

Bonds.

AGRICULTURAL COLLEGE, BROOKINGS.

CHAPTER 22.

AN ACT to Provide Funds for Completing the Agricultural College at Brookings, Dakota, and to Repeal Section two of Chapter two and Section six of Chapter three of the Session Laws of 1883.

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

§ 1. CONTROL OF COLLEGE AFFAIRS.] That chapter two of the laws of 1883, is hereby amended by striking out section two and inserting the following: § 2. "Said Agricultural College shall be under the direction of the board of directors, consisting of five members, who shall be appointed by the Governor by and with the consent of the Legislative Council." Said directors shall hold their offices for two years or until their successors are appointed and qualified. All vacancies shall be filled by the remaining members of the board. They shall elect a Treasurer and Secretary from their own number. The Treasurer shall execute to the Territory sufficient sureties in such sum as the board may direct. Said Board of Directors shall have charge of the building and repairing of the building and have the government and control of said Agricultural College. The office of Regents of the college is hereby abolished and the duties and powers of said Regents shall be performed and enjoyed by the directors provided for in this act.

§ 2. REPEALED.] That section six of chapter three (3) of the Session Laws of 1883, is hereby repealed, and the duties and powers of the directors provided for by said section shall be performed by the directors provided for by this act.

§ 3. BONDS TO BE ISSUED.] For the purpose of providing funds to finish the Agricultural College at Brookings, Dakota, and build a Boarding House, and furnish the same, and put in steam heating, the territorial Treasurer is hereby authorized and empowered and it is made his duty to prepare for issue \$20,000 of territorial bonds.

§ 4. DESCRIPTION OF BONDS.] Said bonds shall be dated on the day of the execution and delivery thereof; shall be due in twenty years from and after their date, and shall be payable at

the option of the Territory at any time after ten years from their date. Said bonds shall bear interest at the rate of six (6) per cent. per annum which interest shall be expressed by coupons attached to said bonds, and be made payable semi-annually on the first day of January and July of each year. Said bonds shall be drawn in denominations of \$500.00 each, and shall be numbered in the order of their issue; and shall be made payable at the Chemical National Bank in the City of New York. Said bonds shall be executed for the Territory, under the seal thereof, by the Governor and the Treasurer, attested by the Secretary and negotiated by the Treasurer.

§ 5. NAME OF BOND.] Said bonds, and the money arising from the sale of the same shall be known and designated as the "Brookings Agricultural College Fund," and shall be kept as a separate fund on the books of the Treasurer.

§ 6. WHEN TO BE SOLD.] Said bonds shall be sold by the Treasurer whenever the directors herein provided for shall request him to do so, and the Treasurer shall offer said bonds for sale by such public advertisement as he may deem expedient, at such price, not less than par, as he shall be able to obtain for the same.

§ 7. PAYMENT OF INTEREST, &C.] For the purpose of the prompt payment of the principal and interest of the bonds herein provided for, there shall be levied annually 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 a tax as shall be sufficient to pay such interest, and the exchange thereon, and after nine years from the date of said bonds, if no other provisions shall have been made for the payment of the principal of the same, the Board of Equalization or any other officer or officers then empowered to perform the duties now performed by the territorial Board of Equalization, shall levy such sinking fund tax annually as shall be sufficient to retire and pay said bonds at their maturity. 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 be due on said bonds, and at the end of twenty years, if a sinking fund tax is raised as herein provided, to pay, retire and cancel said bonds in the order of their issue with the sinking fund, as fast as the same shall be received in sufficient amounts to pay a bond. The tax and fund herein provided for, for the payment of the principal or interest of said bonds, shall not be used for any other purpose.

§ 8. INTEREST PROVIDED FOR.] If at any time the territorial Treasurer shall not have in his hands sufficient funds, as herein-after provided, to pay the interest on said bonds when the same

is due, he shall pay such interest out of any funds in the territorial treasury, not otherwise appropriated, and all money belonging to the general territorial fund applied by the said treasurer to the payment of such interest on said bonds, shall be replaced, from time to time, by special tax levied to pay the same.

§ 9. 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 following purposes:

For furnishing the Agricultural College at Brookings, Dakota,.....	\$ 8,000
For steam heating appliances,.....	2,000
For furnishing,.....	2,000
For farm additions and improvements,.....	800
For dormitory and boarding house,.....	6,000
For furnishing the same,.....	1,200

And it shall be the duty of the Auditor of the Territory, upon the application of the Board of Directors, or a majority thereof, to draw on the Territorial Treasurer for the purpose of carrying out the provisions of this act.

