

CHAPTER CXXII.

[H. B. No. 470.]

RELATING TO THE UNIVERSITY OF WASHINGTON.

AN ACT providing for the location, construction and maintenance of the University of Washington, and making an appropriation therefor, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The governor of Washington is hereby authorized and directed to buy fractional section 16, in township 25 north, range 4 east Willamette Meridian. That upon making said purchase the governor shall enter into a contract with the proper officers of the state for the payment of the entire purchase price, with interest at the rate fixed by existing law, and in the manner required of other purchasers of school lands: *Provided*, The purchase price may be paid at any time but it shall not be necessary to pay any part of the purchase price in advance or at any given date: *And provided further*, That said contract shall contain a provision requiring the board of regents of the University of Washington to pay the interest upon the purchase price annually from the university fund; upon the execution of the said contract the fee of the land purchased shall vest in the State of Washington for the use of the University of Washington.

Time for making payment.

Interest on the purchase price to be paid annually.

SEC. 2. The board of regents is hereby authorized and empowered to select from their number an executive committee of three members to act for and report to the entire board at the regular quarterly meetings and to erect on the land, bought by the governor in pursuance of this act, a university building of such dimensions as they may deem suitable for the needs of said university, said building to be so constructed as to admit of its proper enlargement; and said board shall also have constructed on said grounds such other buildings as may be necessary for the use of the officers, professors, students and employes of said university; and said board of regents, in order to procure the submission of adequate and worthy plans and designs, shall offer and award to architects submitting plans three

Executive committee to erect buildings.

Plans, designs, etc.

Prizes, etc.

prizes. To the architect submitting the plans and designs which shall be accepted as the plans and designs of said building, the first prize shall be awarded, which shall consist of his selection as architect of said buildings and the acceptance of his plans and designs. The second prize shall consist of the sum of one thousand dollars (\$1,000.00), and shall be awarded to the architect submitting the plans and designs deemed second in merit. The third prize shall be five hundred dollars (\$500.00), and shall be awarded to the architect submitting the plans and designs deemed third in merit. No design that the board of regents shall not deem adequate and worthy shall receive a prize. In case no plans or designs are accepted as herein provided, the board of regents shall advertise for the submission of further plans and designs, making no award of prizes till plans for said buildings shall be selected. The board of regents shall invite the submission of plans and designs by a published notice setting forth the offer of prizes and stating the time on, or before which plans and designs must be submitted to the board. Said notice shall be published in one paper each in Seattle, Tacoma and Spokane, at least twice a week for two successive weeks, giving at least ninety days' notice after the day of the last publication of the time of said submission. The board of regents in selecting plans and designs for said buildings shall require the highest degree of architectural and constructive excellence.

Regents may advertise for submission of plans if none accepted.

Bids for material and construction.

SEC. 3. No construction or material exceeding five hundred dollars (\$500.00) shall be furnished except pursuant to bids advertised for as herein provided. All lettings of construction or material exceeding in amount the sum of five hundred dollars (\$500.00) shall be advertised in two daily newspapers of general circulation for not less than ten days. The bid of the lowest responsible bidder shall be accepted, saving that the board shall have the right to reject all bids. The performance of every contract shall be secured by a bond to the State of Washington in a sum not less than one-quarter of the contract price secured by two sureties, each qualifying in double the amount of the bond, each of whom shall be a *bona fide* resident of this

Bond of bidder.

state, said bond to be conditioned for the faithful performance of said contract. Each bid shall be accompanied by a similar bond conditioned for the execution and faithful performance of a contract in accordance with said bid, if the same shall be accepted by the board. All contracts shall reserve the right of the board for good cause shown to annul the contract without allowance for damages, and allowing only expenses incurred and labor performed, not exceeding the contract price, or the proportion that the work done or material furnished thereunder bears to the total amount contracted for. Such a per centum, not less than ten per centum, as the board shall deem proper shall be reserved from payments on monthly estimates of work done until such work shall have been completed, inspected and accepted. All material contracted for shall be of the Material. best quality and to the satisfaction of the board, and the directions, plans and specifications of the work executed and carried out by skilled and reputable architects, contractors, artists, mechanics and laborers, likewise to the satisfaction of the board.

