

March 24, 1904.
[H. R. 6494.]

[Public, No. 68.]

Preamble.

CHAP. 817.—An Act To approve and ratify Act Numbered Seventy-three of the legislative assembly of the Territory of Arizona.

Whereas on the nineteenth day of March, nineteen hundred and three, the legislative assembly of the Territory of Arizona enacted the following law:

“To provide for the loan of one hundred thousand dollars for the purpose of making improvements to the Territorial Asylum for the Insane and for authorizing the issuance of bonds for said amount, and for other purposes; and

“Whereas the number of insane persons confined in the Territorial Asylum for the Insane is now almost three hundred; and

“Whereas the accommodations for such insane persons at the Territorial Asylum for the Insane are not adequate for the proper care and accommodation of more than one hundred and fifty insane patients; and

“Whereas as a result of this overcrowded condition in the Territorial Asylum for the Insane many patients are crowded into small rooms only suitable for the accommodation of one or two patients at the most; and, as a further result, it is impossible under existing conditions to make adequate sanitary provisions for the health and welfare of the inmates of said institution for the insane, rendering it impossible for those in charge of said institution to properly separate and classify these unfortunate beings possessed of different kinds and degrees of insanity and kindred affections, but such management is obliged to confine the patients so afflicted in the same wards and rooms miscellaneously; and

“Whereas some of the rooms and wards of the Territorial Asylum for the Insane provided for such unfortunates are so located as not to be accessible to the sunlight at any season of the year, and the health of the patients kept in such cells is thereby greatly endangered and the possibility of restoration to reason and an ultimate cure prevented; and

“Whereas on account of the foregoing conditions it is impossible for the warden of the Territorial Asylum for the Insane to render adequate and oftentimes necessary medical aid and attention to the inmates:

Now, therefore,

“*Be it enacted by the legislative assembly of the Territory of Arizona.*

Arizona.
Bonds authorized
for Territorial Insane
Asylum.

SECTION 1. That for the purpose of erecting such buildings and making such other improvements on the grounds now owned by the Territory of Arizona and used as grounds for the Territorial Asylum for the Insane in Maricopia County, Arizona Territory, as will in their judgment best serve the purposes of relieving the unsatisfactory conditions prevailing at the said Territorial Asylum for the Insane, the board of control of the Territory of Arizona is hereby authorized and empowered to procure a loan on the faith and credit of the Territory of Arizona as follows:

Amount of loan, etc.

“**SEC. 2.** That a loan of one hundred thousand dollars is hereby authorized to be negotiated on the faith and credit of the Territory of Arizona, to be paid at the end of fifty years from the date said loan commences, which said loan shall bear interest at a rate not to exceed five per centum per annum, redeemable at the end of twenty-five years, principal and interest payable in gold coin of the United States, said loan to be negotiated in sums as follows:

Sale of bonds.

“The board of control of the Territory of Arizona under this section is authorized and hereby empowered to negotiate a sale of bonds for the Territorial Asylum for the Insane in any sum not to exceed twenty thousand dollars for the current year ending July first, nineteen hundred and four, and in amounts not to exceed ten thousand dollars in any one year thereafter ending July first, until the full loan of one hundred thousand dollars authorized by this act shall have been exhausted.

“SEC. 3. The Territorial treasurer is hereby authorized and directed, when required by the board of control, to issue bonds as hereinbefore provided, in denominations of five hundred and one thousand dollars each, payable fifty years after date, in any amount not to exceed twenty thousand dollars, during the current year ending July first, nineteen hundred and three, nor to exceed the sum of ten thousand dollars in any one year, ending July first, thereafter; and said bonds shall not exceed in the aggregate the sum of more than one hundred thousand dollars, said bonds to be in the following form, to wit:

Bond issue.

“No.

“Bonds of the Territorial Asylum for the Insane, Territory of Arizona.

