

PENITENTIARY.

CHAPTER 117.

BISMARCK—AUTHORIZING ISSUE OF BONDS FOR PERMANENT IMPROVEMENTS AT BISMARCK PENITENTIARY.

AN ACT To Provide Funds for Making Permanent and Necessary Improvements at the Dakota Penitentiary, at Bismarck.

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

§ 1. BONDS TO BE ISSUED. That for the purpose of providing funds to pay the costs of making necessary improvements at the Dakota Penitentiary at Bismarck, and for other purposes, to-wit: cell wing \$25,000; furniture and fixtures for cell wing, \$2,500; extension [of] yard wall, \$1,500; the Territorial Treasurer is hereby authorized and empowered and it is made his duty, to prepare for issue \$29,000 of Territorial bonds, running for a period of thirty years, and payable at the option of the Territory at any time after ten years from the date of the same, and bearing interest at the rate of not to exceed five per cent. per annum, with coupons attached, made payable semi-annually on the first day of July and January of each year, in denominations of not less than five hundred each; 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.

§ 2. PROPOSALS.] It shall be the duty of the Treasurer to receive sealed proposals for the purchase of said bonds, by 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 the bonds shall be sold to the highest bidder for cash; *Provided*, however, that no bond shall be disposed of for less than par.

§ 3. BOND TAX—SINKING FUND.] 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 exchange thereon, and after ten years from the first day of May, 1887, 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 in each year, such interest as shall then be due and to purchase said bonds at not more than their par value, and retire and cancel the same with sinking fund tax as fast as the same shall be received; and no tax or fund provided for the payment of such bonds, whether principal or interest, shall at any 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 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 said interest on such 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. 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.

§ 5. AUDITOR TO DRAW WARRANTS.] It shall be the duty of the Territorial Auditor to issue his warrant upon the Territorial Treasurer for such sums as may be required in the progress of the work or improvements of the penitentiary, upon vouchers issued by the order of the board of directors, attested by the secretary or warden and approved by the Governor of the Territory.

§ 6. IN CASE OF DIVISION OF TERRITORY.] In case of the division of the Territory of Dakota, that part of said Territory in which said penitentiary is situated, shall assume and pay said bonds and coupons which are issued by virtue of this act.

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

Approved, March 11, 1887.

CHAPTER 118.

BISMARCK—APPROPRIATION FOR MAINTENANCE BISMARCK PENITENTIARY.

AN ACT Making Appropriation for the Current and Contingent Expenses of the Territorial Penitentiary at Bismarck.

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

§ 1. 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, or so much thereof, as may be necessary; for the purpose of paying the current and contingent expenses for two years, of the Territorial Penitentiary of Dakota at Bismarck, namely:

Warden, salary two years.....	\$ 4,000
Deputy Warden's salary, two years.....	2,400
Book-keeper and assistant gate keeper, two years,.....	2,000
Eighteen employees.....	20,000
Subsistence, 130 persons.....	25,000
Physician and medicine, two years.....	2,000
Fuel and lights, two years.....	6,000
Clothing and bedding, two years.....	4,480
Incidentals and repairs, two years.....	4,500
Transportation, clothing etc., discharged prisoners, two.. years.....	2,880

It is made the duty of the warden, and he is hereby required to make out and present to the directors of the penitentiary, a detailed estimate of the amount of money necessary to meet the current expenses of the penitentiary for the next ensuing month, and upon presentation of the said estimate to the Territorial Auditor, after being duly approved and certified by the president of the board of directors of said penitentiary, the said Territorial Auditor shall draw a warrant upon the Territorial Treasurer, for the amount of said estimate or estimates so certified and approved, in favor of the said warden of the said penitentiary.

§ 2. BOARD TO DIRECT EXPENDITURES.] All moneys shall be expended, and all purchases shall be made, by, or under the direction of the board of directors and the salary of all employes shall be fixed by them except as otherwise provided in this act; *Provided, however,* That the salaries of said employes shall not exceed the amount herein appropriated.

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

Approved, March 11, 1887.

CHAPTER 119.

