

CHAPTER CXXV.

[S. B. No. 235.]

RELATING TO THE STATE UNIVERSITY.

AN ACT providing for the establishment, location, maintenance and support of the university of Washington.

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

SECTION 1. The governor, one member of the board of regents of the university of Washington, to be elected by the board of regents, and three citizens of the State of Washington, not more than two of whom shall be from the same political party, to be appointed by the governor to serve four years, are hereby constituted a board of university land and building commissioners. The governor shall be *ex-officio* president of the said board, shall preside at its meetings and sign all official documents when present, and the board may elect a president *pro tem.*, who shall sign all official documents in the absence of the governor. Three members shall constitute a quorum, and a majority of the members present must concur and their names must be entered in the minutes, in deciding any measure requiring expenditure of money or the disposal of real property. The board may elect a secretary, who shall keep correct records of the proceedings of the board, countersign all official documents and affix the seal of the board thereto, and shall perform such other duties as may be required of him by the board. He shall be paid for his services as secretary a sum not exceeding one hundred and fifty dollars (\$150.00) per month. The board is authorized to design and use an official seal, to procure an office in the city of Seattle, and to expend not to exceed two hundred and fifty dollars in furnishing the same, and to pay all other incidental expenses out of the university fund, in the manner herein specified for the expenditure of that fund. If it be found by the board that clerical help other than that afforded by the secretary is necessary, the board is authorized to hire such additional help at an expense not to exceed \$500 per year, or so much thereof as may be necessary. Each member of the board except the governor shall be paid not to exceed five dollars a day for each and every

Land and building commissioners.

day he is actually engaged in the performance of the duties of his office, and each member of the board shall receive the same mileage for the travel necessary in attending to those duties as is allowed members of the legislature. He shall certify his account on honor from time to time to the state auditor, who shall audit the same and draw his warrant on the state treasurer for the payment thereof, and the state treasurer shall pay the same out of the university fund.

SEC. 2. It shall be the duty of the board of university land and building commissioners to meet in the city of Seattle at 1 p. m. on the first Monday in April, A. D. 1891, and after taking and subscribing to an oath to support the constitution and laws of the State of Washington, and to faithfully perform the duties, they shall complete their organization.

Vacancies.

SEC. 3. Vacancies in the board shall be filled in the manner provided in section 1 for making the first appointments.

Duty of board.

SEC. 4. The board of university land and building commissioners are hereby authorized and directed to ascertain how much land is left of the grant made to the State of Washington for university purposes by the act of congress commonly called the enabling act, approved February 22, A. D. 1889, how much has been selected and remains unsold, how much remains to be selected, and shall select the quantity yet to be selected as rapidly as possible in the manner prescribed by law, and make a detailed printed report of their investigations and actions in relation to the granted lands and all other matters to the governor on the first Monday in December, A. D. 1892.

SEC. 5. As soon as practicable after the original donors, their successors or assigns, and the corporate authorities of the city of Seattle have executed and delivered to the board of university land and building commissioners deeds in proper form forever, quit-claiming and releasing to the State of Washington all claims of right, title, interest and estate, of every name and nature, they may have as the successors in interest, or otherwise, of the town of Seattle or any other party in and to a certain tract of land contain-

ing ten acres, more or less, in the city of Seattle, now known and occupied as the site of the university of Washington, which said ten acre tract was conveyed to the Territory of Washington by A. A. Denny and wife, C. C. Terry and wife, and Edward Landes, in April, 1861, which deeds shall be duly recorded in the records of the county of King, said board of university land and building commissioners shall proceed to locate the university of Washington on a tract of land not exceeding one hundred and sixty acres of the fractional school section described as follows, to wit: Section 16 in township 25, north of range 4 east, which said fractional school section is within a radius of six miles of the present site of the university of Washington in the city of Seattle, and said one hundred and sixty acres of section 16, township 25, north of range 4 east, is hereby forever reserved from disposal or sale, and it is dedicated exclusively to educational purposes, but the legal title thereof shall remain vested in the state forever, and interest at the rate of 6 per cent. per annum shall be paid into the common school fund upon the appraised value of said one hundred and sixty acres, and on said one hundred and sixty acres and not elsewhere shall be erected and perpetually maintained, in the manner prescribed by law, all necessary and proper buildings for the university. The erection or occupancy on the land dedicated to educational purposes by this act of residences or other buildings designed for other than educational purposes, except such as may be necessary for the accommodation of the faculty, instructors and employes, and the proper dormitories, boarding and other structures for students, is forever prohibited.

