

Normal Schools.

CHAPTER 13.

LARIMORE.

AN ACT to Locate and Establish a Territorial Normal School.

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

1. NORMAL SCHOOL ESTABLISHED—BRANCHES TAUGHT.] That a Normal School for the Territory of Dakota be established at Larimore, in Grand Forks county, Dakota Territory, the exclusive purpose of which shall be the instruction of persons, both male and female, in the art of teaching and in all the various branches that pertain to a good common school education ; also to give instruction in the mechanical arts, and in husbandry and in agricultural chemistry, in the fundamental laws of the United States, and in what regards the rights and duties of citizens :

Provided, That a tract of land not less than forty (40) acres, adjacent to said town of Larimore, be donated and secured to the Territory of Dakota, in fee simple, as a site for said Normal School, within six months from the taking effect of this act ; and the Governor of the Territory is hereby empowered, and it is made his duty to see that a good and sufficient deed is made to the Territory for the same.

§ 2. HOW GOVERNED.] The said Normal School shall be under the direction of a board of education, and shall be governed and supported as herein provided.

§ 3. BUILDING.] The board of education are hereby authorized, and it is made their duty, to immediately commence the erection and construction of a suitable building for said Normal School, upon the ground specified in this act, as a site for the same, as soon as sufficient appropriation is made for the erection thereof. They shall have the power to let contracts for the building and completion of said Normal School building, and shall have the entire supervision of its construction :

Provided, That all contracts connected with the erection of said building shall be let to the lowest responsible bidder, after notices of the letting of such contracts shall have been published in at least four of the leading newspapers located in different parts of the

Territory for at least thirty days before the letting of said contracts, and the board shall have power to reject any and all bids.

§ 4. BOARD OF EDUCATION—HOW COMPOSED.] Said board of education shall consist of five members, three of whom shall be appointed by the Governor, and by and with the consent of the legislative council; one of whom shall hold his office for six years, another for four years and another for two years. The Governor shall designate which one shall [hold] his office for six years, which for four years and which for two years. The Territorial Treasurer and the Superintendent of Public Instruction shall by virtue of their offices be members of said board. The Territorial Treasurer shall by virtue of his office be the treasurer of said board, and the members thereof shall, annually, elect from their number a president and secretary. It shall be the duty of the secretary to keep an exact and detailed account of the doings of said board, and he shall make such reports to the Legislature as are required by this act; and no member of said board of education shall, during his continuance in office as a member of said board, act as agent of any publisher or publishers of school books, or school library books, or to be or become interested in the publication or sale of such books as agent or otherwise. And the Governor of this Territory is hereby authorized and required, upon satisfactory evidence being produced to him, that any member of said board of education is employed as aforesaid, to remove such member of said board from office and appoint another in his place to fill such vacancy.

§ 5. TEACHERS.] Said board of education shall have power to appoint a principal and assistant to take charge of said school, and such other teachers and officers as may be required in said school, and fix the salary of each and prescribe their several duties. They shall also have power to remove either principal, assistant or teachers and appoint others in their stead. They shall prescribe the various books to be used in said school, and shall make all the regulations and by-laws necessary for the good government and management of the same.

§ 6. NOTICE, WHEN PREPARED TO RECEIVE PUPILS.] As soon as said Normal School is prepared to receive pupils, the Superintendent of Public Instruction shall give notice of the fact to each county clerk in the Territory, and shall publish said notice in a newspaper published in each judicial district.

§ 7. RULES AND REGULATIONS.] The board of education shall ordain such rules and regulations for the admission of pupils to said school as they shall deem necessary and proper. Every applicant for admission shall undergo an examination in such manner as shall be prescribed by the board, and if it shall appear that the applicant is not a person of good moral character or will not

make an apt and good teacher, such applicant shall be rejected. The board of education may in their discretion require an applicant for admission in said school, other than such as shall prior to such admission, sign and file with said board a declaration of intention to follow the business of teaching schools in this Territory, to pay or secure to be paid such fees or tuition as to said board shall seem reasonable.

§ 8. PUPILS.] Any person may be admitted as a pupil of said Normal School who shall pass a satisfactory examination:

Provided, That the applicant shall before admission [sign] a declaration of intention to follow the business of teaching schools in this Territory:

And, provided further, That the pupils may be admitted without signing such declaration of intention on such terms as the Normal School board may prescribe; and each county shall be entitled to send pupils in the ratio of their representation in the Legislature, to which it may be entitled, not to exceed such a number as the board may prescribe.

