

AGRICULTURAL COLLEGE.

CHAPTER 4.

PROVIDING FOR ISSUE OF BONDS FOR PERMANENT IMPROVEMENTS.

AN ACT To Provide Funds for the Purchase of an Experimental Farm and the Construction of Dormitory, Shops, Laboratory and Farm Buildings for the Agricultural College of Dakota, at Brookings, and for other Purposes.

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

§ 1. FUNDS—HOW PROVIDED.] That for the purpose of providing funds to purchase an experimental farm, farm buildings, live stock, and to erect and furnish building for assembly hall, work shops, laboratory and dormitory for young men, for the Dakota Agricultural College and Experimental Station at Brookings, Dakota, the Territorial Treasurer is hereby authorized and empowered, and it is made his duty, to prepare for issue fifty-four thousand five hundred (54,500) dollars of territorial bonds, in denominations of five hundred (500) dollars each, running for a term of twenty (20) years, bearing interest not to exceed five (5) per cent. per annum, with coupons attached, made payable semi-annually on the first day of July and January of 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. BONDS HOW SOLD—FUND UNDER THE CONTROL OF BOARD OF REGENTS.] It shall be the duty of the Treasurer to receive sealed proposals for the purchase of said bonds, and upon the request of the board of regents or trustees of said Agricultural College, he shall give public notice for thirty (30) days in two (2) newspapers of general circulation, one of which shall be published in the Territory and the other in the city of New York, and said bonds shall be sold to the highest and best bidder for cash at not less than their par value. Any moneys received as premiums from the sale of said bonds shall be placed in the building fund of said Agricultural College, and be under the control of said board of trustees or regents of said college, for building purposes only.

§ 3. TAX FOR PAYMENT OF PRINCIPAL AND INTEREST—SINKING FUND.] To secure the prompt payment of the principal and interest of the bonds herein provided, there shall be levied by the Territorial Board of Equalization, at the time other taxes are levied and collected, in the same manner as other territorial taxes are collected, such sum as shall be sufficient to pay the interest and exchange thereon, and after ten (10) years from the first day of May, 1887, and in addition thereto a sinking fund shall be annually levied, sufficient to retire and pay said bonds at their maturity, and it shall be the duty of the Territorial Treasurer to pay promptly on the first day of July and January of each year, such interest as shall then be due, and to purchase said bonds at their par value and retire and cancel the same, with the sinking fund, taxed as fast as the same shall be received; and no tax or bonds, either principal or interest, shall at any other time be used for any other purpose.

§ 4. PAYMENT OF INTEREST AND PRINCIPAL.] If for any reason the Territorial Treasurer shall not have in his hands sufficient of the funds herein provided, to pay either principal or interest upon such bonds, when due, he shall pay such interest or principal out of any other unappropriated fund belonging to the Territory, and there is hereby appropriated and set apart out of the general fund belonging to the Territory a sum sufficient to pay such interest on said bonds, as may become due, before the funds and tax herein 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. FUND REPLACED FROM SPECIAL TAX.] All moneys belonging to the general territorial fund applied by said Treasurer in payment of either principal or interest of said bonds, shall be replaced from the special tax, levied to pay the same.

§ 6. APPROPRIATION.] There is hereby appropriated out of the Territorial Treasury all the funds realized from the sale of the bonds provided for in in this act, for erecting and completing a building for assembly hall, shops, laboratory and dormitory for young men, "twenty-five thousand (25,000) dollars."

For heating and furnishing same, five thousand (5,000) dollars.

For shop furnishing and tools, two thousand (2,000) dollars.

For chemical laboratory apparatus, two thousand (2,000) dollars.

For farm lands, eight thousand (8,000) dollars.

For outhouses, five hundred (500) dollars.

For farm, barns and fences, fifteen hundred (1,500) dollars.

For the purchase of thoroughbred stock, three thousand (3,000) dollars.

For team and farm tools, one thousand (1,000) dollars.

For farm house, one thousand (1,000) dollars.

For water and sewerage, two thousand (2,000) dollars.

For forestry, twenty-five hundred (2,500) dollars.

For library, one thousand (1,000) dollars.

§ 7. AUDITOR TO DRAW WARRANTS.] It shall be the duty of the Auditor of the Territory, upon the application of the board of trustees or regents, or a majority thereof, to draw warrants upon the Territorial Treasurer to carry out the provisions of this act.