SEC. 6. As soon as practicable after the quit-claim deeds mentioned in Sec. 5 of this act have been filed as herein provided, the board of university land and building commissioners may sell at public auction or private sale as they Sale of old site. deem most advantageous, the ten acres described in said deed, as a whole, or it may cause the same to be subdivided into lots and blocks, and the board shall dedicate streets and alleys to the public use, 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 improvements,

shall be appraised by three appraisers, one to be appointed by the governor, one by the mayor of Seattle, and one by the board, who shall be paid five dollars per day for their services out of the university fund. No public auction shall be held, and no sale, public or private, of any part of the said ten acres shall be made until after the board has given notice of the time, place and terms of the sale by publication for four successive weeks in one paper at Spokane Falls, one in Walla Walla, one in Olympia, one in Port Townsend, one in Whatcom, two in Tacoma and two in Seattle, the cost of publication to be paid out of the university fund. At the time appointed for the sale the board 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 readvertise. 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, stating the amount bid, the amount paid and the balance remaining due and when payable; the balance due shall be paid in two equal installments, with interest at six per cent. per annum, the first installment to be paid in one year after the date of said certificate, and the second installment two years 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 in case of any default by the purchaser the whole of the balance of the purchase price 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

mortgages. 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 readvertise and resell the land as to them seems best, but the purchaser of the said ten acre tract, or any part thereof, shall not be entitled to the possession of the property purchased by him or them until the first day of March, A. D. 1893, unless specially authorized by the board to take possession: *Provided*, That the sale of that portion of said land upon which the first regiment armory is now located shall be subject to the lease of the same heretofore made by the board of regents of said university with the first regiment armory association: *Provided further*, That the bids hereinbefore mentioned, in order to be considered, must be accompanied by a certified check for \$100, which check shall be forfeited to the regents of the university should the bid accompanying be accepted and the party making such bid fail to make the first payment within the prescribed time.

SEC. 7. 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 moneys received from the sale of all university lands, and all appropriations made by the state for the support and maintenance of the university of Washington herein established, and all other moneys paid or received for the use of said university from other sources, and payments out of the said university fund shall be made only on warrants issued by the state auditor upon accounts certified to him by the board of university land and building commissioners, or as otherwise provided by law. University fund.

SEC. 8. It shall be the duty of said board, as soon as the site for the university of Washington is selected and secured, as hereinbefore provided, and after the title thereto has been approved by the attorney general, to proceed with the construction on said site of a university building of such dimensions as may be suited to the wants of the state, and of such other buildings as may be necessary for the use of the officers, professors, students and employés of said university, and said board may adopt suitable plans

for said buildings, and for that purpose may employ an architect and offer premium for designs and plans, and said board shall let contract for labor and material necessary for said buildings to the lowest responsible bidder, in the manner hereinafter provided, and said board may also employ a skillful builder to superintend the work of all construction and to take care that all contracts for construction and material are faithfully fulfilled: *Provided*, Such architect, 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, 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 apparatus for heating and lighting the same.

Material of
building.

SEC. 9. All contracts and all work of whatever nature shall be under the general supervision and control of said board, and no contract shall be entered into for material or labor in the construction of said buildings until approved by said board, after said board shall have given notice by publication in one paper in Seattle, one in Tacoma and one in Spokane Falls and one in Walla Walla, for four consecutive weeks, inviting proposals for performing the labor and the furnishing of necessary materials for the fulfillment of said contracts, and in all cases contracts shall be awarded by the board to the lowest responsible bidders, who shall give bonds to the state in such amount and with such sureties as shall be approved by said board, which bond shall be conditioned for the faithful performance of all the stipulations of said contract, and said board may reject at its discretion all bids deemed too high and may again from time to time advertise for new proposals in the manner above provided.

SEC. 10. All accounts shall be audited by the state auditor, and no money shall be paid by the state treasurer for any purpose connected with the construction of said buildings except on a warrant or warrants drawn on him by the auditor upon the university fund for the payment of bills certified to be correct by said board, and every such

Disbursement
of money.

warrant shall express upon its face whether the amount therein stated is for material furnished or services rendered, or for labor performed, and said board shall in no case certify any bills, or otherwise sanction the payment of any money, unless the labor has been performed or the material has been furnished in accordance with the contract entered into under the provisions of this act, for which such payment is contemplated, and it shall be the duty of the treasurer to pay all warrants drawn by said auditor as herein provided out of any money in the "university fund" not otherwise appropriated.

SEC. 11. The university buildings now used in the city of Seattle, together with so much of the ground as may be absolutely necessary, shall continue to be used for university purposes under the directions of the board of regents until on or before the first day of March, 1893, when the university and all its movable belongings shall be moved to the new university buildings.

SEC. 12. The attorney general shall be the legal adviser of the board of university land and building commissioners.

SEC. 13. There being great necessity for the immediate erection 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. Emergency.

Approved March 7, 1891.

CHAPTER CXXVI.

[S. B. No. 393.]

REGULATING DISBURSEMENT OF PUBLIC MONEYS.

AN ACT to regulate the disbursement of all moneys by the officers of the State of Washington and all district, county and precinct officers and commissions of the State of Washington, and declaring an emergency.

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

SECTION 1. That all precinct, county, district and state officers and all commissions of the State of Washington