§ 9. VISITING BOARD.] After said Normal School shall have commenced its first term and at least once in each year thereafter, it shall be visited by three suitable persons not members, to be appointed by the board of education, who shall examine thoroughly into the affairs of the school and report to the Superintendent of Public Instruction or Auditor their views in regard to its condition, success and usefulness and any other matter they may judge expedient. Such visitors shall be appointed annually.

§ 10. LECTURES.] Lectures in chemistry, comparative anatomy, the mechanical arts, agricultural chemistry and any other science, or any other branches of literature that the board of education may direct, may be delivered to those attending such school, in such manner and on such terms and conditions as the board of education may prescribe.

§ 11. CERTIFICATES.] As soon as any person has attended said institution twenty-two (22) weeks, said person may be examined in the studies required by the board in such manner as may be prescribed by them, and if it shall appear that such person possesses the learning and other qualifications necessary to teach a good common school, said person shall receive a certificate which shall entitle the holder to teach a common school in any county in the Territory for the time and branches stated in said certificate.

§ 12. FUNDS, HOW CONTROLLED.] All funds appropriated for the use and benefit of said Normal School, [shall] be under the direction and control of the board of education subject to the conditions and provisions herein contained. The Treasurer of the Territory shall

pay out of such funds all orders or drafts for money to be expended under the provisions of this act. Such orders or drafts to be drawn by the Territorial Auditor on certificates of the Secretary countersigned by the President of the board. No such certificate shall be given except upon accounts audited and allowed by the board at their regular meetings.

§ 13. WHAT EXPENSES TO BE PAID.] Services and all other necessary traveling expenses as hereinafter provided, incurred by the board of education in carrying out the provisions of this act, shall be paid on the proper certificate, out of any funds belonging to said institution in the hands of the treasurer, until the erection and completion of the necessary buildings. The principal, assistants, teachers and board of education and other officers employed in said school shall be paid out of the Normal School fund ; and from the receipts for tuition after the erection of the necessary buildings. The members of the board of education shall be entitled to three dollars per day, and ten cents for each mile necessarily traveled in attending the meetings of the board.

§ 14. VACANCIES.] That it shall be the duty of the Governor to fill by appointment all vacancies that may from any cause occur in the board of education of the Territorial Normal School, and he may from neglect of duty or any violation of the trust reposed, or the arbitrary exercise of the power conferred, remove any member of said board and appoint a suitable person in his stead.

§ 15. REGULAR MEETINGS.] The board of education shall hold two regular meetings in each year, viz: during the first week in June and the first week in January in each year, at which first meeting the officers of the board shall be elected. All meetings of the board shall when practicable be in the Normal School building, and all financial matters, allowances, claims and accounts shall be disposed of at such regular meetings only. Special meetings of the board may be called upon written order of the President of the same, which order shall specify the object of the meeting. An adjournment may be had from a regular or special meeting, but the journal must in either case state the reasons in full for the same. A majority of the board shall constitute a quorum to transact business. A true and faithful journal of their proceedings shall be kept at any reasonable time open to the inspection of any members of the board.

§ 16. REPORT.] The clerk of the board of education, shall, on the first day of January of each year, transmit to the Governor a full report of the expenditures of the same for the previous year, setting forth in full each item and the date thereof.

§ 17. MORALS OF PUPILS.] The board of education in their regulations, and the principal in his supervision and government of the schools, shall exercise a watchful guardianship over the morals of the pupils at all times during their attendance on the same, but no religious or sectarian tests shall be applied in the selection of teachers, and none shall be adopted in the school.

§ 18. EXPENSES FOR ADVERTISEMENT, HOW PAID.] That all necessary expenses arising from advertisement for bids in contracts shall be paid by a warrant drawn by the Auditor upon the Territorial Treasurer;

Provided, That all accounts for expenses above specified shall be first approved by the Superintendent of Public Instruction.

§ 19. This act shall take effect from and after its passage and approval.

Approved, March 9, 1883.

CHAPTER 14.

MADISON—APPROPRIATION.

AN ACT Appropriating Funds for the Construction of a Normal School Building at Madison, Lake County, Dakota Territory, and for other purposes.

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

§ 1. AMOUNT APPROPRIATED.] That there is hereby appropriated out of the general funds in the Territorial Treasury not otherwise appropriated, the sum of five thousand (\$5,000.00) dollars, to be used in the constructing and furnishing of a Territorial Normal School building at Madison, Lake County, D. T., also two thousand (\$2,000) dollars to be used in defraying the incidental expenses and for teachers wages for said Normal School.

§ 2. MONEYS, HOW PAID.] No money shall be paid out under this act, except upon an order signed by a majority of the board of education of said Normal School.

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

Approved, March 9, 1883.

CHAPTER 15.