SEC. 4. The architect chosen by the board shall receive Compensation of architect. such compensation for his plans and designs as the board shall deem reasonable. He shall be supervising architect of said buildings and shall prepare all plans, specifications, drawings and details for said buildings and for all contracts for construction or material thereof. He shall see that all material furnished and work done shall be of the best quality, and that all contracts with said board are faithfully performed by the parties so contracting with said board. He shall perform all other duties devolving upon him as such architect and the supervising architect of said building and may be removed at the pleasure of said board. Neither said architect nor any of his subordi- Architect not to be interested in any contract. nates or assistants shall be in any way connected with any work done or material furnished for said buildings or any contract therefor, or shall have any interest therein directly or indirectly. He shall furnish a bond to the State of Bond. Washington in the sum of twenty-five thousand dollars (\$25,000.00) with two sureties, each a resident of the state, and qualifying in twice the amount of said bond, condi-

tioned for the faithful performance by said architect, his assistants and subordinates, of his and their duties as herein prescribed.

Superintendent of construction.

Duties of, etc.

SEC. 5. The board shall appoint a specially qualified person to act as superintendent of the construction of said buildings. It shall be his duty to see that all contracts made with the board are faithfully performed, that all material furnished and work done shall be as required by law or the contract therefor, that all duties imposed upon the architect are faithfully performed by him and his subordinates, and that no provisions of this act are violated. To report to the board any violation of this act or of any contract or of duty by any architect, contractor or employé of said board, and to do such other duties as may be required of him by the board. Said superintendent shall receive as his compensation such sum as the board shall deem reasonable, not exceeding six dollars per day for each and every day he is actually engaged in the performance of his duties. He shall be removable at the pleasure of the board: *Provided*, All such architects, contractors and superintendents employed or furnishing competitive plans shall be citizens of the State of Washington. The main university building shall be built of brick or stone, or brick and stone, and as near fire proof as possible, as may be provided for in the plans adopted, and shall be a durable and permanent structure, and shall be provided with water, and the latest and most approved [improved] apparatus for heating and lighting the same.

Proviso.

Aim and purpose of the university.

Tuition.

Non-residents.

SEC. 6. The aim and purpose of the University of Washington shall be to provide for students of both sexes, on equal terms, a liberal instruction in the different branches of literature, science, art, law, medicine, mechanics, industrial training, military science, and such other departments of instruction as may be established therein from time to time by the board of regents; tuition in the university, except as may be provided by the regents with reference to the arts or to special courses of study, shall be free to all *bona fide* residents of this state. Non-residents of this state shall be admitted on such terms as may from time to time be prescribed by the board of regents. The univer-

sity shall, so far as practicable, begin its course of study in its literary and scientific departments at the points where the same are completed in the public high schools of the state. No student shall be admitted except upon examination satisfactory to the faculty of the university or of the college which he seeks to enter in such course of elementary studies as may from time to time be prescribed by the said faculty: *Provided, however,* That students shall be admitted without examination upon presentation of certificates from those public high schools and other educational institutions in this state whose courses of study shall have been approved by such faculty, such certificates to show the completion of a course of study on the part of applicants, which such faculty shall deem equivalent to the course of study necessary for admission under examination.

Course of study.

Examination, etc.

Proviso.

SEC. 7. After the purchase of the lands by the governor has been made the board of regents may, by decision of six-eighths of their number, duly ascertained by aye and nay vote, which shall be recorded in their minutes, proceed to sell the ten acres in the city of Seattle known as the "university grounds," which have been deeded to the state by A. A. Denny and others, which deeds are hereby accepted and made part of this act. Such sale shall be made at public auction only, and the said board of regents may sell the whole of said tract of ten acres or it may cause the same to be subdivided into lots and blocks, with streets and alleys conforming to the plan of the said city adjoining. No part of the said ten acre tract shall be sold until "the value thereof, less the improvement, shall be appraised" by three appraisers, one to be appointed by the governor, one by the mayor of Seattle, and one by the board of regents, who shall be paid a reasonable compensation for their services out of the university fund. No public auction shall be held and no sale of any part of the said ten acres shall be made until after the board of regents has given notice of the time, place and terms of the sale, by publication for four successive weeks in one daily paper at Spokane, one in Walla Walla, one in Olympia, one in Port Townsend, one in Whatcom, one in Tacoma and one in Seattle; the cost of

Sale of university grounds at public auction.