Approved March 7, 1885.

DEAF MUTE SCHOOL.

CHAPTER 23.

AN ACT to Provide Funds for the Construction of a Dormitory and the Completion of the Buildings for the Dakota School for Deaf Mutes, 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 to pay the cost of erecting a dormitory, and furnishing the building and grounds of the Dakota school for deaf mutes at Sioux Falls, Dakota Territory, the territorial Treasurer is hereby authorized and empowered and it is made his duty to prepare for issue sixteen thousand dollars of territorial bonds, running for a term of twenty years and payable at the option of the Territory after ten years, and bearing interest at the rate of six per cent. per annum, with coupons attached, made payable semi-annually on

the first day of July and January, each year; such bonds shall be executed under the seal of the Territory by the Governor and Treasurer of the Territory.

§ 2. SALE OF BONDS.] 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 school, he shall give public notice for thirty days in two newspapers of general circulation, one 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 at less than par value.

§ 3. PAYMENT OF INTEREST, ETC.] For the purpose of the prompt payment of principal and interest of the bonds herein provided for, 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 nine years from the first day of May, 1885, in addition thereto a sinking fund tax shall be annually levied, sufficient to retire and pay such 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 be due, and to purchase said bonds at their market value, and retire and cancel the same with the sinking fund tax as fast as the same 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 PROVIDED FOR.] 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 taxes therein provided for 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 of said bonds, shall be replaced from the special tax levied to pay the same.

§ 6. DUTY OF TRUSTEES.] And the board of trustees of said school are hereby empowered and directed to commence the construction of said building, and after the same is completed to furnish the same; said building to be of stone; said board of trustees shall make a full and detailed report of their expenditures and action under this act, to the next territorial Legislative Assembly.

§ 7. 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; said funds to be expended for the following purposes:

For building a dormitory and furnishing the same, twelve thousand dollars.

For deficiency, amount due on main building, two hundred dollars.

For steam heating and plumbing, twenty-five hundred dollars.

For sewerage, eight hundred dollars.

For fencing and improving grounds, five hundred dollars.

And it shall be the duty of the Auditor of the Territory, upon the application of the board of trustees, or a majority thereof, of said school for deaf mutes, to draw on the territorial Treasurer for the purpose of constructing said dormitory and carrying out the other provisions of this act.

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

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

Approved, March 7, 1885.

NORTH DAKOTA INSANE HOSPITAL.

CHAPTER 24.

AN ACT for the Erection of Additional Buildings for the North Dakota Hospital for the Insane, making Appropriation for the same, and for other purposes:

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

§ 1. APPROPRIATED.] 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, as follows: For ward building, kitchen, bakery, dining room, laundry, boiler

house, boiler, fixtures, machinery, furniture, steam heating, offices and residence, the sum of sixty-three thousand (\$63,000.) dollars. Officers' residences not to exceed in cost, four thousand dollars. Section of officers building not to exceed in cost, five thousand dollars. Laundry not to exceed three thousand dollars. Barn not to exceed in cost, three thousand dollars. Sewerage two thousand dollars. Water supply, four thousand dollars. Gas, two thousand dollars.

§ 2. BONDS TO BE ISSUED.] To provide such funds, bonds of this Territory shall be issued to the amount of not to exceed sixty-three thousand (\$63,000) dollars, in denominations of five hundred (\$500) dollars each, bearing date the first day of May, 1885, 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, at the rate of six 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 FOR BONDS.] 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 bidder for cash at not less than par.

§ 5. TAX FOR PAYMENT OF BONDS.] 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, 1885, 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. 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 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.

§ 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. PLANS AND SPECIFICATIONS.] The board of trustees of the Northern Dakota Hospital for the Insane near Jamestown, shall immediately after 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 specifications 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 of the Hospital, near Jamestown, for the building of the said additions and improvements to the Northern 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.] The total cost of said buildings and improvements shall not exceed sixty-three thousand (\$63,000.) dollars.

§ 10. AWARDED 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 to accept such bids as in their judgment may be for the best interests of the institution.

§ 11. HOW BUILT.] The walls of said buildings shall be constructed of good brick or stone, and said building 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 eighty-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 or improvements shall be paid, or value of work certified by the trustees, until at least one-fourth of the work has been completed by the contractor or contractors.

