

A BILL

FOR AN ACT TO ESTABLISH AND MAINTAIN A SOLDIERS' AND SAILORS' HOME IN THE STATE OF IOWA, AND MAKING AN APPROPRIATION FOR THE PURCHASE OF LAND AND THE CONSTRUCTION OF THE NECESSARY BUILDINGS.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That there be and is hereby created and established a Soldiers' and Sailors' Home in the State of Iowa.

SEC. 2. The object of the Soldiers' and Sailors' Home shall be to provide a home and subsistence for honorably discharged ex-soldiers and sailors who enlisted from Iowa in the United States army or navy during the War of the Rebellion and the Mexican War, or who have since become and are now residents of the State of Iowa, who may have become disabled through such service, or who by reason of old age or other disabilities are disqualified from earning a livelihood, and who under existing rules are unable to procure admission to National Homes.

SEC. 3. That within fifteen days after taking effect of this act the Governor shall appoint nine Commissioners, two from the Senate, three from the House, and four who shall be members of the organization known as the Grand Army of the Republic; not more than five of the above Commissioners shall belong to the same political party, and no two of whom shall be from the same Congressional District. The said Commissioners shall take and file in the office of the Secretary of State the following oath: "I do solemnly swear that I will support the Constitution of the United States and of this State, and will faithfully discharge the duties of Commissioner to locate the Soldiers' and Sailors' Home for the State of Iowa according to the best of my ability, and that I have not received, and I will not knowingly or intentionally, directly or indirectly, receive any money or other consideration for any service whatever for any vote or influence I may give or withhold or for any other official act I may perform as such Commissioner." As soon as possible after their appointment and qualification, the Commissioners shall proceed to select a site for the said Soldiers' and Sailors' Home, at such place as shall be at the same time most economical to the State and best adapted to the wants of the institution; having regard in the selection to accessibility, elevation, drainage and quality and cost of the land.

SEC. 4. The said Commissioners shall perform the duties imposed upon them by the provisions of this act, without compensation for their services, except their actual necessary

3 expenses incidental to the location of said Home, which shall be paid from the appropria-
4 tion in this act made.

SEC. 5. The said Commissioners are empowered and authorized to receive in behalf and
2 for the benefit of the State, any donations of money, personal property or real estate offered
3 for the purpose of aiding in the establishment of such Home, and for the future mainte-
4 nance and comfort of disabled and indigent soldiers and sailors.

SEC. 6. Within ten days after the selection of a site, the Governor shall appoint three
2 trustees for the said Soldiers' and Sailors' Home, not more than two of whom shall belong
3 to the same political party, and who shall be subject to the same rules, regulations, condi-
4 tions and purposes as trustees of other State charitable institutions as now provided by law.

SEC. 7. For the purchase of the site and the necessary lands, which shall include not less
2 than forty acres nor more than three hundred and twenty acres, and for constructing build-
3 ings therein for the Soldiers' and Sailors' Home, and fit the said buildings for occupancy and
4 use, there is hereby appropriated the sum of two hundred thousand dollars, to be paid out
5 of any moneys in the State treasury not otherwise appropriated, as hereinafter provided.

SEC. 8. The said trustees are directed and required to cause to be prepared suitable plans
2 and specifications by a competent architect, but no plans shall be adopted by the trustees
3 which shall not first have been approved by the Governor; said plans shall be accompanied
4 by specifications, and by a detailed estimate of the amount, quality and description of all
5 material and labor required for the entire and full completion of the building according to
6 said plans.

SEC. 9. Whenever the said plans and specifications shall have been approved and adopted,
2 the trustees shall cause to be inserted in at least two of the daily newspapers in the city of
3 Des Moines, Iowa, and in the city or town at or near which the said Home shall be perma-
4 nently located an advertisement for sealed bids for the construction of the building herein
5 authorized, and they shall furnish a printed copy of the act and of the specifications to all
6 parties applying therefor, and all parties interested who may desire it shall have free and
7 full access to the plans with the privilege of taking notes and making memoranda.

SEC. 10. Not less than thirty days after the publication of said proposals for bids, on
2 a day and hour to be named in said advertisement, at the place where said institution
3 shall be located, in the presence of the bidders, or so many of them as may be present,
4 the bids received shall be opened for the first time, and the contract for building shall be
5 let to the lowest and best bidder, *provided*, that no contract shall be made, and no expense
6 incurred for any building or buildings, requiring for the completion of the same a greater
7 expense than is provided for in the appropriation made in this act. AND PROVIDED FURTHER,
8 that no bid shall be accepted which is not accompanied by a good and sufficient bond in the
9 sum of ten thousand dollars, signed by at least three good and sufficient sureties, condi-

10 tioned as a guarantee for the responsibility and good faith of the bidder, and that he will
11 enter into a contract and give bond as provided in the act in case his bid is accepted.

