

SEC. 10. The Librarian is hereby authorized and required to sue for in the name of the Territory, for the use of the Library, all penalties under the provisions of this act, and for all injuries done to the Library or any property belonging or appertaining thereto: he shall purchase at the lowest price, all stationery, fuel, light, or other articles necessary for the use of the Library, to be paid for out of the appropriations made for the expenses of the Legislative Assembly. All fines or penalties collected by the Librarian, shall be subject to the order of the Governor, and to be by him appropriated to the purchase of such books, charts, &c., as he may deem most proper.

Librarian authorized to sue for penalties under this act

SEC. 11. The Congressional copy of the "United States Exploring Expedition, Heath's New Gallery of British Engravings," and all works of that character, shall not be taken out of the Library.

Books not to be taken out.

SEC. 12. The Governor may at any time remove the Librarian from office for good cause, and whenever the office shall become vacant, by death, resignation, removal, or otherwise, it shall be the duty of the Governor to appoint some suitable person, who shall qualify as provided in the second section of this act, and who shall remain in office until the adjournment of the next session of the Legislative Assembly.

Librarian—how removed.

SEC. 13. The Governor may, at any time, make such regulations relative to the removal of books from the Library, not inconsistent with the provisions of this act, as he may deem proper and expedient.

SEC. 14. The Librarian shall receive for his services, at the rate of four hundred dollars per annum, to be paid quarter yearly by the Secretary of the Territory, out of the money appropriated by Congress to defray the expenses of the Legislative Assembly.

Compensation.

M. E. AMES,

Speaker of the House of Representatives.

D. B. LOOMIS,

President of the Council.

APPROVED, February twenty-fifth, one thousand eight hundred fifty-one.

ALEX. RAMSEY.

SECRETARY'S OFFICE, }
St. Paul, May 13, 1851. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

C. K. SMITH,

Secretary of the Territory of Minnesota.

CHAP. II.—An Act to provide for the erection of Public Buildings in the Territory of Minnesota.

Feb. 7, 1851.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, The Capitol and Public Buildings for the sessions of the Legislative Assembly, and the Supreme Court of the Territory, the Library, and for the use of such officers of the Territory as may be

The Capitol located at St. Paul, & Territorial Prison at Millwater.

prescribed by law, shall be erected at a central point in the Town of Saint Paul, and a Territorial Prison for the Territory of Minnesota, shall be erected on some eligible point in the Town of Stillwater.

Apportionment of districts for Commissioners.

SEC. 2. The County of Washington, and the counties thereunto attached, shall constitute one District, and shall be entitled to elect one Commissioner of Public Buildings: The County of Ramsey, and the counties thereunto attached, shall constitute one District, and shall be entitled to elect two Commissioners of Public Buildings: And the County of Benton, and the counties thereunto attached, shall constitute one District, and shall be entitled to elect one Commissioner of Public Buildings.

Election—when held, where, and in what manner.

SEC. 3. An election shall be held in the several precincts in this Territory, on the second Monday in April, one thousand eight hundred and fifty-one, for the election of four Commissioners of Public Buildings, as above provided; which election shall be held at the places, and polls opened, the election conducted, and the returns made in the manner and form prescribed by law, for holding the general elections: Returns from the unorganized counties, being made to the office of the Register of Deeds of the county to which the county may be attached.

Registers of deeds to canvass the returns, and give certificates to the persons chosen Commissioners.

SEC. 4. The several Registers of Deeds, shall canvass the votes polled in their districts, in the manner prescribed for canvassing the votes polled at the general elections; and the person or persons, in their respective districts, eligible by law to hold the office, having the highest number of votes, according to the number prescribed to be elected in each district, respectively, shall be declared duly elected, and shall be entitled to receive a certificate from the Register of Deeds of his proper county, or the county to which it is attached, under the seal of the Board of Commissioners of said county.

Commissioners to take oath and give bond before entering on their duties.

SEC. 5. Each Commissioner of Public Buildings so elected, before entering upon the duties of his office, shall take and subscribe an oath, to be certified on the back of his bond, before one of the Judges of the Supreme Court, or a Judge of Probate of one of the counties of this Territory, to support the Constitution of the United States, and the provisions of the act of Congress, organizing the Territory of Minnesota, and faithfully to perform the duties of his office, according to law, to the best of his abilities; and shall also enter into a bond, to the Secretary of the Territory, with three or more good and sufficient sureties, to be approved by said Secretary, in the sum of one thousand dollars, conditional for the faithful performance of his duties, according to law; which oath and bond shall be filed in the office of the Secretary of the Territory.