MADISON—AUTHORIZING SALE OF LAND.

A BILL For An Act Authorizing the Sale of the Tract of Land heretofore Selected and Deeded to the Territory as a Site for a Normal School at Madison, Lake County, and to Accept a Different Tract for such Site.

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

§ 1. AUTHORITY TO SELECT TWENTY ACRES.] Instead of the tract of land containing one hundred and sixty acres heretofore deeded to the Territory of Dakota as a site for a Normal School at or near Madison in Lake County, in accordance with the proviso to section number one (1) of the act entitled "An Act to Locate, Establish and Endow a State Normal School," approved March 5th, 1881, there shall be donated and secured to the Territory of Dakota by lawful deed in fee simple free from all incumbrances, a tract of land of not less than twenty acres nearer the center of said town of Madison, as a site for said Normal School. Said tract shall be conveyed to the Territory of Dakota by good and sufficient deed in fee simple in the law, and the Governor of the Territory is hereby empowered and it is made his duty to see that a proper deed is so made to the Territory for such tract.

§ 2. SALE OF FORMER TRACT.] When such tract has been accepted as a new site and the deed thereof has been accepted by the Governor, the board of education of said Normal School is hereby authorized and empowered to sell the tract of land now owned by the Territory as a site for said Normal School. Such sale shall be made at public auction after not less than six weeks notice duly published by the board in two newspapers published at said town of Madison, and the sale shall be made to the highest bidder and for cash. But such sale shall not be made until another tract as hereinbefore provided has been accepted as a site, and the deed therefor accepted by the Governor. The deed for the tract so sold shall be made by the Governor in the name of the Territory of Dakota, and the Governor shall sign the same and cause it to be attested by the Secretary of the Territory with the great seal of the Territory attached. Such deed shall be a lawful and valid grant and conveyance without further proof or acknowledgment and shall be admitted to record accordingly.

§ 3. WHO TO ATTEND SALE.] Either the Territorial Treasurer or Superintendent of Public Instruction with at least two other members of said board shall join in the preparation for said sale,

and at least one of such officers shall attend it and report the same to the Governor ; but all members may join.

§ 4. MONEY, HOW DISPOSED OF.] The money received from such sale shall be paid to the treasurer of said board, being the Territorial Treasurer, and for and as part of the building fund for said Normal School.

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

Approved, March 9, 1883.

CHAPTER 16.

MADISON—BONDS AUTHORIZED.

AN ACT Authorizing the Village Board of Madison, Lake County, Territory of Dakota, to Issue Bonds for the Purpose of Paying for Normal School Land.

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

§ 1. MADISON TO ISSUE BONDS.] That the village board of Madison, Lake county, Dakota, be empowered and are hereby authorized to issue bonds of not less than one hundred dollars each to the amount of two thousand dollars or so much as may be necessary, but not to exceed two thousand dollars, payable in not less than ten years nor to exceed fifteen years from the date thereof for the purpose of paying for normal school land ; said bonds shall draw interest from the date thereof at a rate not to exceed seven per cent per annum, payable annually. The bonds shall specify upon their face, the date, amount, and for what purpose issued, the time and place of payment and rate of interest, and shall be printed on good paper, with coupons attached for each year's interest, and the amount of each year's interest shall be placed in corresponding coupons, until such bonds shall become due in a manner so as to have the last coupon fall due at the same time as the bond to which it may be attached ; said bonds and the coupons thereto attached shall each be registered by the president and councilmen of said village and shall be payable at such place or places, as said village officers may designate in said bonds and coupons.

§ 2. BOND TAX.] The officers of said village are hereby granted all the necessary authority to levy taxes from time to time not to exceed one per cent. of the value of taxable property in said village in addition to the tax already allowed by law; said tax to be used only for the purpose of paying interest upon said bonds promptly when due and for creating a sinking fund for paying the principal of said bonds when due.

§ 3. FUNDS, HOW USED.] The funds arising from sale of said bonds shall be used for normal school purposes only.

§ 4. SPECIAL ELECTION.] *Provided*, That nothing in this act shall be so construed as to authorize any action to be taken by the said village board to issue said bonds before the question has been submitted to the legal voters of said village at a general or special election called for that purpose, and decided in the affirmative by a majority of the legal voters voting at said election.

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

ENDORSED.—Received at Executive Office, February 27, 1883, at 12:15, P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

CHAPTER 17.

MINTO.

AN ACT to Locate and Establish a Territorial Normal School at Minto, Walsh County, Dakota, and for other Purposes.

