the Act organizing the Territory of Dakota, and to faithfully, honestly and impartially discharge the duties of trustees of the Dakota school for deaf mutes, which oath shall be filed with the Secretary of the Territory.

§ 4. MILEAGE OF TRUSTEES.] The trustees shall receive no compensation for any service, but shall be entitled to ten cents per mile going and returning necessarily traveled in attendance upon meetings of the board. Upon the presentation of the proper vouchers containing statement of mileage traveled in attendance upon said meetings, duly signed by the president of the board of trustees and countersigned by the secretary of the board, the Territorial Auditor shall draw his warrant upon the Territorial Treasurer therefor to be paid out of the territorial treasury.

§ 5. MEETINGS OF TRUSTEES.] The board of trustees shall hold an annual meeting upon the first Wednesday of December, each year, at the school, at which meeting they shall choose a president, a secretary and a treasurer, who shall be different persons and from among the members of the board. The board may hold such additional meetings as may be deemed necessary on the call of the president or secretary.

§ 6. DUTIES OF THE BOARD.] The object and duty of the board of trustees shall be to continue and maintain the school for the education of the deaf and dumb established and located at Sioux Falls, and to accord to that unfortunate class, so far as possible, enlightened and practical education that may aid them to obtain the means of subsistence, discharge the duties of citizens and secure all the happiness which they are capable of obtaining.

§ 7. SAME.] It shall be the duty of said board:

1. To preserve and care for the buildings, grounds and all the property belonging to the school.

2. To employ a superintendent and matron, both of whom shall be skilled in the use of the sign language, and capable and efficient in the instruction, management and care of the deaf and dumb *of the deaf and dumb*; and the matron shall not be the wife

of the superintendent or any teacher or officer of the school; to prescribe the duties of the superintendent and matron and to fix their compensation.

3. To prescribe such charges for board, tuition and care of pupils received from without the Territory, as will be sufficient, at least, to pay all expenses thereof, and collect all such charges fixed by them.

4. To faithfully apply all funds, effects and property which may be received for the use and benefit of the school.

5. To report to the Governor biennially in the month of December preceding the meeting of each regular session of the Legislature; said report shall contain an account of the school during the period of two years ending the thirtieth day of November preceding, and all matters of interest connected therewith, and a detailed statement of all receipts and disbursements of funds during such years and of all funds in their charge.

6. To fix the period of the academic year of said school, which period shall be not less than forty weeks.

§ 8. LIABILITY OF TRUSTEES.] The trustees for the time being shall be severally liable for the faithful application of all property, funds and effects which may be received for the use and benefit of the school; and property, funds and effects received by gift, grant, donation, devise or bequest, shall be applied as directed by the person from whom received.

§ 9. PUPILS.] All deaf and dumb persons, residents of this Territory, over six years of age and under twenty-one years of age, capable of receiving instruction, free from contagious or chronic disease, shall be received and taught, free of charge. Like pupils may be received from without this Territory upon payment to the treasurer of the board of trustees, quarterly in advance at the rate of one hundred and eighty dollars per academic year; but no pupil from without the Territory shall ever be received to the exclusion of any pupil resident within this Territory from any of the privileges or benefits of the school. All pupils shall freely and equally enjoy all the benefits and privileges of the school, and have the use of the library and books of tuition, and receive board, washing, lodging, attendance, medical care, fuel, etc., etc., without preference or distinction. And all pupils shall be treated with the most considerate regard for their misfortune, and always with kindness and humanity, and the board shall carefully enforce this provision.

§ 10. NO TRUSTEE TO BE INTERESTED IN CONTRACT.] No trustee or officer of the school shall be interested either directly or indirectly in any contract for the purchase of building materials, supplies, or any other articles for the use of the school.

§ 11. TRUSTEE NOT ELIGIBLE TO SUPERINTENDENCY—OFFICERS.]  
No trustee shall be eligible to the office of superintendent of the school during the term of office for which he was appointed. That the trustees appointed under this act shall meet within thirty days after their appointment and organize by choosing from their number a president, secretary and treasurer, to hold their respective offices until the annual meeting in December, or until their successors are elected and qualified.

§ 12. This act shall take effect and be in force from and after its passage and approval by the Governor.

Approved, March 9, 1883.

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## CHAPTER 27.