Board to be organized, and when, and where.

SEC. 6. The persons so elected and qualified, shall meet at Saint Paul, on the third Monday in the month of May, A. D. one thousand eight hundred and fifty-one, and together with the Governor of the Territory, shall constitute a Board of Commissioners on Public Buildings, for the Territory of Minnesota.

Governor to preside, with casting vote. In his absence all questions on which there is a tie to be laid on the table for subsequent consideration.

SEC. 7. The Governor of the Territory, shall preside at all the meetings of the Board, and shall have the casting vote on all questions before the Board whenever there shall be a tie vote; and in case of the absence of the Governor, at any meeting of said Board, a President *pro. tem.* shall be appointed. But all questions before

the Board, when the votes shall be equal at any meeting, owing to the absence of any member of the Board, shall be laid on the table until a subsequent meeting of the Board.

SEC. 8. At the first meeting of said Board of Commissioners, the Board shall elect one Secretary to the Board, who shall keep a true and correct journal of the proceedings of the Board, at each and every meeting; all votes shall be entered on the journal, and the names of the members of the Board voting for or against all questions, shall be entered on the journal. The journal of the proceedings of the Board, on each day, shall be signed by the President, and attested by the Secretary. The Board may assign such other duties to the Secretary, compatible with his office, as they may deem proper; and they may adopt such rules for the government of the proceedings of the Board during the meetings thereof, as may be deemed advisable and not incompatible with the provisions of this act.

A Secretary to be elected at the first meeting. His duties prescribed.

SEC. 9. At the said first meeting of the Board, the members thereof, shall elect one of their number Treasurer of the fund appropriated by Congress, for the erection of the Capitol Buildings; and they shall elect another member of their Board Treasurer of the fund appropriated by Congress, for the erection of a Territorial Prison; and they shall elect another member of their Board, the Building Commissioner, for the erection of the Capitol Building, who was elected in the district where the Capitol is situated; and another member of their Board, shall be elected Building Commissioner, for the erection of the said Territorial Prison, who was elected in the district where said Prison is located.

Treasurers to be elected for fund for erection of the Capitol, for the Territorial Prison. Superintendents for the erection of said buildings to be chosen.

SEC. 10. At the first meeting of said Board, the necessary steps shall be taken, and measures adopted, to procure suitable sites, upon which to erect said Capitol Buildings, in the Town of Saint Paul; and the said Territorial Prison in the Town of Stillwater; and for the commencement and early completion of said Public Buildings. And the said Board may adjourn, from time to time, as they may deem necessary.

Immediate measures for the erection of said buildings to be taken.

SEC. 11. All the contracts, and other acts of any Building Commissioner, shall be under the supervision and control of said Board, and no contract shall be entered into for material or labor, for the erection of said Public Buildings, until approved by the said Board or a majority thereof, nor until the said Board shall have first given notice, by publication in one or more newspapers printed in the Territory, for three successive weeks, inviting proposals for the performance of the labor, and furnishing of necessary materials, for the fulfillment of the contract so proposed, and the bond which will be required for their fulfillment; and in all cases, contracts shall be given by the Board to the lowest and best responsible bidder, who will give the security required.

Contracts, how to be made, supervised and controlled.

SEC. 12. No money shall be paid by any Treasurer, for any purpose, unless on a draft ordered by the Board, and signed by the President, and attested by the Secretary of the Board; and the Board shall in no case, sanction the payment of any money, unless satisfied that the labor has been performed, or the material has been furnished for which any such payment is contemplated.

Funds, how to be drawn & paid out.

SEC. 13. It shall be the duty of each of the Building Commissioners, to enter into, and superintend the performance of all contracts for labor and material, which may have been authorized by the Board, for the erection of his proper building, to see that the

Commissioners to superintend the performance of contracts for labor & material.

Must not be interested in contracts under penalty.

terms of each contract are fulfilled, and to do and perform such other duties pertaining to his building as the Board shall direct: *Provided*, That no member of the Board shall be interested, directly or indirectly, in any contract of any kind connective with the erection of any public building, during their continuance in office, under the penalty of five hundred dollars; to be collected by the Secretary of the Territory, on the official bond of the person so offending.

The Treasurers. Their duties defined.

Sec. 14. It shall be the duty of the persons elected Treasurers as hereinbefore prescribed, at any time after qualifying, as hereinafter specified, when directed so to do by the Board, to demand and receive from the proper officer of the United States Treasury, any and all the moneys that now are, or hereafter may be appropriated for the erection of any Public Buildings, the fund for building whereof they are Treasurers; and to keep the same in safety, being at all times prepared to pay the drafts of the Board in the same funds received from the United States: *Provided*, That the Board may authorize the application for the whole or a part of the moneys appropriated for the erection of Public Buildings in the Territory of Minnesota, at any time after the qualification of the proper Treasurers, as the said Board may deem expedient.

