

REFORM SCHOOL.

CHAPTER 135.

AMENDING ACT LOCATING SCHOOL AT PLANKINTON.

AN ACT To Amend Sections One, Two and Four, of Chapter Twenty-five, of the Special Laws Passed at the Fifteenth Session of the Legislative Assembly of the Territory of Dakota, Approved March 9, 1883, Entitled, "An act to Locate and Establish a Reform School for Juvenile Offenders at or Near the Village of Plankinton, in Aurora County, Dakota Territory."

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

§ 1. AMENDING SECTIONS ONE, TWO AND FOUR, OF CHAPTER TWENTY-FIVE, SPECIAL LAWS 1883.] That sections one, two and four, of chapter twenty-five, of the Special Laws passed at the fifteenth session of the Legislative Assembly of the Territory of of Dakota, approved March 9, 1883, entitled, "An act to locate and establish a Reform School for juvenile offenders at or near the village of Plankinton, in Aurora county, Dakota Territory," be amended so as to read as follows:

§ 1. LOCATION.] A Reform School shall be permanently located at or within two miles of the corporate limits of the town of Plankinton in Aurora county, Dakota Territory, and be maintained for the reformation of such boys and girls under the age of eighteen years, who may be committed to it as hereinafter provided, said school to be known as a Dakota Reform School.

§ 2. TRUSTEES.] There shall be a Board of Trustees, whose name and style shall be, the "The Board of Trustees of the Dakota Reform School," which shall consist of five persons, who shall be nominated by the Governor, and confirmed by the Legislative Council, and who shall hold office for the term of two years and until their successors are chosen and qualified; and such trustees shall, before entering upon the discharge of their duties, take and subscribe an oath or affirmation, to support the Constitution of the United States, and the Organic Act of this Territory, and faithfully discharge the duties required of them by law.

§ 4. OFFICERS AND DUTIES.] Said board of trustees shall supervise the erection of all buildings. authorized to be built for said Reform School, and may appoint a superintendent of construction, whose duties shall be, acting under the advice and in-

struction of said board, to examine all work being done on said buildings and all material furnished therefor, and to perform any other duty that may be required of him by said board of trustees. Said superintendent shall hold his said office for a length of time, to be fixed by said board of trustees, and at a compensation of not to exceed five dollars per day. Said trustees shall from their board appoint a president, secretary and treasurer, and shall take charge of the general interests of the institution, shall have power to enact by-laws and rules for the regulation of all its concerns, not inconsistent with the laws of this Territory, to see that its affairs are conducted in accordance with the requirements of law, and that strict discipline is maintained therein; to provide employment and instruction for the inmates; to appoint a superintendent, a steward, a teacher or teachers and such other officers as in their judgment the wants of the institution may require, and prescribe their duties; to exercise a vigilant supervision over the institution, its officers and inmates, and determine the salaries to be paid to the officers, and order their removal upon good cause; and shall also require the treasurer to execute a bond to the Territory of Dakota, in a sufficient amount, to be approved by the Governor and filed in the office of the Secretary of the Territory.

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

Approved, March 10, 1887.

CHAPTER 136.

AUTHORIZING ISSUE OF BONDS FOR REFORM SCHOOL AT PLANKINTON.

AN ACT to Provide Funds for the Construction and Furnishing of Necessary Buildings for the Dakota Reform School, at Plankinton, Dakota, 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 pay the cost of erecting, heating and furnishing necessary buildings for the Dakota Reform School, at Plankinton, in this Territory, bonds of this Territory shall be issued to the amount, not to exceed \$30,000, in denominations of \$500 each, bearing date the first day of May A. D. 1887, running for a term of twenty 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 five per cent. per annum with coupons attached,

payable semi-annually on the first days of July and January of each year, at some place in New York City, to be specified in said bonds. Such bonds shall be executed for the Territory and under the seal thereof, shall be signed by the Governor and shall be attested by the Secretary and negotiated by the Treasurer.

§ 2. BONDS—HOW SOLD.] 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 trustees of said Dakota Reform School, 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 bidder for cash, at not less than their par value.

§ 3. 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 six (6) years from the first (1) 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 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.

§ 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 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. CERTAIN MONEYS TO BE REPLACED.] 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. DUTY OF TRUSTEES IN LETTING CONTRACT.] The board of trustees of the Dakota Reform School at Plankinton, Dakota, shall immediately after the passage and approval of this act prepare, or cause to be prepared, plans and specifications for the necessary building or buildings enumerated in section one (1) of this

act, and after the same shall have been approved by them and the Governor of the Territory, the 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 published in other states, and that on a day specified in such notice they will receive proposals at the office of the secretary at Plankinton, (and elsewhere as they may designate) for the building of said necessary buildings, according to the plans and specifications aforesaid, which shall be open for the inspection of bidders, at the office of the secretary at Plankinton, and at such place or places as the board may designate.

