

INSANE.

CHAPTER 62.

JAMESTOWN—AUTHORIZING ISSUE OF BONDS FOR ADDITIONAL BUILDINGS AND IMPROVEMENTS FOR THE NORTH DAKOTA HOSPITAL FOR INSANE.

AN ACT Entitled "An Act to Provide for the Issuing of Bonds for Additional Buildings and Improvements for the North Dakota Hospital for the Insane Near Jamestown, and to Appropriate Money Therefor."

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

§ 1. ADDITIONAL BUILDINGS, IMPROVEMENTS, ETC.—APPROPRIATION.] There is hereby appropriated out of the funds provided for in this act, the sums hereinafter mentioned, for the erection of buildings on the grounds of the North Dakota Hospital for the Insane near Jamestown, Dakota, and the improvement of said Hospital as follows:

For buildings to be erected, for ward buildings, chapel and amusement hall, storage, ice, and refrigerator house, barn, boiler, and coal houses, kitchen and bakery, heating and lighting the same, furnishing, painting, and equipping of present buildings, fire protection, water pipes, hydrants, etc., cisterns, fire escapes, grading and improvement of grounds, fencing and improvement of farm for additional stock therefor, machinery, tools and utensils and furniture for all new buildings, the sum of one hundred fifty-three thousand (153,000) dollars.

Buildings to be erected, not to exceed in cost one hundred and thirty-three thousand five hundred dollars as follows:

For ward buildings seventy thousand (70,000) dollars.

For chapel and amusement hall nine thousand (9,000) dollars.

For wing to office, five thousand (5,000) dollars.

Storage, ice, and refrigerator house six thousand (6,000) dollars.

Boiler and coal house, ten thousand (10,000) dollars.

Kitchen and bakery, two thousand (2,000) dollars.

Barn, two thousand (2,000) dollars.

For cisterns, fifteen hundred (1,500) dollars.

For corridors connecting wards, ten thousand (10,000) dollars.

Fire protection, water pipes, hydrants, etc., three thousand (3,000) dollars.

Fire escapes, fifteen hundred (1,500) dollars.

Steam heating, including boilers, sixteen thousand (16,000) dollars.

Painting, etc., of present buildings, fifteen hundred (1,500) dollars.

Electric light, five thousand (5,000) dollars.

Grading and improvement of grounds, five hundred (500) dollars.

Fencing and improvement of farm, fifteen hundred (1,500) dollars.

Additional stock, tools and utensils, one thousand (1,000) dollars.

Furniture for new buildings, six thousand (6,000) dollars.

Additional water supply, four thousand (4,000) dollars.

§ 2. BONDS.] To provide for such funds, bonds of this Territory shall be issued to the amount of not to exceed one hundred and fifty-three thousand dollars, in denominations of five hundred dollars each, bearing date the first day of May 1887, with interest payable semi-annually, at some place in New York City to be specified in said bonds, on the first day of July and January of each year, not to exceed five per cent. per annum, running fifteen years.

§ 3. BONDS—HOW EXECUTED.] Such bonds shall be executed for the Territory, and under the seal thereof, by the Governor and Treasurer, and shall be attested by the Secretary, and shall be negotiated by the Treasurer of the Territory.

§ 4. PROPOSALS—DUTY OF TREASURER.] It shall be the duty of the Treasurer to receive sealed proposals for the purchase of said bonds, after giving notice for thirty days in two 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 par.

§ 5 BOND TAX.] For the purpose of 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, such sums as shall be sufficient to pay such interest and the exchange thereon. And after ten years from the first day of May, eighteen hundred and eighty seven, in addition thereto, a sinking fund tax 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 days of January and July of each year, such interest as shall be due, and to purchase said bonds at not more than their par value, and retire and cancel the same, with the sinking fund tax, as fast as the same shall 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.

§ 6. INTEREST PAID FROM OTHER FUNDS—WHEN.] 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 unappropriated funds 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 the Treasurer to pay said interest promptly at the time it falls due, out of said funds.

§ 7. REPLACING FUNDS.] 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.

§ 8. PROPOSALS FOR BUILDING—PLANS APPROVED BY GOVERNOR—DUTY OF BOARD.] The board of trustees of the North Dakota Hospital for the Insane, near Jamestown, shall immediately after the passage and approval of this act, prepare or cause to be prepared, plans and specifications, for the buildings and improvements enumerated in section one of this act, and after the same shall have been adopted and approved by them and the Governor of the Territory, the said board of trustees shall cause said plans and specifications to be filed with the secretary and it shall be the duty of said board within twenty days thereafter to give public notice, which notice shall be inserted for thirty days in two newspapers published in the Territory, and of general circulation therein, and in two newspapers published in other states, that on a day specified in such notice, they will receive sealed proposals at the office of the hospital, near Jamestown, for the building of the said additions and improvements to the North Dakota Hospital for the Insane near Jamestown, Dakota, according to plans and specifications aforesaid, which shall be open for inspection of bidders at the office of the Hospital for the Insane, or at such place in the city of Jamestown as the board may designate.