SEC. 11. The contract to be made with the successful bidder shall be accompanied by a
2 good and sufficient bond, to be approved by the Governor before accepted, conditioned for
3 the faithful performance of his contract, shall provide for the appointment of a Superin-
4 tendent of Construction, who shall receive not more than five dollars per day for his ser-
5 vices, and who shall carefully and accurately measure the work done, and the materials
6 upon the grounds at least once a month, and for the payment of the contractor upon the
7 the aforesaid measurement, and for the withholding of fifteen per cent of the value of the
8 work done and materials on hand until the completion of the building. And for a for-
9 feiture of a stipulated sum per diem for every day that the completion of the work shall
10 be delayed after the time specified for the completion in the contract, and for the full pro-
11 tection of all persons who may furnish labor or materials by withholding payment from
12 the contractor and by paying the parties to whom any moneys are due for service or ma-
13 terials, as aforesaid, directly for all work done or materials furnished by them, in case of
14 notice given to the trustees that any such party apprehends or fears that he will not receive
15 all money due, and for all settlement of all disputed questions as to the value of altera-
16 tions and extras by arbitration at the time of final settlement, as follows: One arbitrator
17 to be chosen by the trustees, one by the contractor, and one by the Governor of the State.
18 All three of said arbitrators to be practical mechanics and builders, and for the power and
19 privilege of the trustees under the contract to order changes in the plans at their discretion,
20 and to refuse to accept any work which may be done not fully in accordance with the letter
21 and spirit of the plans and specifications; and all work not accepted shall be replaced at
22 the expense of the contractor, and be a deduction from the current price of all alterations
23 ordered by the trustees which may and do diminish the cost of all buildings. They may
24 also make such other provisions and conditions in the said contract not herein above speci-
25 fied as may seem to them necessary or expedient. *Provided*, that no conditions shall be
26 inserted contrary to the letter and spirit of this act, and that in no event shall the State be
27 liable for a greater amount of money than is appropriated for said building and its appur-
28 tenances.

SEC. 12. The said contract shall be signed by the president of the board of trustees in be-
2 half of the board after a vote authorizing him so to sign shall have been entered upon the
3 minutes of the board, and it shall be attested by the signature of the secretary of the board
4 and by the seal of the institution. It shall be drawn in triplicate and one copy of the same
5 shall be deposited in the office of the Secretary of State.

SEC. 13. All bids shall show the estimated cost of the work to be done of each descrip-
2 tion in detail. And the trustees shall have the right and power at their discretion to ac-

3 cept bids for particular portions of the work if for advantage of the State, and all measure-
4 ments and accounts as the work progresses, shall show in detail the amount and character
5 of the work for which payment is made.

SEC. 14. The cost of location, including the cost of suitable grounds, may be paid out of
2 the appropriations herein made, but shall not exceed the sum of ten thousand dollars.

SEC. 15. The moneys herein appropriated shall be paid to the parties to whom they may
2 become due and payable, directly from the treasury of the State, on the warrant of the
3 Auditor of State. And the Auditor is hereby authorized and required to draw the said
4 warrants for money due under this act, upon the order of the board of trustees, accom-
5 panied by vouchers approved by the Governor, as now provided by law.

SEC. 16. No trustee or officer of the said institution shall be in any way interested in any
2 contracts for the erection of said buildings, or furnishing any materials for said buildings.
3 And if any such trustee or officer shall be so interested he shall be deemed guilty of a mis-
4 demeanor, and on conviction, be fined in any sum not exceeding five thousand dollars.

SEC. 17. Before making payment for the lands, for the purchase of which provision is
2 herein made, the seller shall furnish to the trustees an abstract of title, which shall be sub-
3 mitted by the trustees to the Attorney-General for examination, and to the Governor for
4 his approval. And no money shall be paid for the said lands without a perfect conveyance,
5 of title in fee simple, to the State by a warrantee *deed*.

SEC. 18. Said trustees shall have the power, and it shall be their duty, to make such
2 reasonable rules and regulations, governing the admission, maintenance and discharge of
3 inmates of said Home as shall not be inconsistent with the spirit and provisions of this act.