§ 8. PLANS FOR BUILDINGS—ADVERTISING FOR BIDS.] The board of trustees or regents of the Dakota Agricultural College, shall, on or before the first day of May, 1887, prepare, or cause to be prepared, plans and specifications for erecting the building for shops, dormitory and laboratory and the other buildings provided for by this act, and after the same shall have been adopted by them and approved by the Governor of the Territory, said board shall cause said plans and specifications to be filed with their secretary, and it shall be the duty of the said board, within twenty (20) days thereafter, to give public notice, which notice shall be inserted for thirty (30) days in two (2) newspapers published in the Territory, of general circulation therein, and in two (2) newspapers in other states, that on the day and hour specified in such notice they will receive sealed proposals at the office of the secretary of said board, according to the plans and specifications aforesaid, which shall be open for the inspection of bidders at the office of the secretary of the board, at such place as the said board may designate.

§ 9. TOTAL COST—TERRITORY TO BE REIMBURSED.] The cost of the building for shops, laboratory and dormitory for young men, including furnishing with necessary furniture and steam heating, shall not exceed the sum of thirty thousand (30,000) dollars. The cost of the farm lands for the Experimental Station shall not exceed the sum of twenty-five (25) dollars per acre, and they shall be adjacent to the lands already owned by the Territory and comprising said Agricultural College Farm; *and provided, further,* That whenever the funds arising from the sale of the congressional grant of lands for the Dakota Agricultural College shall become available, the Territory shall be reimbursed therefrom for all funds invested in said experimental farm lands, together with the interest thereon, from the date of the issue of said bonds.

§ 10. OPENING PROPOSALS—AWARDING CONTRACT.] On the day advertised for the opening of said proposals for the erecting of said buildings provided for in this act, the board of regents or trustees shall proceed to award the contract or contracts, reserving the right to reject any or all bids, if, in their judgment they are too high, and may again advertise for proposals, or accept such bids, as may in their judgment be for the best interests of the Territory.

§ 11. WALLS TO BE OF BRICK OR STONE.] That the walls of the said building for shops, dormitory and laboratory shall be constructed of good brick or stone, and said building shall be made as nearly fire proof as practicable.

§ 12. PAYMENTS TO BE MADE—HOW.] The board of regents, or trustees, as the work progresses, shall, on application of the con-

tractor or contractors, certify to the Territorial Auditor the value of the work done on said buildings and improvements at the time; and on such certified statements the Auditor shall issue a warrant upon the Territorial Treasurer for a sum not exceeding seventy-five (75) per cent. of the value of the work so certified to have been done on said buildings and improvements at the time of making such application, including amount of all warrants previously issued in part payment of such work; *Provided*, That no part of the funds herein appropriated for the construction of said buildings and improvements shall be paid, or value of the work, certified by the trustees, or regents, until at least one-fourth ($\frac{1}{4}$) of the work has been completed by the contractor or contractors.

§ 13. WHAT CONTRACT TO STIPULATE.] The contract or contracts aforesaid shall stipulate that all material shall be of good quality, and that the work shall be performed in a good, workman-like manner; and these stipulations shall be enforced.

§ 14. FINAL PAYMENT.] The balance due the contractor or contractors, under the contract or contracts, shall be paid on the completion of the work, and its acceptance and approval by the board of regents, or trustees.

§ 15. LIVE STOCK TO BE PURCHASED—PROPOSALS FOR SAME.] That the live stock, for the purchase of which this act provides, except farm team, shall consist of one male and female of each of the following breeds of cattle, sheep, swine, and horses, all of which shall be of thoroughbred pedigreed families, to-wit:

Cattle—Hereford, Shorthorns, Holstein, and Polled Angus.

Sheep—Schropshire, Southdowns, and Merino.

Swine—Berkshire, Poland China.

Horses—Norman and Clydesdale.

And that none of said cattle, sheep, swine or horses shall exceed the age of fifteen (15) months, nor be less than six (6) months of age.

It is made the duty of the board of regents, or trustees, on or before the first day of June, 1887, to advertise in two (2) newspapers of general circulation in the Territory of Dakota, and three (3) leading farm journals of other states, for sealed proposals, to furnish any or all of said stock, for a period of thirty (30) days; and that the purchase of said stock shall be made from the person or persons offering the best class of stock at the lowest figures, as shown by the aforesaid proposals; that the published notice for the receipt of said proposals shall state the day, hour and place at which said bids shall be opened by said board of trustees or regents, and the bids shall provide for the delivery of the stock in good condition at the said Agricultural College Farm at Brookings, Dakota Territory.

§ 16. DEBT IN CASE OF TERRITORIAL DIVISION.] In case of the division of the Territory, that part of the Territory of Dakota in which said Agricultural College of Dakota is located, shall, on the

division of the Territory, assume and pay all bonds and coupons due and unpaid, issued on account of and in conformity with this act.

§ 17. All acts and parts of acts conflicting herewith are hereby repealed.

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

Approved, March 10, 1887.