Treasurers to give bond with sureties, for faithful discharge of duty.

Sec. 15. Each of the Treasurers elected as provided in the ninth section of this act, shall execute a bond to the Secretary of the Territory, in the penal sum of thirty thousand dollars, with ten or more good and sufficient sureties, to be approved by the Secretary of the Territory, conditioned for the faithful performance of his duties, and that he will keep and disburse, according to law, all moneys received by him as Treasurer, for the fund appropriated by Congress for the erection of Public Buildings, the fund for the erection of which, he was elected to receive; and that he will not dispose of any portion of said funds for his own use, nor pay out any portion thereof, except on drafts drawn by order of the Board as prescribed by this act.

Treasurer of Capitol fund to reside at St. Paul; of Territorial Prison, at Stillwater; in case of vacancy notice to be given, and a special election held to fill the unexpired term.

Sec. 16. The Treasurer and Building Commissioner elected for the erection of the Capitol, shall keep their offices in the town of Saint Paul, and the Treasurer and Building Commissioner elected for the erection of the Territorial Prison, shall keep their offices in the town of Stillwater; and in case of the death, resignation, removal from the Territory, or other cause, by which a vacancy shall at any time occur in the said Board of Commissioners of Public Buildings, it shall be the duty of the Secretary of the Board, forthwith to notify the sheriff of the county or counties comprising the district, who shall thereupon, cause a special election to be held, to supply the vacancy, giving not less than fifteen days notice thereof; and the person so elected shall qualify according to the provisions of this act; and shall enter upon the duties assigned to his predecessor, and continue in office during the time for which his predecessor was elected.

Commissioners, term of office.

Sec. 17. Each person elected Commissioner of Public Buildings, as provided in the third section of this act, shall continue in office until the general election in the year one thousand eight hundred and fifty-two, unless the building assigned them shall be sooner completed.

Compensation of Commissioners.

Sec. 18. Each member of the Board of Commissioners of Public Buildings, shall receive three dollars per day, for each day he shall serve at any meeting of its Board, and each Treasurer and

Building Commissioner, elected as herein prescribed, shall receive in addition, four hundred dollars per annum, to be paid quarter yearly, out of the fund to which they are designated.

SEC. 19. The said Board of Commissioners, shall not occupy more than six days in any one month, in the meetings of said Board.

Time—meetings of the Board.

SEC. 20. The Secretary of the Board, shall give a bond to the Secretary of the Territory, in the penal sum of one thousand dollars, conditioned for the faithful performance of his duties; and shall also take and subscribe an oath on the back of his bond, to be certified by some person authorized to administer oaths, that he will faithfully and impartially, fulfill the duties of his office according to law, and to the best of his abilities; which shall be filed in the office of the Secretary of the Territory. The Secretary shall receive such compensation, not exceeding three dollars per each day employed, as the Board shall deem proper; and the said Board of Commissioners, shall make a full report of their proceedings to each session of the Legislature annually, on or before the third Monday of each session.

Secretary to give bond & take oath.

SEC. 21. This act shall take effect from and after its passage.

Act to go instantly into effect.

M. E. AMES,

Speaker of the House of Representatives.

D. B. LOOMIS,

President of the Council.

APPROVED, February seventh, one thousand eight hundred and fifty-one.

ALEX. RAMSEY.

SECRETARY'S OFFICE, }
St. Paul, Feb. 20, 1851. }

I hereby certify the foregoing to be a true copy of the original act, remaining on file in this office.

C. K. SMITH,

Secretary of the Territory of Minnesota.

CHAP. III.—An Act to incorporate the University of Minnesota, at the Falls of St. Anthony.

Feb. 25, 1851.

Be it enacted by the Legislative Assembly of the Territory of Minnesota, That there shall be established in this Territory an Institution, under the name and style of the University of Minnesota:

University of Minnesota established.

SEC. 2. The proceeds of all land that may hereafter be granted by the United States to the Territory for the support of a University, shall be and remain a perpetual fund, to be called the "University Fund," the interest of which shall be appropriated to the support of a University, and no sectarian instruction shall be allowed in such University.

University fund; how used; sectarian instruction forbidden.

SEC. 3. The object of the University shall be to provide the inhabitants of this Territory with the means of acquiring a thorough knowledge of the various branches of Literature, Science and the Arts.

Objects of the University.