“For value received, fifty years after date, the Territory of Arizona promises to pay to the order of the governor of the Territory of Arizona _____ dollars, with interest at the rate of _____ per centum per annum from date until paid, payable semiannually on the first day of January and the first day of July of each year; principal and interest payable in gold coin of the United States, at the office of the Territorial treasurer.

“Phoenix, Arizona.

“This bond is redeemable twenty-five years after the date of issue.

“Dated at Phoenix, Arizona, this _____ day of _____, 190 _____.

“Territorial Auditor.

“SEC. 4. All such bonds shall be signed by the auditor of the Territory in his own proper name, affixing his official character, and shall be indorsed by the governor of the Territory with his proper name, affixing his official character, and shall be delivered by the auditor of the Territory to the Territorial treasurer, who shall be charged with the full amount of the bonds so delivered.

Form of issue.

“At the time of issuing said bonds under the provisions of this act, the Territorial treasurer shall sign them with his own proper name, affixing his official character and the seal of his office; said signing and sealing shall bind the Territory. The Territorial treasurer shall in the same manner sign the interest coupons thereto attached as herein provided, and the said coupons for the interest accruing on the said bonds shall be attached to said bonds in such manner that they may be detached without mutilating the bond and shall be severally numbered from one to one hundred, inclusive, each interest coupon to bear the number of the bond to which it is attached.

“The treasurer shall keep a register of all bonds issued by him, and shall deliver the same to the board of control of the Territory of Arizona on demand.

“SEC. 5. Said board of control of the Territory of Arizona shall dispose of said bonds at as high rate as possible and convert the said bonds into cash: *Provided*, That in no case shall the said bonds of the Territorial Asylum for the Insane be sold or disposed of by them for less than par.

Not to be sold for less than par.

“The Territorial treasurer shall pay the interest on said bonds when due, taking the coupons as his vouchers therefor, and shall retain in his hands sufficient money from the interest fund for the payment of the interest on said bonds of the Territorial Asylum for the Insane, and shall in addition retain in his hands, out of the general fund of the Territory, an amount sufficient for the legitimate and actual expenses of preparing and issuing of bonds as hereinbefore provided.

“SEC. 6. The boards of supervisors of all of the counties of the Territory of Arizona, or such other officers as are required by law to levy assessments, are hereby directed and required to levy an annual tax, in addition to the amount levied for other purposes, sufficient to meet the interest on the bonds as herein provided. The amount of each tax

Annual tax to pay interest.

levy shall be determined by the board of equalization, which said board shall notify the proper county officer of each county of the amount of said tax levy, and the tax when collected shall be paid into a separate fund, to be known as the interest fund for the payment of interest on the bonds of the Territorial Asylum for the Insane. If any surplus remains in the said interest fund after the payment of interest then due, the board of control may by resolution transfer the said surplus remaining in the interest fund of the Territorial Asylum for the Insane to the bond-redemption fund for the Territorial Asylum for the Insane.

Sinking fund.

"SEC. 7. Fifteen years after the date of this act, in the year nineteen hundred and eighteen, and annually thereafter and until the bonds as herein provided shall have matured, there shall be levied an additional tax upon all taxable property, real or personal, in the Territory of Arizona in the same manner as other taxes are levied to create a sufficient sinking fund to redeem the bonds as herein provided when the same shall have become redeemable or due and payable.

"The manner and amount of each tax levy shall be determined as provided in sections five and six of this act for the payment of interest on the bonds, except that the money shall be kept in a separate fund by the Territorial treasurer, which said fund shall be known as the sinking fund for the redemption of the bonds of the Territorial Asylum for the Insane.

Advertisement.