Publication of sale.

publication to be paid out of the university fund. At the time appointed for the sale the board of regents shall publicly open and announce all bids received by mail or otherwise and invite other bids. The highest bid made on the day of sale shall be accepted, unless it is less than the appraised value of the parcel of land bid for, in which event the board shall postpone the sale and re-advertise: *Provided*, Six-eighths of the board may reject all or any bids, for all or any part of the tract, and postpone the sale thereof until some future date, which postponed sale shall be advertised in the same manner as the original offer to sell. The successful bidder must pay to the state treasurer at least one-third cash within twenty-four hours after the bid is awarded to him, and upon such payment shall be entitled to a certificate of purchase to be issued by the board of regents stating the amount bid, the amount paid, and the balance remaining due and when payable. The balance due shall be paid in two equal semi-annual installments with interest at six per cent. per annum, the first installment to be paid in six months after the date of said certificate, and the second installment one year after said date. Upon full payment the purchaser shall receive a deed to the property, to be executed by the governor, attested by the secretary of state, with the seal of the state thereto affixed, which deed shall convey to him the title of the state to the property described in the deed. The purchaser may at any time prior to maturity pay said balance remaining due, or any part thereof, with interest to date of payment, whereupon interest on the amount paid shall cease. The state retains a lien upon the property sold for all unpaid balances of the purchase price, and upon any default by the purchaser the whole of the balance of the purchase price and interest thereon shall be due, and the lien may be foreclosed and the equity of the purchaser in the land barred and sold as in suit upon foreclosure of mortgage. In case any one making the highest bid, and being awarded the tract bid for, fails to make the first payment within the time specified, the board may award the tract to the next highest bidder or re-advertise and re-sell the land, as to them seems best. But the purchaser or purchasers of the said ten-acre tract

Payments.

Deed.

State retains
lien for unpaid
balances.

or any part thereof shall not be entitled to the possession of the property purchased by him or them unless specially authorized by the board to take possession.

SEC. 8. All of the ten acres in the city of Seattle known as "the university grounds" shall remain in the charge and under the direction of the board of regents until the new buildings are ready for occupancy, when the university and all of its movable belongings shall be moved to them: *Provided*, That the board of regents may from time to time as parts of the university grounds are sold, in the manner herein provided, authorize the purchasers to take possession of the lot or lots purchased or may lease all unsold portions under such restrictions as said board of regents may provide.

Regents to have control of university grounds until the new buildings ready for occupancy.

SEC. 9. That 100,000 acres of the lands granted by section 17 of the enabling act, approved February 22, 1889, for state, charitable, educational, penal and reformatory institutions are hereby assigned for the support of the University of Washington.

Support.

SEC. 10. The board of regents is hereby authorized and directed to ascertain how much land granted to the state for university purposes by section 14 of the enabling act, approved February 22, 1889, remains unselected and unsold. All the lands granted for university purposes, and all those granted lands assigned for university purposes by this act, which remain unselected and unsold, shall be selected and sold in the manner prescribed by law for selecting and selling other lands granted to the state, and the proceeds to be placed in the university fund. Said regents shall also take such other action as they may deem necessary to perfect the title to the new university site, and they shall make a detailed printed report of all their actions and investigations to the governor on or before the first Monday in December, A. D. 1894, and biennially thereafter.

Selection and sale of lands.

SEC. 11. There shall be kept by the state treasurer a separate and permanent fund to be known as the "university fund," into which shall be paid all university money received from all sources, which fund shall be paid out by said treasurer only upon warrants drawn by the state auditor, which warrants shall be based on the properly certi-

"University fund."

fied accounts of the board of regents of the University of Washington, as audited by said auditor.

Investment of
university
fund.

SEC. 12. The state auditor may, upon the written recommendations of the board of regents with the written consent of the governor and state treasurer, from time to time invest any portion or portions of the unappropriated moneys in any university fund now or hereafter established in this state, whether general or special, all of which moneys shall be invested in national, state, county or municipal bonds.

SEC. 13. The board of regents is hereby authorized to demand and receive from the board of university land and building commissioners and said board of university land and building commissioners is hereby directed to turn over to said board of regents all the books, papers, records and other property in their possession of every name and nature belonging to the University of Washington, and the board of university land and building commissioners is hereby abolished.

SEC. 14. The board of regents is hereby authorized and empowered to give and execute on behalf of the State of Washington the bonds and other papers required by the war department for the safe keeping of the arms and equipments loaned by the United States to the University of Washington.

SEC. 15. All acts and parts of acts in conflict with this act are hereby repealed.

Emergency.

SEC. 16. There being great necessity for the immediate resumption of work in the construction of buildings for the University of Washington and for the selection of university lands, an emergency is hereby declared to exist, and therefore this act shall be in force from and after its approval by the governor.

Approved March 14, 1893.