§ 9. TOTAL COST—PREMIUMS TO BE USED.] The total cost of said buildings and improvements shall not exceed one hundred and fifty-three thousand dollars; *Provided*, That any and all premiums arising from the sale of said bonds is hereby appropriated to the use of said hospital, under the direction of the board of trustees, for the general improvement of said institution and grounds.

§ 10. AWARDED CONTRACT.] On the day advertised for the opening of the said proposals for the erecting and completing of said additions and improvements, the board of 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 in their judgment may be for the best interests of the institution.

§ 11. WALLS, HOW BUILT.] The walls of said building shall be constructed of good brick or stone, and said buildings shall be made as nearly fire-proof as practicable.

§ 12. PARTIAL PAYMENTS.] The board of trustees, as the work progresses, shall on application of the contractor or contractors, certify to the Territorial Auditor the value of the work done on the additions and improvements at the time, and on such certified statement the Auditor shall issue a warrant on the Territorial Treasurer for a sum not exceeding seventy-five per cent. of the value of the work so certified to have been done on said additions 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 additions and improvements shall be paid, or value of the work certified by the trustees, until at least one fourth of the work has been completed by the contractor or contractors.

§ 13. BUILDING MATERIAL.] The contractor or contractors shall stipulate that all material shall be of good quality and that the work shall be performed in a good workmanlike 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 improvements or additions and their acceptance and approval by the board of trustees.

§ 15. IN CASE OF DIVISION OF TERRITORY.] In case of division of the Territory, that part of the Territory of Dakota in which said Hospital for the Insane is located shall, on the division of the Territory, assume and pay all bonds and coupons issued and then existing on account of the construction of the said additions and improvements.

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

Approved, March 11, 1887.

CHAPTER 63.

JAMESTOWN—APPROPRIATION FOR MAINTENANCE OF NORTH
DAKOTA HOSPITAL FOR INSANE.

AN ACT Making Appropriation for the Maintenance of the North Dakota
Hospital for the Insane, Near Jamestown, Dakota.

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

§ 1. APPROPRIATED.] There is hereby appropriated, for the maintenance of the North Dakota Hospital for the Insane, near Jamestown, Dakota, the following sums of money, or so much thereof as may be necessary, out of any funds in the Territorial Treasury not otherwise appropriated, for the ensuing two years:

For the maintenance of patients of the North Dakota Hospital for the Insane, near Jamestown, for their necessary clothing, and for the board of employes and officers residing in the hospital, the sum of	\$ 45,000
Wages of employes.....	27,000
Fuel and lights.....	16,500
Incidental expenses.....	2,000
For the drugs, medicines.....	2,500
For the necessary repairs and improvements of such hospital	3,000
For return of patients, and burial of dead.....	2,000
For musical instruments, amusements of patients.....	2,500
For finishing basement in female ward, and heating the same.....	2,500
For pig pens, hennery, etc.,.....	800
For elevators in the wards.....	850
For laundry machinery.....	1,500
For storm windows and storm porches.....	1,000
For machinery and tools for shops.....	800
For deficiency for fuel and maintenance for past two years and estimate to April 1, 1887.....	29,377

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

Approved, March 11, 1887.

CHAPTER 64.

**YANKTON—AUTHORIZING ISSUE OF BONDS FOR ADDITIONAL
BUILDINGS AND IMPROVEMENTS FOR DAKOTA HOS-
PITAL FOR INSANE.**

AN ACT To Provide for the Issuing of Bonds, and for Additional Buildings and Improvements for the Dakota Hospital for the Insane, Near Yankton, Dakota, and to Appropriate Money Therefor.

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

§ 1. FUNDS APPROPRIATED.] There is hereby appropriated out of the funds provided for in this act, the sums hereinafter mentioned, for the erection of two wings to the Dakota Hospital for the Insane, near Yankton, Dakota, and the improvement of said hospital, and the better management thereof as follows:

For additional east and west wings; for furnishing said wings; for electric light for said hospital; for boiler room and steam heating; for artesian well and additional sewerage system, the sum of ninety-two thousand and five hundred (92,500) dollars.

