

STATE INSTITUTIONS.

CHAPTER 120.

[S. B. No. 187.]

LOCATING THE SCHOOL OF FORESTRY.

AN ACT to Locate the School of Forestry of North Dakota.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. ELECTION.] That at the general election to be held on the first Tuesday after the first Monday in November, A. D., Eighteen Hundred and Ninety-four (1894), the qualified electors of the counties of McHenry, Ward, Bottineau and Rolette, of the State of North Dakota, shall vote upon the question of the location of the School of Forestry of North Dakota, as provided for in Section 216 of Article 19 of the Constitution.

§ 2. FORM OF BALLOT.] All electors at said election shall have written or printed upon their ballots the place within the counties named in the forgoing section where they desire the said School of Forestry located, and the place receiving the highest number of votes at said election shall be the location of the School of Forestry of North Dakota.

§ 3. HOW CANVASSED.] The vote at said election shall be canvassed and announced according to the provisions of Chapter 66 of the Session Laws of 1891.

Approved, March 10, 1893.

CHAPTER 121.

[H. B. No. 99.]

GOVERNMENT OF SOLDIERS' HOME.

AN ACT to Amend Sections 2, 5 and 13 of Chapter 165 of the Laws of 1890, Entitled "An Act for the Establishment, Government and Maintenance of a Soldiers' Home."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 2 be amended to read as follows:

§ 2. OBJECT OF SOLDIERS' HOME—WHO MAY BE ADMITTED.] The object of the Soldiers' Home shall be to provide a home and subsistence for all honorably discharged soldiers, sailors and marines

who have served in the army or navy of the United States, and who are disabled by disease, wounds, old age or otherwise and their wives and widows; *Provided*, That no applicant shall be admitted to said home who has not been a resident of this State at least one year next preceding his application for admission therein, unless he served in a Dakota regiment, or was accredited to the Territory of Dakota.

§ 2. AMENDMENT.] That Section 5 be amended to read as follows:

§ 5. BOARD OF COMMISSIONERS—HOW APPOINTED.] The general supervision and government of the Soldiers' Home shall be vested in a board of five commissioners, each of whom shall have served in the army or navy of the United States, who shall be appointed by the Governor by and with the consent of the Senate of the State of North Dakota, no two of whom shall be from the same county, except the county wherein said institution is located, from which at least two of the members of said board shall be appointed. The members of said board shall hold their respective offices for the term of two, three, four and five years respectively, except the chairman of said board, who shall hold his office for one year only. The time for which each of the members of said board shall hold such office shall be designated in his certificate of appointment; *Provided*, That when not otherwise incompetent in the opinion of the Governor, he shall appoint as chairman of said board of commissioners the commander or chief officer of that organization known as the Grand Army of the Republic, and the appointment of such chairman shall be made each year immediately after his election by said organization without the advice or consent of the Senate. The compensation of said commissioners shall be three dollars per day each, for not exceeding twenty-four days in any one year, and necessary expenses, while performing duties as such commissioner.

§ 3. AMENDMENT.] That Section 13 be amended to read as follows:

§ 13. FUNDS—HOW KEPT.] All moneys that may arise from the interest received on all money derived from the sale of lands hereinbefore or that may hereafter be appropriated for said home, including all money that may be received from the renting of said lands, and all moneys that may be hereafter appropriated for said home by the State of North Dakota, including all money raised in any other manner or donated to said home shall be deposited with the State Treasurer, to be by him transmitted, at least once in every sixty days to the institution treasurer, if he shall have qualified as provided by law, and such money when received by said institution treasurer shall be used exclusively for the benefit of said home as may be herein or hereafter provided by law.

§ 4. EMERGENCY.] Whereas, an emergency exists in this, that it is necessary to appoint commissioners for the Soldiers' Home as herein provided long prior to the first day of July, 1893; there-

fore, this act shall take effect and be in force from and after its passage and approval.

Approved, February 18, 1893.

CHAPTER 122.

[S. B. No. 12.]

MANAGEMENT OF SCHOOL FOR THE DEAF.

AN ACT to Amend Section 2, Chapter 133, Session Laws of 1891, Entitled "An Act to Amend Section 2, Chapter 161 of Session Laws of 1890, Entitled 'An Act to Create an Institute for the Education of the Deaf and Dumb of North Dakota, and Providing for its Support and Management.'"