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

§ 1. NORMAL SCHOOL LOCATED AT MINTO—PURPOSE—PROVISO.] That a Normal School for the Territory of Dakota, be established at Minto, Walsh county, Dakota Territory, the exclusive purpose of which shall be the instruction of persons, both male and female,

in the art of teaching, and in all the various branches that pertain to a good common school education ; also to give instruction in the mechanical arts and in husbandry, and in agricultural chemistry, in the fundamental laws of the United States, and in what regards the rights and duties of citizens ;

Provided, That a tract of land not less than forty acres within one mile of the corporate limits of the town of Minto aforesaid, be donated and secured to the Territory of Dakota, in fee simple, as a site for said Normal School, within six months after the passage and approval of this act, and the Governor of the Territory is hereby empowered and it is made his duty to see that a good and sufficient deed be made the Territory for the same.

§ 2. SUPERVISION.] That said Normal School shall be under the direction of a board of education, and shall be governed and supported as hereinafter provided.

§ 3. BOARD TO ERECT BUILDING, ETC.] The said board of education are hereby authorized and it is made a part of their duty to immediately commence the construction and erection of a suitable building for said Normal School, upon the grounds specified in this act as a site for the same, as soon as a sufficient appropriation is secured for the erection thereof. They shall have the power to let contracts for the building and completing of said Normal School building, and shall have the entire supervision of its construction :

Providing, That all contracts let for the erection and completion of said institution, shall be let to the lowest responsible bidder, after notice of the letting of said contract shall have been published in at least four of the leading newspapers located in different parts of the Territory for at least thirty (30) days before the letting of said contract, and the said board shall have the power to reject any or all bids. It is also the duty of the said board of education and they are hereby empowered to make the selection of said site for said Normal School.

§ 4. NUMBER OF BOARD AND TERMS OF OFFICE—REPORTS, ETC.] Said board of education shall consist of five (5) members, three of whom shall be appointed by the Governor and by and with the consent of the legislative council, one of whom shall hold his office for six (6) years, one for four (4) years, one for two (2) years. The Governor shall designate the one who shall hold his office for six (6) years, the one for four (4) years, the one for two (2) years. The Territorial Treasurer and Superintendent of Public Instruction shall, by virtue of their offices, be members of said board. The Territorial Treasurer by virtue of his office shall be treasurer of said board, and the members thereof shall annually elect from their number a president and secretary. It shall be the duty of the secretary to keep an exact detailed account of the doings of

said board, and he shall submit such reports to the Legislature as are required by this act; and no member of said board of education shall, during his continuance in office as a member of said board, act as an agent of any publisher or publishers of school books or school library books, either directly or indirectly; and the Governor of the Territory is hereby authorized and required, upon satisfactory evidence being produced to him, that any member of said board is employed as such agent or interested as aforesaid, to remove such member of said board from office, and to appoint another in his place to fill such vacancy.

§ 5. POWERS OF BOARD TO APPOINT AND REMOVE.] Said board shall have power to appoint a principal and assistant to take charge of said school, and such other teachers and officers as may be required in said school, and fix the salary of each and prescribe their several duties. They shall also have power to remove either the principal, assistant or teachers and appoint others in their stead. They shall prescribe the various books to be used in said school, and make all regulations and by-laws necessary for the good government.

§ 6. NOTICE WHEN SCHOOL IS READY FOR PUPILS.] As soon as said Normal School is prepared to receive pupils the Superintendent of Public Instruction shall give notice of the fact to each county clerk in the Territory, and shall publish said notice in a newspaper published in each judicial district.

§ 7. APPLICATIONS FOR ADMISSION.] The board of education shall ordain such rules and regulations for the admission of pupils to said school as they shall deem necessary and proper. Every applicant for admission shall undergo an examination in such manner as shall be prescribed by the board, and if it shall appear that the applicant is not a person of good moral character, or will not make an apt and good teacher, such applicant shall be rejected. The board of education may, in their discretion, require any applicant for admission into said school, prior to such admission, [to] sign and file with said board a declaration of intention to follow the business of teaching schools in this Territory, [or] to pay or secure to be paid such fees for tuition as to such board shall seem reasonable.

§ 8. CONDITIONS OF ADMISSION TO SCHOOL.] Any person may be admitted as a pupil of said Normal School who shall pass a satisfactory examination;

Provided, That the applicant shall, before admission, sign a declaration of intention to follow the business of teaching in this Territory;

And provided, further, That the pupil may be admitted without signing such declaration of intention, on such terms as the Normal

School Board may require or prescribe; and each county shall be entitled to send pupils in ratio to their representation in the Legislature to which it may be entitled, not to exceed such number as the board may prescribe.

