

Names of Towns.

CHAPTER 24.

HILL CITY AND CLARE.

AN ACT to Change the Name of Certain Towns in Traill and Walsh Counties.

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

§ 1. HILL CITY CHANGED TO HILLSBORO.] That the name of Hill City in Traill County, Dakota Territory, as platted and laid out and of record, in the office of the register of deeds, within and for said county of Traill, be, and the same is changed to Hillsboro.

§ 2. CLARE CHANGED TO ARDOCK.] That the name of "Clare," in Walsh County, Dak. Ter., as platted and laid out and of record in the office of the register of deeds within and for said county of Walsh, be, and the same is hereby changed to Ardock

§ 3. This act shall not affect any transfer of town lots in either of said towns prior to the passage of this act.

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

Approved March 7, 1883.

Reform School.

CHAPTER 25.

AT PLANKINTON.

A BILL For An Act 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. LOCATION.] A Reform School shall be permanently located at Plankinton, in Aurora County, Dakota, 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.

§ 2. TRUSTEES.] There shall be a board of trustees, whose name and style shall be "The Board of Trustees of the Dakota Reform School," which shall consist of three 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.

§ 3. COMPENSATION.] The members of said board shall receive no compensation except the sum of three dollars per day while engaged in the transaction of the business of said board, and their actual traveling expenses; the amount due each trustee to be certified by the president and secretary of the board.

§ 4. OFFICERS AND DUTIES.] Said board of 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 Legislative Council and filed in the office of the Secretary of the Territory.

§ 5. INSTRUCTION OF INMATES.] They shall cause the boys and girls under their charge to be instructed in piety and morality, and in such branches of useful knowledge as are adapted to their age and capacity, and in some regular course of labor, either mechanical, manufacturing or agricultural as is best suited to their age, strength, disposition and capacity, and as may seem best adapted to secure the reformation and future benefit of such boys and girls.

§ 6. POWER OF TRUSTEES TO APPRENTICE INMATES.] The trustees, with the consent in writing of their parents or guardians, as the case may be, or in case they have no parents or guardians,

may bind out boys and girls committed to the school, until they attain their majority, or for any less time, stipulated in the indentures, for the needful amount of education, and from time to time, as the rightful guardians of the boys and girls ascertain whether the duties and obligations of the person to whom the boy or girl is bound are faithfully performed, and if not, cancel the indenture and receive the boy or girl into the school again.

§ 7. EXAMINATION OF RECORDS.] When there shall be twenty or more boys in the school, one or more of the trustees shall visit the school once in every month and examine the boys and girls in their school room and labor, and inspect the register and accounts of the superintendent. A record shall be kept of these visits in the books of the superintendent. Once in every year, or oftener if the trustees think it necessary, they shall examine the school in all its departments, including the accounts, vouchers and documents of the superintendent, and prepare a report on the condition of the institution on the first Monday in November preceding the meeting of the Legislative Assembly, which, together with a full report of the superintendent, and a list of the officers and employes and their salaries, with an estimate of the value of the personal property belonging to the school, shall be laid before the Legislative Assembly

§ 8. WHO TO HAVE CHARGE.] The superintendent, with such subordinate officers as the trustees may appoint, shall have the charge and custody of the boys and girls; he shall discipline, govern, instruct, employ, and use his best endeavors to reform the inmates in such manner as, while preserving their health, will secure the promotion, as far as possible, of moral, religious and industrious habits, and regular, thorough progress and improvement in their studies, trades and employment.

§ 9. BOND AND RESPONSIBILITY OF SUPERINTENDENT.] He shall, before entering upon his duties, give a bond [to] the Territory, with sureties [for] the amount, and sureties to be satisfactory to the board of trustees, conditioned that he shall faithfully perform all his duties, and account for all money received by him as superintendent, which bond shall be filed in the office of [the] Secretary of the Territory; he shall have charge of all the property of the institution within the precincts thereof; he shall keep in suitable books complete accounts of all his receipts and expenditures, and of all property intrusted to him, showing the income and expenses of the institution, and in such manner as the trustees may require, for all money received by him. His books and documents relating to the school, shall, at all times, be open to the inspection of the trustees. He shall keep a register containing the name, age and circumstances connected with the early history of each boy and

girl, and shall add such facts as shall come to his knowledge relating to his or her history while at the institution and after leaving it.

§ 10. POWER OF DISTRICT COURT.] When a boy or girl under the age of eighteen years, shall, in any court of record, be found guilty of any crime excepting murder, the said court may, if in its opinion the accused is a proper subject therefor, instead of entering judgment, cause an order to be entered that said boy or girl be sent to the State Reform School pursuant to the provisions of this chapter, and a copy of said order duly certified by the clerk, under the seal of said court, shall be sufficient warrant for carrying said boy or girl to the school, and for his or her commitment to the custody of the superintendent thereof.

§ 11. DUTY OF JUSTICE IN CERTAIN CASES.] When a boy or girl under the age of eighteen shall be convicted before a justice of the peace, or other inferior courts, of any crime, or of being a disorderly person, it shall be lawful for the magistrate, before whom he or she may be convicted, to forthwith send such boy or girl, together with all the papers filed in his office on the subject, under the control of some officer, to a judge of a court of record, who shall then issue an order to the parent or guardian of said boy or girl, or such person as may have him or her in charge, or with whom he or she has last resided, or one known to be nearly to him or her, or if he or she be alone and friendless, then to such person as said judge may appoint to act as guardian, for the purposes of the case, requiring him or her to appear at a time and place stated in said order, to show cause why said boy or girl should not be committed to the reform school for reformation and instruction.