§ 13. MATERIAL TO BE OF GOOD QUALITY.] 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.

§ 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.] 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 Hospital building.

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

Approved, March 4, 1885.

NORMAL SCHOOL, MADISON.

CHAPTER 25.

AN ACT entitled an act for the completion of the Territorial Normal School at Madison, Lake County, Dakota.

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

§ 1. BONDS TO BE SOLD.] That for the purpose of providing a fund to complete a Normal School, the territorial Treasurer is hereby authorized and empowered, and it is made his duty to prepare for issue, thirteen thousand six hundred dollars (\$13,600.) of territorial bonds, ten thousand (\$10,000) dollars to be used for completing the building, sixteen hundred dollars for steam heating apparatus; two thousand dollars for school furniture, including model. Said bonds shall be dated on the day of execution and delivery thereof, shall be due in twenty years from and after their date, and shall be payable at the option of the Territory at any time, after ten years from their date. Said bonds shall draw interest at the rate of six (6) per cent. per annum, which interest shall be expressed in coupons attached to said bonds, and be made payable semi-annually on the first days of July and January of each year. Said bonds shall be drawn in denominations of five hundred dollars each, and shall be numbered in the order of their issue, and shall be made payable at the office of the treasurer of the Territory. Said bonds shall be executed for the Territory and under seal thereof by the Governor and Treasurer, attested by the Secretary and negotiated by the Treasurer.

§ 2. FUND HOW DESIGNATED.] Said bonds and the money arising from the sale of the same, shall be known and designated as the "Madison Normal School Fund," and shall be kept as a separate fund on the books of the Treasurer.

§ 3. BONDS HOW SOLD.] Said bonds shall be sold in the following manner. Whenever the directors appointed to superintend the completion of said Normal School as hereinafter pro-

vided, shall certify to the Treasurer, that contracts for the completion of said Normal School have been entered into, according to provisions of this act, it shall be the duty of the said Treasurer to offer for sale by such public advertisements as he shall deem expedient, to the person or persons paying par, or the highest premium above par, the whole amount of bonds as herein provided for.

§ 4. TAX.] For the purpose of the prompt payment of the principal and interest of the bonds herein provided for, there shall be levied annually 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 a tax as shall be sufficient to pay such interest, and the exchange thereon. And after *nineteen* [nine] years from the date of said bonds, if no other provisions shall have been made for the payment of the principal of the same, the said board of equalization or any other officer empowered to perform the duties now performed by said territorial board of equalization shall levy such sinking fund tax annually as shall be sufficient to retire and pay such bonds at their maturity. 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 on said bonds, and at the end of twenty years if a sinking fund tax is raised as herein provided, to pay, retire and cancel said bonds in the order of their issue with the sinking fund as fast as the same shall be received in sufficient amounts to pay a bond. The tax and fund herein provided for, for the payment of the principal or interest of said bonds, shall not be used for any other purpose.

§ 5. PAYMENT OF INTEREST.] If at any time the territorial Treasurer shall not have in his hands sufficient funds as hereinbefore provided to pay the interest on said bonds, when the same is due, he shall pay such interest out of any funds in the territorial treasury not otherwise appropriated, and all money belonging to the general territorial fund applied by the said Treasurer to the payment of such interest on said bonds, shall be replaced from the special tax levy to pay the same.

§ 6. IN CASE OF DIVISION.] In case of division of 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 issued, existing on account of the construction of said Normal School building.

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

Approved March 7th, 1885.

NORTH DAKOTA UNIVERSITY.

CHAPTER 26.

AN ACT to Provide Funds to Pay the Deficiency Caused by the Construction of the Main Building of the University of North Dakota, 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 to pay the deficiency caused by the erection of a main building, and improve the grounds and out buildings, purchase apparatus and water supply for the University of North Dakota, at Grand Forks, Dakota Territory, the territorial Treasurer is hereby authorized and empowered, and it is made his duty, to prepare for issue twenty-four thousand dollars of territorial bonds, running for a term or period of twenty years, and payable at the option of the Territory after a term of ten years, and bearing interest at the rate of six per cent. per annum, with coupons attached, made payable semi-annually on the first days of July and January, 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. PROPOSALS FOR BONDS.] It shall be the duty of the Treasurer to receive sealed proposals for the purchase of said bonds, and upon request of the board of regents he shall give public notice for thirty days in two newspapers of general circulation, one 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. TAX TO MEET PAYMENT] 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 years from the first day of May, 1885, 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 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 bonds, either principal or interest, shall at any time be used for any other purpose.