### TO PROVIDE FUNDS FOR BUILDING.

*A BILL For An Act to Provide Funds for the Construction and Furnishing of a Main Building for the Dakota School for Deaf Mutes, and for other purposes.*

*Be it Enacted by the Legislative Assembly of the Territory of Dakota :*

§ 1. BONDS TO BE ISSUED.] That for the purpose of providing funds to pay the cost of erecting and furnishing a main building for the Dakota school for Deaf Mutes at Sioux Falls, Dakota Territory, the Territorial Treasurer is hereby authorized and empowered and it is made his duty to prepare for issue twelve thousand dollars of Territorial bonds running for a term or period of twenty years, and payable at the option of the Territory after a term of ten years, and bearing interest at the rate of six per cent. per annum with coupons attached made payable semi annually on the first day of July and January each year. Such bonds shall be executed under the seal of the Territory by the Governor and Treasurer and shall be attested by the Secretary and shall be negotiated by the Treasurer of the Territory.

§ 2. PROPOSALS FOR SALE OF BONDS.] It shall be the duty of the Treasurer to receive sealed proposals for the purchase of said bonds, and upon request of the board of trustees of said school, he shall give public notice for thirty days in two newspapers of

general circulation, one of which shall be published in the city of New York, and said bonds shall be sold to the highest bidder for cash.

§ 3. BOND TAX.] For the purpose of the prompt payment of principal and interest of the bonds herein provided there shall be levied by the Territorial board of equalization at the time the other taxes are levied and collected in the same manner as other Territorial taxes are collected, such sums as shall be sufficient to pay such interest and exchange thereon, and after nine years from the first day of May, 1883, in addition thereto a sinking fund tax shall be annually levied sufficient to retire and pay such bonds at their maturity, and it shall be the duty of the Territorial Treasurer to pay promptly on the first days of July and January of each year such interest as shall then be due, and to purchase said bonds at their market value and retire and cancel the same with the sinking fund tax as fast as the same be received, and no tax or fund provided for the payment of such bonds, either principal or interest shall at any time be used for any other purpose.

§ 4. INTEREST MAY BE PAID FROM OTHER FUNDS.] If for any reason the Territorial Treasurer shall not have in his hands sufficient funds herein provided to pay the interest upon such bonds when due, he shall pay such interest out of any other unappropriated fund belonging to the Territory, and there is hereby appropriated and set apart out of the general funds belonging to the Territory a sum sufficient to pay such interest on said bonds as may become due before the funds and tax therein provided can be made available; and it shall be the duty of said Treasurer to pay said interest promptly at the time it falls due out of said funds.

§ 5. REPLACING FUNDS.] All moneys belonging to the general Territorial fund applied by said Treasurer in payment of the interest of said bonds, shall be replaced from the special tax levied to pay the same.

§ 6. WHEN TO COMMENCE CONSTRUCTION.] And the board of trustees of said school are hereby empowered and directed within ninety days after this act becomes a law, to proceed with the cooperation of the Governor of the Territory, to secure and adopt plans for, and commence the construction of said main building, and after the same is completed or to be occupied, to contract for and to purchase suitable furniture and fixtures for the same. Said main building to be a stone or brick substantial building. And there shall be expended in the erection of the same as herein provided, out of the proceeds of said bonds, not less than the sum of ten thousand dollars. Said board of trustees shall make a full and detailed report of their expenditures and action under this act to the next Territorial Legislative Assembly.

§ 7. APPROPRIATION.] There is hereby appropriated out of the Territorial Treasury all the funds realized by the sale of the bonds provided for in this act. And it shall be the duty of the Auditor of the Territory upon the application of the board of trustees or a majority thereof of said school for deaf mutes, to draw on the Territorial Treasurer for the purpose of constructing and furnishing said main building and for the purpose of carrying out the provisions of the aforesaid act.

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

Approved, March 9, 1883.

## Penitentiary.

### CHAPTER 28.

#### SIoux FALLS—APPROPRIATIONS.

AN ACT Making Appropriations for the Current and Contingent Expenses of the Territorial Penitentiary.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota :*

§ 1. APPROPRIATIONS FOR PAY OF WARDEN, ETC., AND SUSTENANCE OF PRISONERS.] That the following sums be, and they are, hereby appropriated out of any money in the territorial treasury not otherwise appropriated for the purpose of paying the current and contingent expenses of the Territorial Penitentiary, namely :

For pay of the warden, four thousand dollars ; *Provided*, That the person appointed to the office of warden shall possess the qualifications of an office-holder, as prescribed in section 47 of chapter 27 of the Political Code.

For the pay of physician and medicines, one thousand dollars.

For pay of officers, guards, overseers and watchman, twenty six thousand five hundred dollars.

For maintenance of prisoners and for board of officers and employes, twenty-three thousand four hundred dollars.