

State of North Dakota

LAWS

PASSED AT

THE FIRST SESSION

OF THE

LEGISLATIVE ASSEMBLY

OF THE

STATE OF NORTH DAKOTA.

BEGUN AND HELD AT BISMARCK, THE CAPITAL OF SAID STATE, ON
TUESDAY, THE NINETEENTH DAY OF NOVEMBER, A. D. 1889,
AND CONCLUDED MARCH EIGHTEENTH, A. D., 1890.

BISMARCK, DAK.:
TRIBUNE, PRINTERS AND BINDERS.
1890.

CHAPTER 160.

[S. F. 140.]

AGRICULTURAL COLLEGE AT FARGO.

AN ACT to Provide for the Establishment, Erection and Operation of the North Dakota Agricultural College and Agricultural Experiment Station at Fargo.

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

✓ § 1. LOCATION.] There is hereby established and located at Fargo, Cass county, North Dakota, an agricultural college, which shall be known by the name of the North Dakota Agricultural College.

— § 2. MANAGEMENT.] The government and management of the North Dakota Agricultural College, is hereby invested in a board of directors to be known as the Agricultural College Board of Directors.

§ 3. BOARD, HOW APPOINTED—VACANCIES.] The board of directors shall consist of five members. The first board shall be appointed as hereinafter provided, and their term of office shall expire when their successors have been appointed and qualified, during the session of the Legislative Assembly in the year A. D. 1891. During the session of the Legislative Assembly in the year A. D. 1891, and before the third Monday in February of said year, the Governor shall nominate and by and with the consent and advice of the Senate appoint a full board of directors, three of whom shall be appointed for the term of two years and two of whom shall be appointed for the term of four years. Thereafter and at each biennial session of the Legislative Assembly and on or before the third Monday in February during each session there shall be nominated by the Governor and by and with the consent and advice of the Senate, appointed for the term of four years directors to fill vacancies occurring by the expiration of the term of office of those previously appointed; *Pro-*

vided, however, That the first board of directors shall be appointed by the Governor at once upon the taking effect of this act. Such appointments to be by and with the consent and advice of the Senate, should the Legislative Assembly be then in session, otherwise the directors appointed shall qualify and hold office until their successors are appointed and qualified. 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; *Provided, further,* That in all cases where the Governor has made an appointment to fill a vacancy when the Legislative Assembly is not in session, the term of office of the director or directors so appointed shall expire at the next ensuing session of the Legislative Assembly.

§ 4. COMMISSION—OATH—ORGANIZATION.] The Governor shall cause to be issued to each of said directors a commission, which shall be under the seal of the State. At the first meeting of said board the members thereof shall take and subscribe the oath of office required of all civil officers of the State, and shall then proceed to elect a president, secretary and treasurer, but the treasurer shall not be a member of the board of directors. A majority of said board shall be a quorum for the transaction of business. The board shall require a bond of its treasurer, and fix the amount thereof.

§ 5. MEETINGS—COMPENSATION.] The board of directors shall hold its meetings at the city of Fargo, and fix the time of holding the same, providing there shall not be to exceed six regular meetings in each year. The members of the board shall receive as compensation for their services, three (3) dollars per day for each day employed, not to exceed twenty-four days in any one year and five (5) cents per mile for each mile actually and necessarily traveled in attending meetings of said board, which sum shall be paid out of the State Treasury upon the vouchers of said board.

§ 6. DUTIES OF BOARD.] The said board of directors shall direct the disposition of all monies appropriated by the Legislative Assembly of the State of North Dakota, or by the Congress of the United States, or that may be derived from the sale of the lands donated by Congress to said State for said college, or that may be donated to or come from any source to said State for the Agricultural College or Experiment Station for North Dakota, subject to all restrictions imposed upon such respective funds either by the Constitution or laws of the State of North Dakota, or the terms of such grants from Congress, and shall have supervision and charge of the construction of all buildings provided for or authorized by law for said college and station. The board of directors shall have power to employ a president and necessary teachers, instructors and assistants to conduct said school

and carry on the experiment station connected therewith, and to appoint one of its members superintendent of construction of all buildings, who shall receive three (3) dollars per day for each day actually and necessarily engaged in the discharge of his duties, not to exceed fifty days in any one year, which sum shall be paid out of the State Treasury upon the vouchers of said board.

§ 7. ACCOUNTS, HOW AUDITED.] The said board shall audit all accounts against the funds appropriated by the Legislative Assembly of the State of North Dakota or held by the State for the use of the Agricultural College and Experiment Station, and the State Auditor shall issue his warrant upon the State Treasurer for the amount of all accounts which shall have been so audited and allowed by the board of directors and attested by the president and secretary of the same.