"SEC. 8. Whenever, after the expiration of the twenty-five years from the date of the issuance of any bond under this act, there shall be in the sinking fund for the redemption of bonds of the Territorial Asylum for the Insane the sum of two thousand five hundred dollars or more, it shall be the duty of the Territorial treasurer to advertise for the space of thirty days, in like manner as hereinafter provided, for the sale of said bonds, which advertisement shall state the amount in the sinking fund, and the number of bonds, numbering them in the order of their issuance, beginning with the lowest number then outstanding, which said fund is set apart to pay and discharge, and if said bonds so numbered in such advertisement shall not be presented for payment and cancellation at the expiration of said publication, then said fund shall remain in the treasury to discharge such bonds whenever presented, but each bond so advertised shall draw no interest after such publication. Before any such bonds shall be paid they shall be presented to the Territorial auditor, who shall indorse on each bond the amount due thereon, and shall write across the face of each bond the date of its surrender and the name of the person surrendering the same.

Notice of sale.

"SEC. 9. Before the sale of any of the said bonds of the Territorial Asylum for the Insane, the board of control of the Territory of Arizona shall cause notice of such sale to be published for the space of thirty days in four daily newspapers published in the English language, as follows:

"One in the city of New York, State of New York.

"One in the city of Chicago, State of Illinois.

"One in the city of San Francisco, State of California.

"One in the city of Phoenix, Territory of Arizona.

"Such notices shall specify the amount of the bonds to be sold, the rate of interest they shall bear, or in lieu of a fixed rate of interest a request for bids for the lowest rate of interest on the par value of said bonds, or both said proposals, as the board of control may determine, the place, date, and hour of the sale. The sealed proposals shall be received by the said board of control for the purchase of said bonds, within one month from the expiration of said publication, and at the place and on the date and hour named in said notice. Said board of

control shall open all sealed proposals received by it, and shall award the purchase of said bonds to the highest bidder or bidders therefor: *Provided*, That said board of control may reject any and all bids if they deem it to the advantage of the Territory of Arizona: *And provided further*, That they may reject any and all bids unless security shall be furnished by the bidder or bidders for compliance with the terms thereof, or if in the judgment of the said board of control such rejection will benefit the Territory.

Providos.
Rejection of bids.
Security required.

"SEC. 10. That in addition to the powers expressly conferred or acts directed to be performed herein, the said board of control of Arizona is by this act authorized, empowered, and directed to do and perform whatever act or acts are necessary to be performed in the premises, to fully carry out and complete the terms, intent, and purposes of this act.

Additional powers
of board of control.

"SEC. 11. This act is subject to approval and ratification by the Congress of the United States.

Approval, etc., by
Congress.

"SEC. 12. This act shall take effect and be in force from and after its approval by the Congress of the United States.

Effect.

"E. S. IVES,

"President of the Council.

"THEODORE T. POWERS,

"Speaker of the House.

"Approved, March 19, 1903.

"ALEXANDER O. BRODIE,

"Governor."

Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That said Act Numbered Seventy-three of the said legislative assembly of the Territory of Arizona, approved March nineteenth, nineteen hundred and three, be, and the same is, in all of its parts and in all things, hereby approved, ratified, and confirmed.

Act authorizing
bond issue for Territorial Insane Asylum,
ratified, etc.

SEC. 2. That this Act shall take effect and be in force from and after its passage.

Effect.

Approved, March 24, 1904.

CHAP. 836.—An Act Directing the Secretary of War to expend one hundred and twenty-five thousand dollars heretofore appropriated for a channel through Sabine Lake, Texas.

March 25, 1904.
[H. R. 3565.]

[Public, No. 69.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to use and expend the one hundred and twenty-five thousand dollars appropriated by an Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June thirteenth, nineteen hundred and two, for the purpose of improving mouths of Sabine and Neches rivers, Texas, in accordance with House Document Numbered Two hundred and ninety-nine, Fifty-fourth Congress, second session, by connecting the same with Sabine Pass by a channel eight feet deep through Sabine Lake, in excavating and constructing a channel eight or more feet deep from the mouths of the Sabine and Neches rivers, at or near the west shore of Sabine Lake, to Taylors Bayou, a navigable stream in the State of Texas.

Sabine Lake, Tex.
Construction of
channel through.
Expenditure of former appropriation authorized.
Vol. 32, p. 355.

Approved, March 25, 1904.