CHAPTER 5.

AGRICULTURAL COLLEGE—APPROPRIATION FOR MAINTENANCE.

AN ACT Entitled An act to Appropriate Funds for the Maintenance of the Dakota Agricultural College for the Current Years of 1887 and 1888, and for Other Purposes.

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

§ 1. APPROPRIATED.] There is hereby appropriated out of any funds in the Territorial Treasury not otherwise appropriated, for the current contingent expenses of the Dakota Agricultural College at Brookings, for the ensuing two years of 1887 and 1888, and for other purposes, the following sums, to-wit:

For salaries of president, professors, teachers, farm superintendent and secretary of the board of regents, twenty-four thousand five hundred dollars.

For janitors, engineers and firemen, two thousand dollars.

For students' labor, twelve hundred dollars.

For fuel and lights, six thousand dollars.

For mathematical instruments and apparatus, four hundred (400) dollars.

For wells, cisterns, water tank and steam power pump, eighteen hundred (1,800) dollars.

For incidentals, postage, cartage, printing and stationery, two thousand dollars.

For steam heating appliances furnished in 1885 and 1886, nineteen hundred and ninety-six (1,996) dollars.

For fuel and lights furnished in 1886 and not paid for want of funds, sixteen hundred and fifty-eight (1,658) dollars.

For material and labor for furnishing the third story of young ladies' dormitory, one thousand and fifty-nine (1,059) dollars.

For printing catalogue for 1886, two hundred and eighty-three dollars.

§ 2. It is hereby made the duty of the Territorial Auditor, when satisfied of the legality and validity of claims certified to him by the board of regents of the Agricultural College, in carrying out the provisions of this act, to draw his warrant upon the Territorial Treasurer for the sum or sums so certified.

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

Approved, March 11, 1887.

CHAPTER 6.

GOVERNMENT VESTED IN BOARD OF REGENTS.

AN ACT Entitled an Act to Provide for the Government of the Agricultural College and Experimental Station for the Territory of Dakota.

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

§ 1. GOVERNMENT.] The government and management of the Agricultural College and Experimental Station of the Territory of Dakota, located at Brookings, in Brookings county, is hereby vested in a board of regents, to be known as the Agricultural College Board of Regents.

§ 2. BOARD OF REGENTS, HOW CONSTITUTED.] The said board of regents shall consist of five members besides the Governor of the Territory and one member of the Territorial Board of Agriculture, who shall be ex-officio members of the board. The members of said board shall be nominated by the Governor, and by and with the advice and consent of the Legislative Council, appointed on or before the third Monday in February of each biennial session of the Legislature. The Territorial Board of Agriculture, at the regular annual meeting of said board, shall elect one member thereof, to be ex-officio a member of said board of regents, who shall hold for the term of one year. The Governor shall have power to fill all vacancies in said board which occur when the Legislature is not in session, and the members of said board shall hold their office until their successors are appointed and qualified as provided in this act.

§ 3. ORGANIZATION.] The Governor shall cause to be issued to each of said regents a commission, which shall be under seal of the Territory. At the first meeting of said board the members thereof shall take and subscribe the oath of office required of all civil officers of the Territory, and shall then proceed to elect a president and treasurer, and the president of the college shall be secretary of the board, but shall have no vote in the board. A

majority of said board, shall be a quorum for the transaction of business. The board shall require a bond of its treasurer and fix the amount thereof.

§ 4. MEETINGS—NUMBER RESTRICTED.] The board of regents shall hold its meetings at the Agricultural College, and fix the time of holding the same, providing there shall not be to exceed six regular meetings in each year. The members of the board shall receive as compensation for their services three dollars per day for each day employed, not to exceed twenty-four days in any one year and five cents per mile for each mile actually and necessarily traveled in attending meetings of said board, which sum shall be paid out of the Territorial Treasury upon the vouchers of said board.

§ 5. POWERS OF BOARD] The said board of regents shall direct the disposition of all moneys appropriated by the Territorial Legislature or by Congress, for the Agricultural College or Experimental Station for Dakota Territory, and shall have supervision and charge of the construction of all buildings provided for by law for said college and farm. The board of regents shall have power to employ a president and necessary teachers, instructors and assistants, to conduct said school and carry on the experimental farm connected therewith, and to appoint one of its members superintendent of construction of all buildings, who shall receive three dollars per day, for each day actually and necessarily engaged in the discharge of his duties, not to exceed fifty days in any one year, which sum shall be paid out of the Territorial Treasury upon the vouchers of said board.