SIOUX FALLS—AUTHORIZING ISSUE OF BONDS FOR PERMANENT IMPROVEMENTS SIOUX FALLS PENITENTIARY.

AN ACT To Provide Funds for Permanent and Necessary Improvements at the Dakota Penitentiary at Sioux Falls.

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

§ 1. APPROPRIATION—BONDS, HOW ISSUED.] That for the purpose of providing funds to pay the cost of making necessary improvements at the Dakota Penitentiary at Sioux Falls, and for other purposes, to-wit: For an electric light plant, \$2,500; for water pipes four inches in diameter, \$6,500; with fixtures and laying pipes, \$1,000; for necessary improvements, repairs and steam heating and plumbing, \$4,300, the Territorial Treasurer is hereby authorized and empowered and it is made his duty to prepare for issue, fourteen thousand, three hundred dollars of Territorial bonds running for a period of twenty years, payable at the option of the Territory, at any time after ten years from the date of the same, and bearing interest at the rate of 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 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.

§ 2. BONDS—TREASURER TO SELL.] It shall be the duty of the Treasurer to receive sealed proposals for the purchase of said bonds, by 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 the bonds shall be sold to the highest and best bidder for cash; *Provided, however,* That no bonds shall be sold for less than par.

§ 3. 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 exchange thereon; and after ten years from the first day of May, 1887, 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 in each year,

such interest as shall then be due, and to purchase said bonds at not more than their par value; and retire and cancel the same with sinking fund tax as fast as the same shall be received, and no tax or fund provided for the payment of such bonds, whether principal or interest, shall at any time be used for any other purpose.

§ 4. PAYMENT OF INTEREST.] 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 said interest on such 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. 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.

§ 5. AUDITOR TO ISSUE WARRANTS.] It shall be the duty of the Territorial Auditor to issue his warrant upon the Territorial Treasurer for such sums as may be required in the progress of the work or improvements of the penitentiary, upon vouchers issued by the order of the board of directors, attested by the secretary or warden, and approved by the Governor of the Territory.

§ 6. IN CASE OF TERRITORIAL DIVISION.] In case of the division of the Territory of Dakota, that part of said Territory in which said penitentiary is situated, shall assume and pay said bonds and coupons which are issued by virtue of this act.

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

Approved, March 11, 1887.

CHAPTER 120.

SIoux FALLS—APPROPRIATION FOR MAINTENANCE SIoux FALLS PENITENTIARY.

AN ACT Making Appropriation for the Maintenance of the Territorial Penitentiary at Sioux Falls, Dakota, for the Ensuing Two (2) Years.

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

§ 1. APPROPRIATION.] That there is hereby appropriated the following sums of money, or so much thereof as may be necessary out of any money in the Territorial Treasury not otherwise ap-

propriated for the purpose of paying the current and contingent expenses of the Territorial Penitentiary at Sioux Falls, Dakota for the ensuing two (2) years:

For warden's salary	\$ 4,000
For deputy warden's salary	2,400
For clerk and assistant gate keeper	1,800
For officers and guards	20,000
For maintenance of prisoners	20,000
For incidental expenses	3,000
For physicians and medicines	1,500
For discharged convicts	3,500
For lights, fuel, directors, and clothing	14,500

Total..... 70,700

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

Approved, March 11, 1887.

PHARMACY.

CHAPTER 121.

PROVIDING FOR A PHARMACEUTICAL ASSOCIATION.

AN ACT To Regulate the Practice of Pharmacy, the Licensing of Persons to Carry on Such Practice, and the Sale of Poisons in the Territory of Dakota.

1. Forbids compounding or sale of drugs, medicines or poisons, except by registered pharmacists.
2. Who shall register.
3. Who shall be licentiates in pharmacy.
4. Board of pharmacy; Governor to appoint; Dakota Pharmaceutical Association to nominate candidates for appointment as members.
5. Organization of board; duties of members and officers; examination meetings; quorum.
6. Requirement of persons claiming registry.
7. This act does not prevent an employe of sufficient experience from becoming a "Registered Pharmacist."