

SCHOOL OF MINES.

CHAPTER 148.

AUTHORIZING ISSUE OF BONDS FOR METALLURGICAL LABORATORY.

AN ACT To Provide Funds for the Construction and Furnishing of a Metallurgical Laboratory for the School of Mines at Rapid City Dakota, and for Other Purposes.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of the funds provided for in this act, the sums hereinafter mentioned, to-wit:

For constructing a metallurgical laboratory, on the grounds of the School of Mines at Rapid City, Dakota, and furnishing the same, ten thousand (10,000) dollars.

For machinery for same, ten thousand (10,000) dollars.

For engineering instruments, one thousand (1,000) dollars.

For completion of chemical laboratory two thousand (2,000) dollars.

§ 2. FUNDS—HOW PROVIDED.] To provide such funds, bonds of this Territory shall be issued, to the amount of not to exceed twenty-three thousand (23,000) dollars, in denominations of five hundred dollars each, bearing date the first day of May, eighteen hundred and eighty-seven, 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 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. BONDS—HOW SOLD.] 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 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, eighteen hundred and eighty-seven, 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 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 be at any time 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 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 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 the 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 the payment of either principal or interest of said bonds, shall be replaced from the special tax levied to pay the same.

§ 8. DUTY OF TRUSTEES IN LETTING CONTRACT.] The board of trustees of the School of Mines at Rapid City 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 this 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 school at Rapid City, for the building of the said additions and improvements for the School of Mines at Rapid City, Dakota, according to the plans and specifications

aforesaid, which shall be open for inspection of bidders at the office of the school of mines, or at such place in Rapid City, Dakota, as the board may designate.

§ 9. TOTAL COST.] The total cost of said building and improvements shall not exceed twenty-three thousand (23,000) dollars.

§ 10. CONTRACT—HOW AWARDED.] 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 accept such bids as in their judgment may be for the best interests of the institution.

§ 11. HOW BUILT.] 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.

§ 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. 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.

§ 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.] In case of division of the Territory, that part of the Territory of Dakota in which said School of Mines 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 additions and improvements.

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

Approved, March 11, 1887.

CHAPTER 149.**APPROPRIATION FOR MAINTENANCE SCHOOL OF MINES AT
RAPID CITY.**

AN ACT to Provide Funds for the Maintenance of the School of Mines at Rapid City, Dakota, for the Ensuing two Years.

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

§ 1. **APPROPRIATION.]** There is hereby appropriated out of any funds in the Territorial Treasury, not otherwise appropriated, for the maintenance of the School of Mines, at Rapid City, Dakota, for the ensuing two years, the following sums or so much as may be necessary to pay the current and contingent expenses:

For teachers, and janitors' salaries, fifteen thousand (15,000) dollars.

Reports on mineral resources and printing, two thousand (2,000) dollars.

Water works, electricity, library, fuel and contingent expenses, three thousand (3,000) dollars.

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

Approved, March 11, 1887.

SEED LIEN.

CHAPTER 150.**PROVIDING MANNER OF SECURING LIEN ON CROPS FOR SEED
FURNISHED.**

AN ACT Creating Liens on the Crops of Persons Buying Seed on Credit, and Providing the Manner of Filing and Foreclosing the Same.

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

§ 1. **HOW LIEN MAY BE HAD.]** Any person, copartnership, association or corporation who shall furnish to any person wheat, oats, barley, rye, corn, flax or potatoes, to be sown or planted upon any lands owned, used, occupied or rented by such person, shall