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 2 of Chapter 133 be amended to read as follows:

§ 2. MANAGEMENT BOARD AND HOW APPOINTED.] That the said school shall be under the supervision of a board of trustees consisting of five persons, who shall be appointed by the Governor, by and with the advice and consent of the Senate, as herein provided. During the session of the Legislative Assembly in the year A. D. 1893, the Governor shall nominate and with the approval of the Senate, appoint a full board of trustees, three of whom shall be appointed for the term of four years, and two of whom shall be appointed for the term of two years. Thereafter and at each biennial session of the Legislative Assembly, there shall be nominated by the Governor and with the approval of the Senate, appointed for the term of four years, trustees to fill vacancies occurring by the expiration of the term of office of those previously appointed; the Governor shall have power to fill all vacancies in said board which occur when the Legislative Assembly is not in session, and the members of said board shall hold their office until their successors are appointed and qualified as provided in this act.

§ 2. EMERGENCY.] It being necessary that the above board of trustees should be appointed before the present Legislative Assembly adjourns, an emergency exists, and this act shall take effect and be in force from and after its passage and approval.

Approved, February 28, 1893.

CHAPTER 123.

[H. B. No. 120.]

SCHOOL FOR THE DEAF.

AN ACT to Amend Sections 1, 6, 8, 13 and 14 of Chapter 161, Session Laws of 1890, Creating an Institute for the Education of the Deaf and Dumb of North Dakota and Providing for its Support and Management.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 of Chapter 161 of the Session Laws of 1890 be amended to read as follows:

§ 1. LOCATION.] That there shall be located and permanently maintained at or near the city of Devils Lake, in the county of Ramsey, an institute for the support and education of the deaf children of the State, to be known and designated as the "School for the Deaf of North Dakota," said institute being the same referred to as the "Deaf and Dumb Asylum" in Section 215, Article XIX of the Constitution of the State of North Dakota.

§ 2. AMENDMENT.] That Section 6 of Chapter 161 be also amended to read as follows:

§ 6. GENERAL DUTIES OF BOARD.] Said board shall have general supervision of the school, adopt rules for the government thereof, fix the salaries of all employes except the principal, provide necessaries for the school and perform other duties, not devolving upon the principal, necessary to render it efficient and to carry out the provisions of its establishment.

§ 3. AMENDMENT.] That Section 8 of Chapter 161 be also amended to read as follows:

§ 8. PER DIEM AND MILEAGE.] The members of the board shall receive as compensation for their services three (3) dollars per day for each day employed, and five (5) cents per mile actually and necessarily traveled in attending meetings of said board, which sum shall be paid out of the State treasury upon vouchers of said board duly certified by the president and secretary thereof.

§ 4. AMENDMENT.] That Section 13 of Chapter 161 be also amended to read as follows:

§ 13 TRANSPORTATION OF INDIGENT PERSONS.] The board of county commissioners shall order the expenses of transportation of any indigent deaf and dumb children entitled to admission to the school found in their counties to and from the said school from the county treasury. They shall levy a tax sufficient to cover the same back into the said treasury at the same time when taxes are generally levied for county and other purposes; *Provided, however,* That in order to avoid long delay in transporting

indigent children to and from the school, the principal may, upon correspondence with the county auditor of such county from which such indigent children may come, pay such transportation and forward to such county auditor an itemized statement of expenses. The board of county commissioners shall order the county treasurer to draw his warrant for such amount in favor of the principal of the school, who shall account for such money as provided by law.

§ 5. AMENDMENT.] That Section 14 of Chapter 161 be also amended to read as follows:

§ 14. FACULTY—DUTIES OF PRINCIPAL.] The officers of the school shall be a principal and a matron. The principal shall be a capable person, skilled in the sign language and all the methods in use in educating the deaf, and who shall have a knowledge of the wants and requirements of the deaf in their proper training and instruction. The principal shall be a resident of the school and shall receive a salary of \$1,800 per annum. He shall biennially certify to the board of trustees a written report stating in full the true condition of the educational, the domestic and the industrial departments of the school, his actions and proceedings therein, which report shall be embraced in the report of the trustees to the Governor. He shall be the chief executive officer of the school, keep and have charge of all necessary records and register of said departments; have supervision of teachers, pupils and servants and perform such other duties as the board may require. He shall secure and employ all assistants needed therein, with the approval of the board. He shall have special charge of the male pupils out of school hours, and shall furnish them with employment about the premises or in some trade to which they are adapted when such trades have been organized and established at the school by the trustees, and provisions for their maintenance made by the Legislative Assembly. The proceeds and products arising from the labor and employment of the pupils shall inure to the use and benefits of the school.