Two wings to be erected not to exceed in cost, thirty-five thousand (\$35,000) each.....	70,000
For furnishing two new wings three thousand dollars....	3,000
For a system of electric lights, in said hospital five thousand dollars.....	5,000
For new boiler, boiler room and steam heating for hospital, ten thousand dollars.....	10,000
For artesian well, three thousand dollars.....	3,000
For additional sewerage system, fifteen hundred dollars	1,500

Total..... **\$92,500**

§ 2 BONDS.] To provide such funds, bonds of the Territory shall be issued to the amount of not to exceed ninety-two thousand five hundred dollars, in denominations of five hundred dollars each, bearing date the first day of May, eighteen hundred and eighty-seven, with interest payable semi-annually, at some place in New York city, to be specified in said bonds, on the first day of January and July of each year, at the rate of not to exceed five per cent. per annum, running twenty years and payable at the option of the Territory, at any time after five years from the date of the same.

§ 3. BONDS, HOW EXECUTED.] Such bonds shall be executed for the Territory, and under the seal thereof, by the Governor and Treasurer, and shall be attested by the Secretary, and shall be negotiated by the Treasurer of the Territory.

§ 4. PROPOSALS—DUTY OF TREASURER.] It shall be the duty of the Treasurer to receive sealed proposals for the purchase of said bonds, after giving notice for thirty days in two newspapers of general circulation, one of which shall be published in this Territory, and the other in the city of New York, and said bonds shall be sold to the highest bidder for cash, at not less than par.

§ 5. BOND TAX.] For the purpose of 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 the exchange thereon, and after ten years from the first day of May, eighteen hundred and eighty-seven, in addition thereto a sinking fund tax 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 days of January, and July of each year, such interest as shall be due, and to purchase said bonds at not more than their par value, and retire and cancel the same, with the sinking fund tax, as fast as the same shall 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.

§ 6. INTEREST PAID FROM OTHER FUNDS—WHEN.] 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 funds 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.

§ 7. FUNDS TO BE REPLACED.] All moneys belonging to the general Territorial fund, applied by said Treasurer in the payment of either principal or interest of said bonds, shall be replaced from the special tax levied to pay the same.

§ 8. PLANS AND SPECIFICATIONS—ADVERTISE FOR PROPOSALS.] The board of trustees of the Dakota Hospital for the Insane, near Yankton, Dakota, shall, immediately after the passage and approval of this act, prepare, or cause to be prepared, plans and specifications for building the additions and improvements enumerated in section one of this act, and after the same shall have been adopted and approved by them and the Governor of the Territory, the said board of trustees shall cause said plans and speci-

fications to be filed with their secretary, and it shall be the duty of said board, within twenty days thereafter, to give public notice, which notice shall be inserted for thirty days in two newspapers published in the Territory, and of general circulation therein, and in two newspapers published in other states, and that on a day specified in such notice they will receive sealed proposals at the office at the hospital, near Yankton, for the building of the said additions and improvements to the Dakota Hospital for the Insane, near Yankton, Dakota, according to the plans and specifications aforesaid, which shall be open for inspection of bidders at the office of the Hospital for the Insane, or at such place in the city of Yankton as the board may designate.

§ 9. TOTAL COST.] The total cost of said buildings and improvements shall not exceed ninety-two thousand five hundred (92,500) dollars; *Provided*, That any and all premiums arising from the sale of said bonds is hereby appropriated to the use of said hospital, under the direction of the board of trustees, for the general improvement of said institution and grounds.

§ 10. AWARDING CONTRACT.] On the day advertised for the opening of said proposals for erecting and completing the said additions and improvements, the board of 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 in their judgment may be for the best interests of the institution.

§ 11. WALLS OF BRICK OR STONE.] The walls of said building shall be constructed of good brick or stone, and said building shall be made as nearly fireproof as practicable.

§ 12. PARTIAL PAYMENTS.] The board of trustees as the work progresses, shall, on application of the contractor or contractors, certify to the Territorial Auditor the value of the work done on the additions and improvements at the time, and on such certified statement the Auditor shall issue a warrant on the Territorial Treasurer for a sum not exceeding eighty-five per cent. of the value of the work certified to have been done on said additions 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 additions or improvements shall be paid, or value of work certified by the trustees until at least one-fourth ($\frac{1}{4}$) of the work has been completed by the contractor or contractors.

§ 13. WHAT CONTRACT SHALL STIPULATE.] The contract or contracts shall stipulate that all material shall be of good quality and that the work shall be performed in a good workmanlike 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 additions or improvements and their acceptance and approval by the board of trustees.

§ 15. IN CASE OF DIVISION OF TERRITORY.] In case of division of the Territory, that part of the Territory of Dakota in which said Hospital for the Insane is located, shall, on the division of the Territory, assume and pay all bonds and coupons issued and then existing by and on account of the provisions of this act.