§ 12. ORDER, HOW SERVED.] Said order shall be served by the sheriff or other officer, by delivering a copy thereof, personally, to the party to whom it is addressed, or leaving it with some person of full age, at the place of residence or business of said party, and immediate return shall be made to said judge of the time and manner of such service. The fees of the sheriff or other officer, under this chapter, shall be the same as now allowed by law for like services.

§ 13. PROCEEDINGS BEFORE JUSTICE.] At the time and place mentioned in said order, or at the time and place to which it may be adjourned, if the parent or guardian to whom said order may be addressed shall appear, then in his or her presence, or if he or she shall fail to appear, then in the presence of some suitable person whom the said judge shall appoint as guardian for the purposes of case, it shall and may be lawful for said judge to proceed to take the voluntary examination of said boy or girl, and to hear the statements of the party appearing for him or her, and such testi-

mony in relation to the case as may be produced, and if upon such examination and hearing the said judge shall be satisfied that the boy or girl is a fit subject for the State Reform School, he may commit him or her to said school by warrant.

§ 13. [14.] SAME.] The judge shall certify in the warrant the place in which the boy or girl resided at the time of his or her arrest, also his or her age, as near as can be ascertained, and command the said officer to take the said boy or girl and deliver him or her, without delay, to the superintendent of said school, or other person in charge thereof at the place where the same is established; and such certificate, for the purpose of this chapter, shall be conclusive evidence of his or her residence or age. Accompanying this warrant the judge shall transmit to the superintendent by the officer executing it, a statement of the nature of the complaint, together with such other particulars concerning the boy or girl as the judge is able to ascertain.

§ 4. [15.] DISCRETIONARY POWER OF JUSTICE] If the judge is of the opinion that the boy or girl is not a fit subject for the school, or if said boy or girl shall appeal from the decision of the court in which the conviction was had, he shall remand him or her to the custody of the officer who had him or her in charge, to be returned to the magistrate before whom the conviction was had to be dealt with according to law.

§ 15. [16.] WHEN PARENT OR GUARDIAN MAKES COMPLAINT.] If any parent or guardian shall make complaint to a judge of a court of record, that any boy or girl, the child or ward of such parent or guardian, is habitually vagrant or disorderly, or incorrigible, it shall and may be lawful for said judge to issue a warrant, to have the sheriff or constable to cause said boy or girl to be brought before him at such time and place as he may appoint, when and where said judge shall examine the parties, and if in his judgment the boy or girl is a fit subject for the reform school, he may issue an order, with the consent of said parent or guardian endorsed thereon, to be executed by a sheriff or constable, committing said boy or girl to the custody of the superintendent of said school for reformation and instruction till he shall attain the age of majority;

Provided, That security for the payment of the expenses of said complaint, commitment and carrying boy or girl to the Reform School, and the expenses of board at such school, may, in the discretion of said judge, be required of said parent or guardian.

§ 16. [17.] TERM OF COMMITMENT.] No boy or girl shall be committed to said Reform School for a longer term than until he or she attain the age of majority, but the said trustees by their order may, at any time after one year's service, discharge a boy or

girl from said school as a reward of good conduct in the school, and upon satisfactory evidence of reformation.

§ 17. [18.] SAME.] Any boy or girl committed to the State Reform School shall be there kept, disciplined, instructed, employed and governed under the direction of the trustees until he or she arrives at the age of majority or is bound out, reformed, or *or* legally discharged. The binding out or discharge of a boy or girl as reformed or having arrived at the age of majority, shall be a complete release from all penalties incurred by conviction of the offense for which he or she was committed.

§ 18. [19.] DISPOSITION OF INCORRIGIBLE INMATE.] If any boy or girl, convicted of a felony, committed to the Reform School, shall prove unruly or incorrigible, or if his or her presence shall be manifestly and persistently dangerous to the welfare of the school, the trustees shall have power to order his or her removal to the county from which he or she came and delivery to the jailor of the said county, and proceedings against him or her shall [be] resumed as if no warrant or order committing him or her to the Reform School had been made.

§ 19. [20.] PENALTY FOR AIDING ESCAPE, ETC.] Every person who unlawfully aids or assists any boy or girl lawfully committed to the Reform School in escaping or attempting to escape therefrom, or knowingly conceals such boy or girl after his or her escape, shall be punished by fine not exceeding one thousand dollars and imprisonment in the penitentiary not exceeding five years.

Approved, March 9, 1883.

Deaf and Dumb.

CHAPTER 26.

ESTABLISHING DEAF AND DUMB INSTITUTE.

A BILL For An Act Establishing the Dakota School for Deaf Mutes, and Providing for the Government and Maintenance of the Same.

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

§ 1. ESTABLISHED AT SIOUX FALLS.] The Dakota school for deaf mutes is hereby established and located on the southwest quarter of section No. 15, in township No. 101, range No. 49, in