§ 7. TOTAL COST.] The total cost of the building [of] said necessary buildings, including the furnishing thereof, shall not exceed thirty thousand (30,000) dollars.

§ 8. CONTRACT—HOW AWARDED—BOND.] On the day advertised for the opening of the proposals for building said necessary buildings and furnishing the same, the board of trustees shall proceed to award the contract or contracts to the lowest and best bidder or bidders, reserving the right to reject any and all bids, if in their judgment they are too high, and in such case they may again advertise for such proposals and award such contract or contracts as above provided. Before entering into contracts for the erection of said buildings and furnishing the same, the board of trustees shall require the successful bidder or bidders to enter into bonds in such sum as may be required by the board of trustees and the Governor of the the Territory, with good and sufficient sureties, conditioned for the faithful execution of such contract or contracts.

§ 9. BUILDING MATERIAL.] The walls of said buildings shall be constructed of good brick or stone, and said buildings shall be made as nearly fire proof as practicable.

§ 10. 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 said buildings and on such certified statement, the auditor shall issue a warrant on the Territorial Treasurer, for a sum not exceeding eighty (80) per cent, of the value of the work so certified to have been done, 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 work shall be paid, or the value of the work certified by the trustees, until at least one-third ($\frac{1}{3}$) of the work has been completed by the contractor or contractors.

§ 11. CONTRACT, WHAT TO PROVIDE.] 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, workmanlike manner, and these stipulations shall be enforced.

§ 12. FINAL PAYMENTS.] 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 of [by] the board of trustees.

§ 13. APPROPRIATION.] That there is hereby appropriated for the performance of the work named in section one (1) of this act, all sums realized from the sale of the bonds hereinbefore specified, and the same, and all thereof, shall be at the disposal of the board of trustees for the purposes hereinbefore named.

§ 14. IN CASE OF DIVISION OF TERRITORY.] In case of the division of the Territory, that part of the Territory of Dakota in which the Dakota Reform School 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 buildings.

§ 15. ACT TAKE EFFECT, WHEN.] That this act shall take effect and be in force whenever there shall be donated and conveyed to the Territory of Dakota by a good and sufficient warranty deed of not less than eighty acres of land, to be situate within two miles of the corporate limits of the town of Plankinton, as a site for the said Reform School buildings, the said deed to be filed with and approved by the Governor on or before the first day of May, A. D. 1887.

Approved, March 8, 1887.

CHAPTER 137.

APPROPRIATION FOR MAINTENANCE REFORM SCHOOL AT PLANKINTON.

AN ACT Appropriating Funds for the Maintenance of the Dakota Reform School at Plankinton, Dakota.

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

§ 1. CURRENT AND CONTINGENT EXPENSES.] There is hereby appropriated, out of any moneys in the Territorial Treasury not otherwise appropriated, the sum of twelve thousand (12,000) dollars, or so much thereof as may be necessary for the purpose of paying the current and contingent expenses of the Dakota Reform School at Plankinton, Dakota, from such time as the same may be

completed and in running order, until the next session of the Legislative Assembly of Dakota.

§ 2. DISTRIBUTION BY TRUSTEES.] The said sum of twelve thousand (12,000) dollars, or so much thereof as may be necessary, shall be expended in the discretion of the board of trustees of said school, for the proper maintenance of such persons, as may become inmates of said school, and for the employment of suitable officers and servants, and for such other contingent expenses as may be necessary to incur, in the proper maintenance and management of said school, from the time the same may be ready to receive inmates sentenced to be there confined, until the next session of the Legislative Assembly of the Territory of Dakota.

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

Approved, March 11, 1887.

REGISTRATION OF ANIMALS.

CHAPTER 138.

MISDEMEANOR TO GIVE FALSE PEDIGREE.

AN ACT to Punish False Pretences in Obtaining Registration of Cattle and Other Animals, and to Punish Giving False Pedigrees.

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

§ 1. UNLAWFUL TO GIVE FALSE PEDIGREE.] Every person who by any false pretense shall obtain from any club, association, society or company, for improving the breed of cattle, horses, sheep, swine, or other domestic animals, the registration of any animal in the herd register of any such club, association, society or company, or a transfer of any such registration, and every person who shall knowingly give a false pedigree of any animal shall be deemed guilty of a misdemeanor.

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

Approved, March 11, 1887.