§ 6. CLAIMS, HOW AUDITED AND PAID.] The said board shall audit all accounts against the funds appropriated for the use of the Agricultural College and Experimental Station, and the Territorial Auditor shall issue his warrant upon the Territorial Treasurer for the amount of all accounts which shall have been audited and allowed by the board of regents and attested by the president and secretary of the same.

§ 7. NAME OF COLLEGE—DESIGN.] The Agricultural College established by chapter three of the Session Laws of 1881, shall be known by the name of the Dakota Agricultural College. The design of the institution is to afford practical instruction in agriculture and the natural sciences connected therewith, and also the sciences which bear directly upon all industrial arts and pursuits. The course of institution [instruction] shall embrace the English language and literature, mathematics, civil engineering, agricultural chemistry, animal and vegetable anatomy and physiology, the veterinary art, entomology, geology and such other natural sciences as may be prescribed, political, rural and household economy, horticulture, moral philosophy, history, book-keeping and especially the application of science and the mechanics' arts to practical agriculture in the field.

§ 8. COURSE OF STUDY.] A full course of study in the institu-

tion shall embrace not less than four years, and the college year shall consist of not less than nine calendar months, which may be divided into terms by the board of regents, as in their judgment will best secure the objects for which the college was founded.

§ 9. SALARIES—REMOVALS.] The board of regents shall fix the salaries of the president, teachers, instructors and other employes and prescribe their respective duties. The board may remove the president or subordinate officers and supply all vacancies.

§ 10. FACULTY.] The faculty shall consist of the president, teachers and instructors, and shall pass all needful rules and regulations for the government and discipline of the college, regulating the routine of labor, study, meals and the duties and exercises and all such rules and regulations as are necessary to the preservation of morals, decorum and health.

§ 11. PRESIDENT.] The president shall be chief executive officer of the Agricultural College, and it shall be his duty to see that all rules and regulations are executed, and the subordinate officers and employes, not members of the faculty, shall be under his direction and supervision.

§ 12. WAGES OF STUDENTS—HOW DETERMINED.] The president of the college and the president of the board of regents shall constitute a committee to fix the rate of wages to be allowed to students for labor on the farm or in the shops or kitchen of the Agricultural College.

§ 13. ANNUAL REPORT OF FACULTY.] The faculty shall make an annual report to the board of regents on or before the first Monday in December of each year, showing the condition of the school and farm and the results of farm experiments, and containing such recommendations as the welfare of the institution in their opinion demands.

§ 14. BIENNIAL REPORT TO GOVERNOR.] The board of regents shall make a report to the Governor on or before the last Monday in December next preceding each biennial session of the Territorial Legislature, containing a financial statement, showing the condition of all funds appropriated for the use of the Agricultural College and Experimental Station; also the moneys expended and the purposes for which the same were expended in detail; also the condition of the institution and the results of all the experiments carried on there.

§ 15. DEGREES—HOW CONFERRED.] The board of regents and the faculty shall have power to confer degrees upon all persons who shall have completed the course of study prescribed for said school by the board and faculty, and who shall have passed a satisfactory examination upon the studies contained in said course, and who shall be known to possess a good moral character.

§ 16. REGENTS DEFINED.] The board of directors as appointed by the Governor and confirmed by the Council of the Seventeenth

legislative session, shall constitute and be known as the regents provided for in this act.

§ 17. EXPERIMENTAL STATION.] There is hereby established an Agricultural Experiment Station in connection with the Agricultural College of Dakota, and under the direction of the board of regents of said college, for the purpose of conducting experiments in agriculture, according to the terms of section 1 of an act of Congress, approved March 3d, 1887, and entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States, under the provisions of an act, approved July second, eighteen hundred and sixty-two, and of the acts supplementary thereto."

§ 18. ASSENT OF LEGISLATURE TO CARRY OUT PROVISIONS OF ACT OF CONGRESS.] The assent of the Legislature of Dakota is hereby given, in pursuance of the requirements of section nine of said act of Congress, approved March 3d, eighteen hundred and eighty-seven, to the grant of money therein made, and to the establishing of an Experiment Station, in accordance with section one of said last mentioned act, and assent is hereby given to carry out all and singular the provisions of said act.

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

Approved, March 11, 1887.

ARTESIAN WELLS.

CHAPTER 7.

PROVIDING FOR CONSTRUCTION AND MAINTENANCE.

AN ACT to Provide for the Construction and Maintenance of Artesian Wells, and the Assessment and Collection of Taxes Therefor.

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

CHAPTER I.—ARTESIAN WELLS.

§ 1. MAY BE LOCATED—WHEN] That artesian wells may be located, established, constructed, and maintained whenever the same shall be conducive to the public convenience or welfare.

§ 2. ARTESIAN WELL DEFINED.] The word "artesian well," whenever used in this act, shall be deemed to include any water