§ 6. EMERGENCY.] There being an emergency in this, that Section 13 of said act provides for the transportation of the indigent pupils; therefore, this act shall be in effect from and after its passage and approval.

Approved, March 10, 1893.

CHAPTER 124.

[H. B. No. 127.]

EXPERIMENT STATION.

AN ACT to Establish an Experimental Station for Purposes of Irrigation.
Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. ESTABLISHMENT—LOCATION.] There is hereby established an experimental station, to be known as the Irrigation Station, which shall be located within two and one-half miles of the town of Edgeley, in the county of LaMoure; *Provided*, Said town or some individual or individuals, on its behalf, shall convey to the State of North Dakota, free of charge to it, at least one hundred and sixty acres of land within said limits by a good and sufficient deed of conveyance with usual warranties. Said station, located on said land, shall be under the control and management of the board of directors of the Experimental Station at Fargo.

§ 2. SITE FOR STATION—ARTESIAN WELL.] Immediately upon the taking effect of this act, said board of directors shall proceed to select a site for said Irrigation Station and secure title thereto in accordance with Section 1 of this act. Said board shall, as soon as practicable thereafter, advertise in three newspapers, for at least three weeks, for bids to sink an artesian well on said site. Said bids must guarantee a certain amount of flow at a given price, and must be accompanied by suitable bonds and comply with such other conditions as may be prescribed by said board.

§ 3. METHODS—TESTS.] It shall be the duty of said board to cause tests to be made at said Irrigation Station of the practicability of the different methods of irrigation; of the proper amount of water and the best time to apply it for the most satisfactory results; to compare the results of irrigated fields with those not irrigated, both as to yields and cost of production; to note the difference in the results of irrigation when applied to grain, grasses, shrubs and trees, and to different species of each; and to investigate any other subject relative to irrigation. The said board may also set apart a portion of said Irrigation Station that shall receive no artificial watering and which shall be used for testing the adaptability of certain plans to a different soil and climate than that existing at the main station at Fargo.

§ 4. APPROPRIATION.] There is hereby appropriated, out of any money in the State treasury not otherwise appropriated, the sum of five thousand dollars (\$5,000), or as much thereof as may be needed for the purpose of sinking said artesian well.

§ 5. EMERGENCY.] An emergency existing in this, that there is now no provision for the Experimental Station to test irrigation, this act shall take effect and be in force from and after its passage and approval.

Approved, March 4, 1893.

CHAPTER 125.

[H. B. No. 188.]

INDUSTRIAL SCHOOL.

AN ACT Entitled "An Act to Provide for and Establish an Industrial School and School for Manual Training" at Ellendale, in the county of Dickey and State of North Dakota, as Provided for in Subdivision 3 of Section 16 of the Constitution of this State.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. LOCATION OF SCHOOL.] This act permanently establishes and locates at the city of Ellendale, in Dickey county, in this State, an Industrial School and a School for Manual Training.

§ 2. APPOINTMENT OF BOARD—DUTIES—BOND.] Immediately after this act shall be approved by the Governor, the Governor shall appoint, by and with the advice and consent of the Senate, an Industrial School Board, consisting of three members, who shall take charge of and control all funds in any manner accruing to the benefit or for the use of said school, and shall be required to give bonds in amount with approved sureties for the faithful performance of their said duties. Each member of said board shall qualify by taking the Constitutional oath of office and giving bond in such sum and with such sureties as the Governor shall approve.

§ 3. INDUSTRIAL SCHOOL FUND.] All funds arising out of the sale, lease or use of the lands granted to said school, and the interest arising from the use or deposit of said funds shall be kept and maintained for the purpose of creating an Industrial School Fund.