§ 8. COURSE OF STUDY.] The design of the institution is to afford practical instruction in agriculture and the natural sciences connected therewith, and also the sciences which bear directly upon all industrial arts and pursuits. The course of instruction shall embrace the English language and literature, mathematics, military tactics, civil engineering, agricultural chemistry, animal and vegetable anatomy and physiology, the veterinary art, entomology, geology and such other natural sciences as may be prescribed, political and rural and household economy, horticulture, moral philosophy, history, bookkeeping, and especially the application of science and the mechanic's arts to practical agriculture in the field. A full course of study in the institution shall embrace not less than four years, and the college year shall consist of not less than nine calendar months, which may be divided into terms by the board of directors as in their judgment will best secure the objects for which the college was founded.

§ 9. SALARIES OF FACULTY.] The board of directors shall fix the salaries of the president, teachers, instructors and other employes and prescribe their respective duties. They shall also fix the rate of wages to be allowed to students for labor on the farm and experiment station, or in the shops or kitchen of the college. The board may remove the president or subordinate officers and supply all vacancies.

§ 10. RULES AND REGULATIONS.] The faculty shall consist of the president, teachers and instructors, and shall pass all needful rules and regulations for the government and discipline of the college, regulating the routine of labor, study, meals, and the duties and exercises, and all such rules and regulations as are necessary to the preservation of morals, decorum and health.

§ 11. PRESIDENT'S DUTIES.] The president shall be the chief executive officer of the agricultural college, and it shall be his duty to see that all rules and regulations are executed, and the subordinate officers and employes not members of the faculty shall be under his direction and supervision.

§ 12. FACULTY MAKE ANNUAL REPORT TO BOARD.] The faculty

shall make an annual report to the board of directors on or before the first Monday in November of each year, showing the condition of the school, experiment station and farm and the results of farm experiments, and containing such recommendations as the welfare of the institution in their opinion demands.

§ 13. ANNUAL REPORT TO GOVERNOR.] The board of directors shall, annually, on or before the first day of February in each year, make to the Governor a full and detailed report of the operations of the experimental station hereby established, including a statement of the receipts and expenditures, a copy of which report shall be sent by the Governor to the Commissioner of Agriculture and the Secretary of the Treasury of the United States, and said board of directors shall also make a report to the Governor on or before the first Monday in December next preceding each biennial session of the Legislative Assembly, containing a financial statement, showing the conditions of all funds appropriated for the use of the Agricultural College and Experiment Station; also, the monies expended and the purposes for which the same were expended in detail; also, the condition of the institution and the results of all the experiments carried on there.

§ 14. HONORARY DEGREES.] The board of directors and the faculty shall have power to confer degrees upon all persons who shall have completed the course of study prescribed for said school by the board and faculty, and who shall have passed a satisfactory examination upon the studies contained in said course, and who shall be known to possess a good moral character.

§ 15. WHO KNOWN AS DIRECTORS.] The board of directors as appointed by the Governor and confirmed by the Senate shall constitute and be known as the directors provided for in this act.

§ 16. EXPERIMENT STATION.] There is hereby established an agricultural experiment station in connection with the North Dakota Agricultural College, and under the direction of the board of directors of said college, for the purpose of conducting experiments in agriculture, according to the terms of Section 1 of an act of Congress, approved March 2, 1887, and entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act, approved July 2, 1862, and of the acts supplementary thereto."

§ 17. ASSENT OF LEGISLATIVE ASSEMBLY.] The assent of the Legislative Assembly of North Dakota is hereby given, in pursuance of the requirements of Section 9 of said act of Congress, approved March 2, 1887, to the grant of money therein made, and to the establishing of an experiment station, in accordance with Section 1 of said last mentioned act, and assent is hereby given to carry out all and singular the provisions of said act.

§ 18. ACCEPTANCE OF LAND GRANT.] The grants of land accruing to the State of North Dakota under and by virtue of an act of Congress, donating public lands for the use and support of agri-

cultural colleges in certain proposed states, approved February 22, 1889, is hereby accepted with all the conditions and provisions in said act contained, and said lands are hereby set apart for the use and support of the college herein provided for.

§ 19. PER DIEM AND MILEAGE.] There shall be no expense incurred or *per diem* and mileage paid to any officer of the board contemplated under the provisions of this act until an appropriation shall have been made for the erection of any building or buildings for the agricultural college or experimental station.

§ 20. EMERGENCY.] An emergency exists in that it is desirable to receive at once the benefit of the money appropriated by Congress for such institutions, therefore, this act shall be in force immediately from and after its passage and approval.

Approved March 8, 1890.
