

NORMAL SCHOOL.

CHAPTER 112.

SPEARFISH—AUTHORIZING ISSUE OF BONDS FOR ERECTION AND FURNISHING OF ADDITION.

AN ACT To Provide for the Extension of the Spearfish Normal School, and
for Other Purposes.

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

§ 1. BONDS TO BE ISSUED.] That for the purpose of providing funds for the erection and furnishing of an addition to the Normal School building at Spearfish, Dakota Territory, the Territorial Treasurer is hereby authorized and empowered, and it is made his duty, to prepare for issue twenty-five thousand (25,000) dollars of Territorial bonds, running for a term of ten (10) years, and bearing interest at the rate of five (5) per cent. per annum, with coupons attached, made payable semi-annually on the first days 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. TREASURER TO RECEIVE PROPOSALS.] It shall be the duty of the Treasurer to receive proposals for the purchase of said bonds, and upon request of the board of trustees he shall give public notice for thirty (30) days in two (2) newspapers of general circulation, one (1) of which shall be published in the city of New York, and said bonds shall be sold to the highest bidder for cash; *Provided*, That said bonds shall not be sold for less than their par value.

§ 3. BOND TAX.] To secure the prompt payment of principal and interest of the bonds herein provided, there shall be levied by the Territorial Board of Equalization, at the time other taxes are levied, and collected in the same manner as other Territorial taxes are collected, such sum as shall be sufficient to pay such interest and exchange thereon, and after six (6) years from the first day of May, 1887, and 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 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 tax as fast as the same shall be received, and no tax or bonds, either principal or interest, shall at any time be used for any other purpose; *Provided*, That when the sinking fund tax is sufficient to redeem any or all of said bonds, it shall be the duty of the Territorial Treasurer to call in said bonds for payment, by notice to the holders thereof, either personal or by publication, and interest shall cease upon all bonds called within ninety (90) days from the date stated in such notice.

§ 4. PAYMENT OF INTEREST.] If for any reason the Territorial Treasurer shall not have in his hands sufficient funds herein provided, to pay the interest upon such bonds when due, he shall pay such interest out of any other unappropriated funds belonging to the Territory; and there is hereby appropriated and set apart out of the general funds belonging to the Territory, a sum sufficient to pay such interest on said bonds, as may become due, before the funds and tax 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. FUNDS TO BE REPLACED.] All moneys belonging to the general Territorial fund, applied by said Treasurer in payment of the interest on 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 by the sale of the bonds provided for in this act, for the erection and furnishing of an addition to the Normal School building, twenty-five thousand (25,000) dollars.

§ 7. DUTY OF AUDITOR.] It shall be the duty of the Auditor of the Territory, upon the application of the board of trustees, or a majority thereof, to draw warrants on the Territorial Treasurer to carry out the provisions of the aforesaid act.

§ 8. PLANS AND SPECIFICATIONS—PROPOSALS.] The board of trustees of the Spearfish Normal School, shall immediately upon 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 (1) of this act, and after the same shall have been adopted and approved by them, and the Governor of the Territory, said board of trustees shall cause said plans and specifications to be filed with their secretary, and it shall be the duty of 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 and of general circulation therein, and in two (2) newspapers in other states; and that on a day and hour specified in such notice they will receive sealed proposals, at the office of the secretary of the board of trustees, of the Spearfish Normal School, according to plans and specifications aforesaid, which shall be open for inspec-

tion of bidders, at the office of the secretary of the board, or at such place as the board of trustees may designate.

§ 9. TOTAL COST.] The cost of said addition and improvements, and the furnishing and equipping throughout, of the addition with necessary furniture, steam heating, water supply, sewerage and other essentials of completion, shall not exceed the sum of twenty-five thousand (25,000) dollars, and shall be used in the manner provided in section one (1) of this act.

§ 10. AWARD OF 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. 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 said 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 (75) per cent. of the value of the work so certified to have been done in 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 ($\frac{1}{4}$) of the work has been completed by the contractor or contractors.

§ 12 FINAL PAYMENT.] The balance due the contractor or contractors under the contract, shall be paid, on the completion of the additions and improvements, and their acceptance and approval by the board of trustees.

§ 13. IN CASE OF TERRITORIAL DIVISION.] In case of the division of the Territory, that part of the Territory of Dakota in which said Normal School is located, shall on the division of the Territory, assume and pay all bonds and coupons outstanding on account of the construction of said Normal School.

§ 14. All acts or parts of acts in conflict with this act are hereby repealed.

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

Approved, March 10, 1887.

CHAPTER 113.

SPEARFISH—APPROPRIATION FOR MAINTENANCE NORMAL
SCHOOL BUILDING AT SPEARFISH.

AN ACT Making Appropriations for the Current and Contingent Expenses of the Normal School at Spearfish, in the Territory of Dakota.

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

§ 1. APPROPRIATION FOR CURRENT AND CONTINGENT EXPENSES.] That the following sums be, and they are hereby, appropriated out of any money in the Territorial Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Normal School at Spearfish, namely:

For salary two (2) years of principal, three thousand six hundred (3,600) dollars.

For salaries of teachers two (2) years, twelve thousand (12,000) dollars.

For pay of janitor two (2) years, one thousand (1,000) dollars.

For reference library and apparatus, eight hundred (800) dollars.

For incidental expenses of the Normal School, one thousand (1,000) dollars.

For deficiency in 1886 on salaries, the sum of three thousand (3,000) dollars.