§ 4. FUND TO BE KEPT SEPARATE.] Such fund shall be carried as a separate fund by the State Treasurer, together with its increase, and shall only be paid out in the manner hereafter provided.

§ 5. BOARD TO RECEIVE DONATIONS.] The board hereby created shall have the power to receive all donations, gifts and bequests that shall or may be offered or tendered to or for the benefit of said school, and shall on their order expend the moneys accumulated for the purposes herein provided for.

§ 6. DONATIONS, HOW DISPOSED OF.] The board shall account to the Governor of this State at least once in each year for all donations, gifts and bequests tendered and received, and all moneys coming into the hands of such board shall be immediately covered into the State treasury to the credit of the Industrial School Fund.

§ 7. WORK ON BUILDING—WHEN COMMENCED.] Whenever a sum of not less than twenty-five thousand dollars shall have ac-

cumulated for the benefit of said school, the board may, by advertisement, of not less than six weeks, proceed to let to the lowest responsible bidder a sufficient amount of work on the building herein contemplated to exhaust said sum, and may thereafter do likewise with any sum of not less than ten thousand dollars, until further provision shall have been made by the Legislative Assembly.

§ 8. BOARD TO DETERMINE DETAILS AS TO BUILDING—LIMIT OF COST.] Within two months after the appointment of the board herein provided for, said board shall meet at the city of Bismarck and determine the style, size and material of the building to be built; *Provided*, That in no case shall the building herein provided for cost when completed a sum exceeding the sum of one hundred and fifty thousand dollars.

§ 9. BOARD—POLITICAL MAKE UP.] The Industrial School Board, as herein provided for, shall be constituted and made up by the appointment by the Governor of one member of the Independent party, one Republican and one Democrat.

§ 10. OATH.] The members of this board shall qualify by being sworn to faithfully perform all the duties incumbent upon them, and to account for all moneys coming into their hands, and such qualification shall be filed with the Secretary of State.

§ 11. EXPENSES OF BOARD.] No compensation shall be paid to any of the members of the Industrial School Board, but they shall each receive compensation for their actual necessary expenses incurred when in pursuance of their duties, and the State Auditor is hereby authorized to draw his warrant on the State Treasurer for such verified amount, the same to be paid out of any money in the treasury not otherwise appropriated, until there is a fund to the credit of the Industrial School.

§ 12. GRANT OF SITE.] This act shall become law when a site for the school herein provided for shall have been granted absolutely to the State by the citizens of the city of Ellendale, at which point this school is established and located, such site to contain not less than forty (40) acres, and the selection and approval of the same shall be made by the board of directors.

§ 13. DEED FILED WITH SECRETARY.] When the site as herein provided for shall have been selected and approved, the deed for the same shall be filed with the Secretary of State at Bismarck.

§ 14. EMERGENCY.] There being no provision for the establishment and maintenance of the Industrial School herein provided for, and there being no provision for the creation of a fund therefor; therefore, an emergency exists and this act shall take effect and be in force from and after its passage and approval.

Law, by limitation, March 18, 1893.

CHAPTER 126.

[H. B. No. 166.]

UNIFORM TITLES FOR GOVERNING BOARDS.

AN ACT Naming a Uniform Title for the Governing Boards of State Educational Institutions, and Designating Certain *Ex-Officio* Members of State Boards.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. BOARDS—HOW DESIGNATED.] The governing or managing boards of all educational institutions in the State of North Dakota, shall be designated as trustees of the respective institutions for which they are appointed.

§ 2. MEMBERS, EX-OFFICIO.] The president, principal, or chief executive officer of each of these institutions shall be, *ex-officio*, a member of the board of trustees of the institution with which he is connected, but shall have no vote as a member of such board.

§ 3. REPEAL.] All acts or parts of acts conflicting with this act are hereby declared null and void.

§ 4. EMERGENCY.] An emergency existing, inasmuch as the different and numerous titles by which these governing boards of educational institutions are designated leads to confusion, and gubernatorial appointments to fill vacancies on said boards being made in the month of February of the years during which the Legislative Assembly holds sessions, so that reorganization of State boards occurs previous to the time when State laws otherwise become operative, this act shall take effect immediately after its passage and approval.

Approved, March 6, 1893.