

## Insane.

### CHAPTER 5.

#### APPROPRIATION FOR MAINTENANCE.

AN ACT Making an Appropriation for Furnishing and Maintaining the Dakota Hospital for the Insane.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of the Territorial Treasury for the period of two years, from and after the 22d day of February, 1883, the following sums, or so much thereof as may be necessary :

For the maintainance of the patients in the Dakota Hospital for the Insane, and for their necessary clothing, and for the board of employes and officers residing in the hospital, the sum of twenty-four thousand four hundred and fifty dollars.

For the necessary wages of employes, the sum of twelve thousand three hundred dollars.

For the necessary fuel and lights, four thousand dollars.

For the necessary incidental expenses, one thousand and five hundred dollars.

For the necessary drugs, medicines, medical books, miscellaneous periodicals and amusements for patients, two thousand and five hundred dollars.

For the necessary repairs and improvements for such hospital, two thousand and five hundred dollars.

For the necessary improvements of the hospital farm, three thousand dollars.

For improving hospital grounds, one thousand dollars.

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

Approved, February 23, 1883.

## CHAPTER 6.

## AUTHORIZING CONSTRUCTION OF WEST WING TO DAKOTA HOSPITAL.

AN ACT Authorizing the Issue of Bonds to Construct a West Wing to the Dakota Hospital for the Insane, and other Additions and Improvements to the Same, and to Provide for the Building and Completion thereof.

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

§ 1. APPROPRIATION.] That there be and hereby is appropriated out of the funds provided for in this act, by the negotiation of the bonds herein mentioned, the sum of twenty-five thousand dollars for the purpose of erecting a wing on the west side of the center building of the Dakota Hospital for the Insane, which shall be of the same size and general dimensions of the wing now built on the east side of said center building; and the sum of eight thousand dollars to complete and furnish the center building of said hospital; and the sum of fifteen thousand dollars to purchase and place in said hospital buildings steam heating apparatus, and the necessary fixtures and machinery in kitchen and laundry; and the sum of six thousand dollars for building a boiler, engine and steam pump house; and the sum of ten thousand dollars for building a kitchen, laundry, chapel, library and shops; and the sum of two thousand and five hundred dollars for purchasing steam engine, steam pumps and necessary fittings and attachments for the same; and the sum of one thousand one hundred and fifty dollars for performing the necessary labor of steam fitting and plumbing; and the sum of four thousand and five hundred dollars for purchasing a gas machine and gas burners and fixtures and for properly constructing and placing the same in said hospital buildings; and the sum of four thousand dollars for building a barn upon the hospital farm; and the sum of one thousand and three hundred dollars for sinking and tubing an artesian well, and for conveying the water from it into and through said hospital buildings.

§ 2. BONDS TO BE ISSUED.] To provide such funds, bonds of this Territory shall be issued to the amount of seventy-seven thousand and five hundred dollars, in denominations of five hundred dollars, bearing date the first day of May, 1883, 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 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 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.

§ 5. TAX FOR PAYMENT OF BONDS.] For the purpose of 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 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, 1883, 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 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 trustees and the Superintendent of the Hospital for the Insane, shall, within

ninety days 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, 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 Superintendent of the Hospital, near Yankton, for the building of the said additions and improvements to the Dakota Hospital for the Insane, according to the plans and specifications aforesaid, which shall be kept open for inspection of bidders at the office of the superintendent 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 additions and improvements, machinery, fixtures and furniture, shall not exceed seventy-seven thousand and four hundred and fifty 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, as provided in section six of the amended act providing for building and better government of the Dakota Hospital for the Insane, in chapter 83 of session laws of 1881, reserving the right to reject any or all bids, if in their judgment they are too high, and may again advertise for not less than ten or more than twenty days for proposals.

§ 11. WHEN TO BE COMPLETED.] The walls of said buildings shall be constructed of good brick or stone, except the wing which shall be of good brick, and said buildings shall be made as nearly fire proof as practicable. The material used in constructing said additions and improvements shall be examined by the board of trustees or a committee thereof, and they shall reject all material which they deem unsuitable, and the said additions and improvements shall be enclosed on or before the tenth day of November, 1883, and said buildings shall be completed and ready for occupancy on or before the tenth day of February, 1884.

§ 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 said additions and improvements at the time, and on such certified statement the Auditor shall issue a warrant on the Terri-

torial 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.

§ 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.] That part of the Territory of Dakota in which said Hospital for the Insane is located, shall, on the division of the Territory, assume all debts incurred and then existing on account of the construction of said Hospital buildings.

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

Approved, February 23, 1883.

## CHAPTER 7.

### JAMESTOWN HOSPITAL.

AN ACT Authorizing the Issue of Bonds to Construct a Hospital for the Insane at or near the city of Jamestown, Dakota Territory, and to Provide for the Building of the same.

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

§ 1. APPROPRIATION.] That there be and hereby is appropriated out of the funds provided for in this act, by the negotiation of the bonds herein mentioned, the sum of fifty thousand (\$50,000) dollars, for the purpose of erecting a Hospital for the Insane, at or near the city of Jamestown, Dakota.

§ 2. BONDS TO BE ISSUED.] To provide such fund, bonds of this Territory shall be issued to the amount of fifty thousand dollars, in denomination of five hundred dollars, bearing date May 1st, 1884, 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 ten 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 TO BE RECEIVED.] 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.

§ 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 are sufficient to pay such interest and the exchange thereon; and after nine years from the first day of May, 1884, 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 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 fund provided for the payment of such bonds, either principal or interest, shall at any time be used for any other purpose.