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

Approved, March 11, 1887.

CHAPTER 65.

YANKTON—APPROPRIATION FOR MAINTENANCE OF DAKOTA HOSPITAL FOR INSANE.

AN ACT Making an Appropriation for Maintaining the Dakota Hospital
For the Insane, for the Years 1887 and 1888.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any funds in the Territorial Treasury, not otherwise appropriated, for furnishing and maintaining the Dakota Hospital for the Insane, near Yankton, Dakota, for the ensuing two years, the following sums, or so much thereof as may be necessary:

For the maintenance of patients and for their necessary clothing, and for the board of employes and officers residing in the hospital, forty-five thousand (45,000) dollars.

For employes for new wings, four thousand (4,000) dollars.

For employes for present building, twenty-three thousand (23,000) dollars.

For improvement of hospital farm, four thousand five hundred (4,500) dollars.

For improvement of hospital grounds, two thousand (2,000) dollars.

For improvement of hospital buildings, four thousand (4,000) dollars.

For drugs, books and amusements, two thousand five hundred (2,500) dollars.

For incidental expenses, three thousand (3,000) dollars.

For fuel, twelve thousand five hundred (12,500) dollars.

For fuel for new wings, four thousand (4,000) dollars.

For return and burial of patients, two thousand (2,000) dollars.

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

Approved, March 11, 1887.

CHAPTER 66.

OF THE DISCHARGE OF PATIENTS WITHOUT APPLICATION.

AN ACT To Amend Section Thirty-nine, of Chapter Twenty-three, of an Act Entitled "An Act to Establish the Dakota Hospital for the Insane, Providing for the Government of the Same, and for the Care of the Insane, and for the Organization of a Board of Insanity in Each Organized County of This Territory," of the Session Laws of 1879.

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

§ 1. DISCHARGE OF PATIENTS WITHOUT APPLICATION—COUNTY COMMISSIONERS TO REMOVE—LIABILITY FOR FAILURE TO COMPLY.] That section thirty-nine of chapter twenty-three of an act entitled, "An act establishing the Dakota Hospital for the Insane, providing for the government of the same, and for the care of the insane, and for the organization of a board of commissioners of insanity in each organized county of this Territory," be, and the same is hereby amended by adding to said section at the end thereof the following words: "And if the said commissioners of such county where the said patient belongs fail or neglect to take and remove such patient so discharged, as provided in this section within thirty (30) days from the date of the order discharging him, and of the notice of the order so sent, the said county where said patient belongs, shall be liable for and pay to the Territory of Dakota at the rate of two (2) dollars per day, for the care and keeping of such patient at the said hospital; such time for said keeping to be computed, and commence thirty (30) days after the date of said order and notice. It shall be the duty of the superintendent of said hospital to report any and all such delinquencies, and the time of any and all patients so kept beyond such time aforesaid, giving the names thereof, the county where the said patient or patients belong, the amount due from such county for such charge, to the Governor of the Territory for the year ending on the thirtieth day of November of each year. It shall be the duty of the Territorial Board of Equalization, to include and charge said amount or amounts so reported as aforesaid to each county or counties so named, and same shall be included and made

a part of the tax levied against such county or counties, in addition to the amount so levied by said board for Territorial purposes.

§ 2. ATTORNEY GENERAL TO BRING SUIT, WHEN.] Upon the report of the superintendent, provided in section one, it shall be the duty of the Attorney General to bring suit against the county so indebted, for the amount due the Territory and any judgment obtained in such action may be enforced as other judgments against counties are enforced.

Approved, March 11, 1887.

INSURANCE.

CHAPTER 67.

COUNTY MUTUAL INSURANCE COMPANIES.

AN ACT To Amend Chapter 70, of the Session Laws of 1885, Relatnig to
County Mutual Insurance Companies.

Be it Enacted by the Legislative Assembly of the Territory of Dakota: That chapter seventy of the Session Laws of 1885, relating to county mutual insurance companies, be amended so as to read as follows:

§ 1. WHO MAY UNITE TO FORM COMPANY.] It shall be lawful for any number of persons, not less than twenty-five, residing in any county in this Territory, who collectively shall own property not less than twenty-five thousand (25,000) [dollars] in value, which they desire to insure, to form themselves into a company for mutual insurance against loss or damage by fire, lightning and hail, which corporation shall possess other powers and be subject to other duties of corporations, and the corporate name thereof shall embrace the name of the county in which the business office of the said company shall be located.

§ 2. DIRECTORS. Every company so formed, shall choose of that number not less than five nor more than thirteen directors, to manage the affairs of such company, who shall hold their office for one year, or until others are elected and qualified and such directors shall choose one of their number president, vice-president,