§ 9. VISITING SCHOOL BY COMMITTEE.] After said Normal School shall have commenced its first term, and at least once in each year thereafter, it shall be visited by three suitable persons, not members, to be appointed by the board of education, who shall examine thoroughly into the affairs of the school and report to the Superintendent of Public Instruction or Auditor their views in regard to its condition, success and usefulness, and any other matter they judge expedient. Such visitors shall be appointed annually.

§ 10. LECTURES.] Lectures in chemistry, comparative anatomy, the mechanical arts, agricultural chemistry and any other science, or any other branches of literature that the board of education may direct, may be delivered to those attending such school, in such manner and on such terms and conditions as the board of education may prescribe.

§ 11. CERTIFICATES.] As soon as any person has attended said institution twenty-two (22) weeks, said person may be examined in the studies required by the board in such manner as may be required by them, and if it shall appear that such person possesses the learning and other qualifications necessary to teach a good common school, said person shall receive a certificate which shall entitle the holder to teach a common school in any county in the Territory for the time and in the branches stated in said certificate.

§ 12. FUNDS, HOW CONTROLLED.] All funds appropriated for the use and benefit of said Normal School, shall be under the direction and control of the board of education subject to the provisions herein contained. The Treasurer of the Territory shall pay out of said funds all orders and drafts for money to be expended under the provisions of this act, such orders or drafts to be drawn by the Territorial Auditor, on certificate of the Secretary, countersigned by the President of the board. No such certificates shall be given except upon accounts audited and allowed by the board at their regular meetings.

§ 13. PAYMENT OF SALARIES, ETC.] Services and all other necessary traveling expenses, as hereinafter provided, incurred by the board of education in carrying out the provisions of this act, shall be paid on the proper certificate, out of any funds belonging to said institution in the hands of the Treasurer. Until the erection and completion of the necessary buildings, the principal, assistants, teachers, board of education and other officers employed in said school shall be paid out of the Normal School fund; and from the

receipts of tuition after the erection of the necessary buildings. The members of the board of education shall be entitled to three dollars per day and ten cents for each mile actually and necessarily traveled in attending the meetings of the board.

§ 14. VACANCIES.] That it shall be the duty of the Governor to fill by appointment all vacancies that may occur in said board of said school from neglect of duty.

§ 15. MEETINGS OF THE BOARD.] The board of education shall hold regular meetings in each year, to-wit: During the first week in June and the first week in January in each year, at which first meeting the officers of the board shall be elected. All meetings of the board shall, when practicable, be in the Normal School building, and all financial matters, allowances, claims and accounts shall be disposed of at such regular meetings only. Special meetings of the board may be called upon written order of the President of the same which shall specify the object of the meeting. An adjournment may be had from a regular or special meeting, but the adjournment must in either case state the reason in full of the same. A majority of the board shall constitute a quorum to transact business. A true and faithful journal of their proceedings shall be kept subject at any time to the inspection of any member of the board.

§ 16. REPORT OF BOARD.] The clerk of the board of education shall on the first day of January of each year, transmit to the Governor a full report of the expenditures of the same for the previous year, setting forth in full each item and date thereof.

§ 17. NO RELIGIOUS TESTS REQUIRED.] The board of education in their regulations, and the principal in his supervision and government of the school shall exercise a watchful guardianship over the morals of the pupils at all times during their attendance at said school; but no religious or sectarian tests shall be applied in the selection of teachers, and none be adopted in the school.

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

ENDORSED.—Received at Executive Office, March 2, 1883, at 4, P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

CHAPTER 18.

PEMBINA.

AN ACT to Locate, Establish and Endow a Territorial Normal School.

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

§ 1. NORMAL SCHOOL AT PEMBINA.] That a Normal School for the Territory of Dakota be established at Pembina, in Pembina county, Dakota Territory, the exclusive purpose of which shall be the instruction of persons, both male and female, in the art of teaching, and in all the various branches that pertain to a good common school education ; also to give instruction in the mechanical arts and in husbandry, and in agricultural chemistry, in the fundamental laws of the United States, and in what regards the rights and duties of citizens ;

Provided, That a tract of land not less than forty acres within one mile of the corporate limits of the town of Minto aforesaid, be donated and secured to the Territory of Dakota, in fee simple, as a site for said Normal School, within six months after the passage and approval of this act, and the Governor of the Territory is hereby empowered and it is made his duty to see that a good and sufficient deed be made the Territory for the same.

§ 2. SUPERVISION.] That said Normal School shall be under the direction of a board of education, and shall be governed and supported as herein provided.