§ 4. INTEREST TO BE PAID FROM ANY FUND.] 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 fund 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. REPLACED FUND.] 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 deficiency in construction of building as now built, twenty thousand three hundred and sixty-two dollars.

For library, one thousand dollars.

For improving grounds, five hundred dollars.

For water closets, five hundred dollars.

For apparatus for laboratory, etc., one thousand dollars.

For water supply, six hundred and thirty-eight dollars.

§ 7. WARRANTS TO BE DRAWN.] It shall be the duty of the Auditor of the Territory, upon the application of the board of regents, or a majority thereof, to draw warrants on the territorial Treasurer for the purpose of carrying out the provisions of the aforesaid act.

§ 8. IN CASE OF DIVISION.] 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 University is situated.

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

Approved, March 7, 1885.

DAKOTA UNIVERSITY.

CHAPTER 27.

AN ACT to provide for furnishing the Main Building of the University of Dakota, and other purposes.

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

§ 1. APPROPRIATIONS.] 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 University of Dakota and other necessary expenses, as follows, namely:

First, for heating, plumbing and sewerage, Five Thousand (\$5,000) dollars.

Second, completing and deficiency in constructing main building and furnishing the main building of the University of Dakota, Ten Thousand (\$10,000) dollars.

§ 2. BONDS TO BE ISSUED.] To provide such funds, bonds of this Territory shall be issued to the amount of fifteen thousand (\$15,000) dollars in denominations of five hundred (\$500) dollars bearing date the first day of May, 1885, 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, at the rate of six per cent. per annum, running twenty years, and payable at the option of the Territory at any time after five years from 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 FOR BONDS.] It shall be the duty of the territorial 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, and said bonds shall not be sold for less than par.

§ 5. TAX FOR THE PAYMENT OF BONDS.] For the purpose of prompt payment of the principal and interest of the bonds herein provided, there shall be levied by the territorial Board of Equal-

ization, 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, 1885, 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 at the Chemical National Bank in the city of New York 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 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. 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 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 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. 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. PLANS AND SPECIFICATIONS.] The board of Regents of the University of 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. Said board of Regents shall cause said plans and specifications 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 of the Secretary of the board of Regents of the University of Dakota, according to plans and specifications aforesaid, which shall be open for inspection of bidders at the office of the Secretary of the board of Regents of

the University of Dakota, or at such place as the board may designate.

§ 9 TOTAL COST.] The cost of said buildings and improvements shall not exceed the sum of fifteen thousand (\$15,000) dollars, and shall be used in the manner provided in section one of this act.

§ 10. AWARDING CONTRACTS.] On the day advertised for the opening of said proposals for erecting and completing the said additions and improvements, the board of Regents 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 interest of the institution.

§ 11. HOW BUILT.] The walls of said building shall be constructed of good brick or stone, and shall be made as near fire proof as practicable and at a proper and safe distance from the main building.

§ 12. PARTIAL PAYMENTS.] The board of Regents 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 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 work certified by the Regents, until and least one fourth of the work has been completed by the contractor or contractors.

§ 13. MATERIALS TO BE OF GOOD QUALITY.] 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.

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

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

§ 16. REGENTS ABOLISHED.] The university of Dakota shall

be governed by a board of five directors to be appointed by the Governor, by and with the consent of the Legislative Council, who shall hold their office for two years, or until their successors are elected and qualified, and the office of Regents is hereby abolished, and the powers and duties conferred upon the Regents provided for in section three of chapter thirty-eight of the laws of 1883, are hereby conferred upon the board of directors hereby authorized to be appointed, and said section is hereby repealed.

§ 17. All acts and parts of acts in conflict with this act are hereby repealed.

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

Approved, March 7, 1885.

Caucuses.

CHAPTER 28.

AN ACT to regulate Caucuses or Primary Meetings in this Territory.

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

§ 1. WHO MAY VOTE AT PRIMARY MEETINGS.] It shall be unlawful for any person not a qualified elector of the ward or election precinct in which any Caucus or Primary meeting is held, having for its object either immediately or ultimately, the nomination or selection of any delegate or candidate for any public office to be voted on at any election in this Territory, to vote in any manner or on any question which may come before such caucus or primary meeting. Any person who shall violate the provisions of this act shall be deemed guilty of a misdemeanor, and shall be punished according to law.

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

Approved, March 13, 1885.