§ 6. INTEREST TO BE PAID OUT OF OTHER FUND.] 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 principal and 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 be due before the funds and tax herein provided can be made available, and it shall be the duty of the 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 FOR BUILDINGS.] The board of trustees and the Superintendent of the Hospital for the Insane, shall within one year after the passage and approval of this act, prepare or cause to be prepared a plan and specification for a building for a Territorial Hospital for the Insane, and after the same shall have been adopted and approved by them and the Governor of the Territory, wherein the Hospital shall be located, said board of trustees shall cause said plan and specifications to be filed with the Secretary thereof. And it shall be the duty of said board, within twenty days thereafter, to give at least thirty days notice in two newspapers published in the Territory, of general circulation therein, and two newspapers published in the State of Minnesota, that on a day specified in such notice they will receive sealed proposals at the office of the Superintendent of the Hospital, or any other place they may designate, in the city of Jamestown, Dakota Territory, for the building of a Territorial Hospital for the Insane, according to the plans and specifications aforesaid, which shall be kept open for the inspection of bidders at some convenient place in the city of Jamestown to be mentioned in said notice.

§ 9. TOTAL COST—BIDS.] The total cost of said Hospital, including the fixtures, grounds, furniture and improvements of grounds, shall not exceed fifty thousand dollars, and shall be erected on a piece or parcel of ground not less than six hundred and forty acres in extent, to be selected within not to exceed four miles of the court house of Stutsman county, Dakota Territory.

§ 10 OPENING BIDS.] On the day advertised for the opening of said proposals for the erection of said Hospital, it shall be the duty of said board of trustees to attend at the place and time so advertised, and publicly open said bids, and then and there award the contract for erecting said building according to the plan so selected to the lowest responsible bidder therefor:

*Provided*, That the said contractor shall give bond with sufficient sureties, to be approved by the said board of trustees, conditioned for the faithful performance of the contract, in the sum of thirty thousand dollars:

*Provided*, That the board of trustees shall reserve the right to reject any and all bids, if, in their judgment, they are too high, and may again advertise for proposals.

§ 11. WHEN BUILDING TO BE COMPLETED.] The walls of said building shall be constructed of good brick or stone, and said building shall be made as nearly fire proof as practicable; the materials used in said building shall be examined by the board of

trustees or a committee thereof, and they shall reject all material which they deem unsuitable, and the said building shall be inclosed on or before the first day of November, 1884, and said building shall be all completed and ready for occupancy on or before the first day of January, 1885.

§ 12. PARTIAL PAYMENTS.] The board of trustees as the work progresses, shall, on the application of the contractor, certify to the Territorial Auditor the value of the work done on the building 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 building 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 Hospital 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.

§ 13. WHAT CONTRACT TO STIPULATE.] The contract aforementioned shall stipulate that all material shall be of good quality and the work shall be performed in a good and workmanlike manner.

§ 14. FINAL PAYMENTS.] The balance due the contractor under the contract, shall be paid on the completion of the building and its acceptance and approval by the board of trustees.

§ 15. DEBT IN CASE OF DIVISION.] That part of the Territory of Dakota in which said Hospital for the Insane is situated, shall, on the division of the Territory, assume all debts incurred and then existing on account of the construction of said Hospital.

§ 16. OFFICER TO HAVE NO INTEREST IN CONTRACT.] No trustee, officer or servant of said Insane Hospital, shall be interested either directly or indirectly in any contract authorized to be entered into by the provisions of this bill, and every person guilty of a violation hereof shall be guilty of a misdemeanor.

§ 17. PATIENTS FROM NORTH DAKOTA TO BE SENT TO JAMESTOWN.] As soon as said North Dakota Hospital for the Insane shall be ready for the reception and care of patients, the board of commissioners of insanity constituted under chapter 23 of the laws of 1879, in each organized county lying north of the forty-sixth parallel of latitude, and in each such county of which the greater portion shall be north of said parallel, shall transact all business arising under said chapter 23, with the trustees and officers of the said North Dakota Hospital, instead of the Dakota Hospital for the Insane at Yankton ; and all counties thus lying north of said line are hereby constituted the district belonging to said North Dakota

Hospital for all purposes contemplated in said chapter 23, and the other counties in the Territory are constituted the district belonging to the Dakota Hospital for such purposes; and all patients belonging to said northern district under treatment at the Dakota Hospital for the Insane at the time said North Dakota Hospital shall be ready for patients as aforesaid, shall be transferred to said North Dakota Hospital at the expense of the last named institution.

§ 18. CERTAIN LAWS APPLICABLE.] All laws heretofore enacted for the government of the Dakota Hospital for the Insane shall apply to and govern the North Dakota Hospital aforesaid, so far as applicable to the same; and all by-laws heretofore adopted by the board of trustees of said Dakota Hospital to govern the same, shall apply to and govern the said North Dakota Hospital until they shall be modified or repealed by the action of the board of trustees thereof.

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

Approved March 9, 1883.

## Laws.

### CHAPTER 8.

TO PROVIDE FOR FURNISHING 1,000 VOLUMES OF CODES AND SESSIONS LAWS.

AN ACT to Provide for the Printing and Binding of the Revised Codes of 1877, and the Session Laws of 1879 and 1881.

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

§ 1. DUTY OF SECRETARY.] It shall be the duty of the Secretary of Dakota Territory to procure and have printed and bound one thousand copies each of the Revised Codes of 1877 and the Session Laws of 1879 and 1881. Said work to be completed on or before the first day of January, 1884.

§ 2. ADVERTISE FOR BIDS.] For the purpose of making the cost of procuring said laws as cheap as possible to the Territory, the Secretary is hereby required and it is made his duty to adver-