§ 3. BOARD TO ERECT BUILDING, ETC.] The said board of education are hereby authorized and it is made a part of their duty to immediately commence the construction and erection of a suitable building for said Normal School, upon the grounds specified in this act as a site for the same, as soon as a sufficient appropriation is secured for the erection thereof. They shall have power to let contracts for the building and completing of said Normal School building, and shall have the entire supervision of its construction :

Providing, That all contracts let for the erection and completion of said institution, shall be let to the lowest responsible bidder, after notice of the letting of said contract shall have been published in at least four of the leading newspapers located in different parts of the Territory for at least thirty (30) days before the letting of said contract, and the said board shall have the power to reject any or all bids. It is also the duty of the said board of education and they are hereby empowered to make the selection of said site for said Normal School.

§ 4. NUMBER OF BOARD AND TERMS OF OFFICE—REPORTS, ETC.] Said board of education shall consist of five (5) members, three of whom shall be appointed by the Governor and by and with the consent of the legislative council, one of whom shall hold his office for six (6) years, one for four (4) years, one for two (2) years. The Governor shall designate the one who shall hold his office for six (6) years, the one for four (4) years, the one for two (2) years. The Territorial Treasurer and Superintendent of Public Instruction shall, by virtue of their offices, be members of said board. The Territorial Treasurer by virtue of his office shall be treasurer of said board, and the members thereof shall annually elect from their number a president and secretary. It shall be the duty of the secretary to keep an exact detailed account of the doings of said board, and he shall submit such reports to the Legislature as are required by this act; and no member of said board of education shall, during his continuance in office as a member of said board, act as an agent of any publisher or publishers of school books or school library books, either directly or indirectly; and the Governor of the Territory is hereby authorized and required, upon satisfactory evidence being produced to him, that any member of said board is employed as such agent or interested as aforesaid, to remove such member of said board from office, and to appoint another in his place to fill such vacancy.

§ 5. POWERS OF BOARD TO APPOINT AND REMOVE.] Said board shall have power to appoint a principal and assistant to take charge of said school, and such other teachers and officers as may be required in said school, and fix the salary of each and prescribe their several duties. They shall also have power to remove either the principal, assistant or teachers and appoint others in their stead. They shall prescribe the various books to be used in said school, and make all regulations and by-laws necessary for the good government and management of the same.

§ 6. NOTICE WHEN SCHOOL IS READY FOR PUPILS.] As soon as said Normal School is prepared to receive pupils the Superintendent of Public Instruction shall give notice of the fact to each county clerk in the Territory, and shall publish said notice in a newspaper published in each judicial district.

§ 7. APPLICATIONS FOR ADMISSION.] The board of education shall ordain such rules and regulations for the admission of pupils to said school as they shall deem necessary and proper. Every applicant for admission shall undergo an examination in such manner as shall be prescribed by the board, and if it shall appear that the applicant is not a person of good moral character, or will not make an apt and good teacher, such applicant shall be rejected. The board of education may, in their discretion, require any applicant for admission into said school, prior to such admis-

sion, to sign and file with said board a declaration of intention to follow the business of teaching schools in this Territory, [or] to pay or secure to be paid such fees for tuition as to such board shall seem reasonable.

§ 8. CONDITIONS OF ADMISSION TO SCHOOL.] Any person may be admitted as a pupil of said Normal School who shall pass a satisfactory examination;

Provided, That the applicant shall, before admission, sign a declaration of intention to follow the business of teaching schools in this Territory;

And provided, further, That the pupil may be admitted without signing such declaration of intention, on such terms as the Normal School Board may require or prescribe; and each county shall be entitled to send pupils in ratio to their representation in the Legislature to which it may be entitled, not to exceed such number as the board may prescribe.

§ 9. VISITING SCHOOL BY COMMITTEE.] After said Normal School shall have commenced its first term, and at least once in each year thereafter, it shall be visited by three suitable persons, not members, to be appointed by the board of education, who shall examine thoroughly into the affairs of the school and report to the Superintendent of Public Instruction or Auditor their views in regard to its condition, success and usefulness, and any other matter they may judge expedient. Such visitors shall be appointed annually.

§ 10. LECTURES.] Lectures in chemistry, comparative anatomy, the mechanical arts, agricultural chemistry and any other science, or any other branches of literature that the board of education may direct, may be delivered to those attending such school, in such manner and on such terms and conditions as the board of education may prescribe.

§ 11. CERTIFICATES.] As soon as any person has attended said institution twenty-two (22) weeks, said person may be examined in the studies required by the board in such manner as may be required by them, and if it shall appear that such person possesses the learning and other qualifications necessary to teach a good common school, said person shall receive a certificate which shall entitle the holder to teach a common school in any county in the Territory for the time and in the branches stated in said certificate.