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

Approved, March 11, 1887.

CHAPTER 114.

MADISON—AUTHORIZING ISSUE OF BONDS FOR CONSTRUCTION
AND FURNISHING OF NORMAL SCHOOL BUILD-
ING AT MADISON.

AN ACT To Provide Funds to Pay for the Construction, Heating and Furnishing of the Normal School Building at Madison, Dakota, and for Other Purposes.

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

§ 1. FUNDS—HOW PROVIDED.] For the purpose of providing funds to pay for the construction of the Normal School building at Madison, Dakota, and purchase of furniture, steam heating apparatus and water supply for same, the Territorial Treasurer is hereby authorized and empowered and it is hereby made his duty, to prepare for issue thirty-five thousand, eight hundred (35,800) dollars of Territorial bonds, in denominations of five hundred (500) dollars each, running for a term or period of fifteen (15) years, and bearing interest not to exceed five (5) per cent. per annum, with coupons attached, interest 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 this Territory.

§ 2. BONDS HOW SOLD.] It shall be the duty of the Treasurer to receive sealed proposals for the purchase of said bonds on or before May first 1887, having first given public notice of the sale of said bonds for thirty (30) days, in at least five (5) newspapers of general circulation, one of which shall be published in the city of New York and one in the city of Philadelphia, and said bonds shall be sold to the highest and best bidder for cash; *Provided*, That said bonds shall not be sold for less than their par value.

§ 3. PAYMENT OF INTEREST.] 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 sum as shall be sufficient, to pay such interest and exchange thereon; and after ten (10) years from the first (1st) day of May 1887, and 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 day of

July and January of each year such interest as shall then be due, and the said Treasurer in his discretion may purchase said bonds at their market 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.

§ 4. INTEREST PAID FROM OTHER FUNDS, WHEN.] If for any reason, the Territorial Treasurer shall not have in hands sufficient funds herein provided to pay the interest upon such bonds when due, he shall pay such interest out of any other unappropriated funds belonging to the Territory, and there is hereby appropriated and set apart out of the general funds belonging to the Territory, a sum sufficient to pay such interest on said bonds as may become due before the funds and tax 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. REPLACING FUNDS.] All moneys belonging to the general Territorial fund applied by said Treasurer in payment of the interest on said bonds, shall be replaced from the special tax levied to pay the same.

§ 6. APPROPRIATION FOR BUILDINGS, ETC., ALREADY BUILT.] There is hereby appropriated out of the Territorial Treasury of the funds realized by the sale of the bonds provided for in this act, for construction of Normal School building, as now built, twenty-six thousand nine hundred and twelve dollars and seventeen cents (\$26,912.17); for furniture for same, eighteen hundred dollars and thirty-four cents (\$1,800.34); for steam heating apparatus for same, fifty-eight hundred and fifty dollars (\$5,850); for deficiency from construction of the building which was burned, five hundred thirty-five dollars and twenty cents (\$535.20); for wind mill, tank and water supply, six hundred and fifty dollars (\$650); and for construction of well and cess pool eighty-two dollars and twenty-six cents (\$82.26.)

§ 7. CITY OF MADISON TO BE INDEMNIFIED—AUDITOR TO EXAMINE AND ALLOW CLAIMS.] The Territorial Auditor is hereby authorized and empowered to hear, determine, audit and allow such sum or sums of money out of the amount realized from the appropriation as made in section six of this act, as will be sufficient to indemnify and repay persons and the city of Madison the amount of claims held by said persons, and bonds issued by the city of Madison to erect the building now standing on the Normal School grounds in place of the one destroyed by fire, and for the other purposes designated in section six of this act, not exceeding the amount of the appropriation herein, and to pay such sum or sums to said persons, and the amount due said city of Madison, to the city treasurer of said city, upon said persons and the city of Madison executing a release to the Territory of Dakota of all claims against the Territory by reason of any expenditure or liability that said persons and said city may have incurred in the

erection of said Normal School building, and to likewise take the receipts of said persons and said city treasurer for such payment; and the said auditor is empowered to issue his warrants upon the Territorial Treasurer for such sum or sums as he may allow, and the Treasurer is hereby directed to pay the amounts mentioned in said warrants out of the funds arising from the sale of bonds provided for in this act.

§ 8. IN CASE OF DIVISION OF TERRITORY.] In case the Territory of Dakota is divided, the bonds issued under the provisions of this act shall be paid by that portion of the Territory within which said Normal School is situated.

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

Approved, March 11, 1887.

CHAPTER 115.

MADISON—APPROPRIATION FOR MAINTENANCE OF NORMAL SCHOOL AT MADISON.

AN ACT Appropriating Funds for the Maintenance of the Normal School at Madison, Dakota, for the Ensuing Two Years and for Other Purposes.

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

§ 1. SPECIFIC APPROPRIATION.] There is hereby appropriated out of any moneys in the Territorial Treasury not otherwise appropriated, the following sums of money, or so much thereof as may be necessary, for the purpose of paying the current and contingent expenses of the Normal School at Madison, Dakota, for the ensuing two years:

For salary of president of faculty.....	\$ 3,500
For salary of professors, teachers and assistants.....	12,500
For fuel and lights.....	3,500
For engineers, fireman and janitors.....	2,500
For incidental expenses.....	500
For library.....	500
For deficiency in 1886 on salaries of teachers and professors.....	1,500
For secretary's salary.....	500

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

Approved, March 11, 1887.