§ 12. FUNDS, HOW CONTROLLED.] All funds appropriated for the use and benefit of said Normal School, shall be under the direction and control of the board of education subject to the provisions herein contained. The Treasurer of the Territory shall pay out of said funds all orders and drafts for money to be expended under the provisions of this act, such orders or drafts to

be drawn by the Territorial Auditor, on certificate of the Secretary, countersigned by the President of the board. No such certificates shall be given except upon accounts audited and allowed by the board at their regular meetings.

§ 13. PAYMENT OF SALARIES, ETC.] Services and all other necessary traveling expenses, as hereinafter provided, incurred by the board of education in carrying out the provisions of this act, shall be paid on the proper certificate, out of any funds belonging to said institution in the hands of the Treasurer. Until the erection and completion of the necessary buildings, the principal, assistants, teachers, board of education and other officers employed in said school shall be paid out of the Normal School fund; and from the receipts of tuition after the erection of the necessary buildings. The members of the board of education shall be entitled to three dollars per day and ten cents for each mile necessarily traveled in attending the meetings of the board.

§ 14. GOVERNOR TO APPOINT.] That it shall be the duty of the Governor to fill by appointment all vacancies that may from any cause occur in the board of education of the Territorial Normal School, and he may from neglect of duty or any violation of the trust reposed or the arbitrary exercise of the power conferred, remove any member of said board and appoint a suitable person in his stead.

§ 15. REGULAR MEETINGS.] The board of education shall hold two regular meetings in each year, viz: During the first week in June and the first week in January in each year, at which first meeting the officers of the board shall be elected. All meetings of the board shall, when practicable be in the Normal School building and all financial matters, allowances, claims and accounts shall be disposed of at such regular meetings only. Special meetings of the board may be called upon written order of the president of the same, which order shall specify the object of the meeting. An adjournment may be had from a regular or special meeting, but the journal must in either case state the reasons in full for the same. A majority of the board shall constitute a quorum to transact business. A true and faithful journal of their proceedings shall be kept at any reasonable time (open) to the inspection of any member of the board.

§ 16. REPORT.] The clerk of the board of education shall on the first day of January of each year, transmit to the Governor a full report of the expenditures of the same for the previous year setting forth in full each item and the date thereof.

§ 17. NO RELIGIOUS TESTS.] The board of education in their regulations and the principal in his supervision and government of the schools shall exercise a watchful guardianship over the

morals of the pupils at all times during their attendance on the same. But no religious or sectarian tests shall be applied in the selection of teachers, and none shall be adopted in the school.

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

Approved, March 9, 1883.

CHAPTER 19.

SPEARFISH—ACT REVIVED.

AN ACT to Revive and Re-enact Chapter One Hundred of the Session Laws of 1881, Entitled An Act to Locate, Establish and Endow a Territorial Normal School.

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

§ 1. ACT REVIVED.] That chapter one hundred of the session laws of 1881 of the Territory of Dakota, entitled "An act to locate, establish and endow a Territorial Normal School," be and the same is hereby revived and re-enacted and continued in force.

§ 2. EXTENSION OF TIME.] The time provided in section one (1) of said act, for donating and securing to the Territory the land mentioned in section one of said act, is hereby extended under the provisions of said act, for six months from the taking effect of this act.

§ 3. REGULAR AND SPECIAL MEETINGS.] That section 16 of said chapter 100, be, and the same is, hereby stricken out and the following is inserted in lieu thereof as said section 16:

The board of education shall hold four regular meetings in each year, viz: during the first week in April, the first week in July, the first week in October, and the first week in January in each year, at which second meeting the officers of the board shall be elected. All meetings of the board shall be held at Spearfish, and when practicable, in the Normal School building. All financial matters, allowances, claims and accounts shall be disposed of at such regular meetings only. Special meetings of the board may be called upon the written order of the president of the same, which order shall specify the object of the meeting. A majority

of the board shall constitute a quorum to transact business. A true and faithful journal of their proceedings shall be kept subject at any reasonable time to the inspection of any member of the board.

ENDORSED.—Received at Executive Office, February 27, 1883, at 2:30, P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the Council of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

CHAPTER 20.

SPEARFISH—FORMER ACT AMENDED.

AN ACT to Amend Sections One and Sixteen, Chapter One Hundred of the Session Laws of 1881, Being Entitled "An Act to Locate, Establish and Endow a Territorial Normal School."

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

§ 1. NORMAL SCHOOL ESTABLISHED AT SPEARFISH.] That section one, chapter one hundred of the Session Laws of 1881, be amended as follows, to-wit :

That a Normal School for the Territory of Dakota, be established at Spearfish, in Lawrence county, Territory of Dakota, the exclusive purpose of which shall be the instruction of persons, both male and female, in the art of teaching, and in all the various branches that pertain to a good common school education ; also to give instruction in the mechanical arts, and in husbandry, and agricultural chemistry, in the fundamental laws of the United States, and in what regards the rights and duties of citizens :

Provided, That a tract of land, not less than forty acres, adjacent to said town of Spearfish, be donated and secured to the Territory of Dakota, in fee simple, as a site for said Normal School, within six months from the taking effect of this amendment, and the

Governor of the Territory is hereby empowered and it is made his duty to see that a good and sufficient deed, so far as can be, be made to the Territory for the same.

§ 2. REGULAR AND SPECIAL MEETINGS.] That section sixteen of same chapter, be amended to read as follows, to-wit:

The board of education shall hold four regular meetings in each year, viz: during the first week in April, the first week in July, the first week in October, and the first week in January in each year, at which second meeting the officers of the board shall be elected. All meetings of the board shall be held at Spearfish, and when practicable, in the Normal School building. All financial matters, allowances, claims and accounts, shall be disposed of at such regular meetings only. Special meetings of the board may be called upon the written order of the president of the same, which order shall specify the object of the meeting. A majority of the board shall constitute a quorum to transact business. A true and faithful journal of their proceedings shall be kept subject at any reasonable time, to the inspection of any member of the board.

ENDORSED.—Received at Executive Office, February 12, 1883, at 12:40, P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

CHAPTER 21.

SPEARFISH—APPROPRIATION.

AN ACT Making Appropriations for the Purpose of Constructing and Furnishing a Building for the Territorial Normal School at Spearfish, D. T., and for other Purposes.

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

§ 1. APPROPRIATION.] That there is hereby appropriated out of the funds in the territorial treasury, not otherwise appropriated, for the purpose of constructing and furnishing a building for the

Territorial Normal School at Spearfish, D. T., the sum of five thousand dollars. For salary of principal and teachers, fuel, etc., the sum of two thousand dollars for the period of two years.

§ 2. DUTY OF AUDITOR.] It shall be the duty of the auditor of the Territory, upon the application of the board of education of said Normal School, or a majority thereof, to draw warrants on the Territorial Treasurer for the purpose of carrying out the provisions of this act.

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

Approved, March 9, 1883.

CHAPTER 22.

SPRINGFIELD—ACT AMENDED.

AN ACT to Amend An Act Entitled An Act to Locate, Establish and Endow a Territorial Normal School.

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

§ 1. ESTABLISHED AT SPRINGFIELD.] That section 1, chapter 101 of the Session Laws of 1881, be amended as follows, to-wit:

That a Normal School for the Territory of Dakota, be established at Springfield, Bon Homme County, Territory of Dakota, the exclusive purpose of which shall be the instruction of persons, both male and female, in the art of teaching and in all the various branches that pertain to a good common school education; also to give instruction in the mechanical arts, and in husbandry and in agricultural chemistry, in the fundamental laws of the United States, and in what regards the rights and duties of citizens:

Provided, That a tract of land not less than twenty acres, adjacent to the said town of Springfield be donated and secured to the Territory of Dakota, in fee simple, as a site for said Normal School, within three months from the taking effect of this amendment; and the Governor of the Territory is hereby empowered, and it is his duty to see that a good and sufficient deed be made to the Territory for the same.

§ 2. REGULAR AND SPECIAL MEETINGS.] That section 18 of same chapter be amended to read as follows, to-wit:

1883.—42

The board of education shall hold four regular meetings in each year, viz: During the first week in January, and the first week in April, the first week in July and the first week in October, in each year at which second meeting the officers of the board shall be elected. All meetings of the board shall be held in the village of Springfield, and when practicable be in the Normal School building, and all financial matters, allowances of claims and accounts shall be disposed of at such regular meetings only. Special meetings of the board may be called upon written order of the president of the same, which order shall specify the object of the meeting. An adjournment may be had from a regular or special meeting, but the journal must in either case state the reason in full for the same. A majority of the board shall constitute a quorum to transact business. A true and faithful journal of their proceedings shall be kept at any reasonable time open to the inspection of any member of the board.

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

ENDORSED.—Received at Executive Office, February 7, 1883, at 12:40, P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

Notary Public.

CHAPTER 23.

VALE P. THIELMAN.

AN ACT to Legalize the Acts of Vale P. Thielman as Notary Public of the Territory of Dakota.

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

§ 1. ACKNOWLEDGMENTS, ETC., LEGALIZED.] That all acknowledgments of deeds, mortgages and other instruments in writing, and all oaths administered by and affidavits taken before Vale P.