

lars for the purposes aforesaid, on the warrant or order of said commission or a majority of it.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 25th, 1895.

S. F. No. 789.

CHAPTER 376.

Birch Coulie.

An act appropriating money for the purchase and conveyance to the state of a portion of the battlefield of Birch Coulie, in Renville county, the removal thereto of the Birch Coulie monument, and the correction of certain inscriptions on said monument.

Be it enacted by the Legislature of the state of Minnesota:

Appropriation.

SECTION 1. That the sum of twelve hundred dollars (\$12,000), or so much thereof as shall be necessary, is hereby appropriated out of any sum or sums in the state treasury not otherwise appropriated for the purchase of a portion of the land in Renville county, not less than five nor more than ten acres, on which the battle of Birch Coulie was actually fought, and for the removal to and thereupon of the monument known as the Birch Coulie monument, now standing about one mile and a half distant from said battle ground, and for the correction of certain inscriptions on said monument as hereinafter prescribed.

Purchase of site.

SEC. 2. The adjutant general of the state is hereby directed to purchase, either by himself or by his duly appointed agent, the said portion of land, which, as nearly as can be determined, shall include at least a part of the actual battleground known as the "corral," whereon certain soldiers and citizens of the state contended so long and so heroically against a vastly superior force of Sioux Indians, Sept. second and third, eighteen hundred and sixty-two, and whereon so many of said soldiers and citizens gave up their lives or were stricken with wounds.

Provided, however, that if the adjutant general or his agent cannot procure the said land from its owner or owners at its fair and reasonable value, then it shall be and is hereby made the duty of the attorney general of the state to institute condemnatory proceedings and conduct the same to a determination according to law, and have the said land condemned to the state for the uses and purposes herein mentioned.

SEC. 3. Upon the presentation to the state auditor of a deed of conveyance of the said land, together with the written official opinion of the attorney general of the state that such deed of conveyance will vest an absolute and perfect title in the state to said land, the state auditor shall issue a warrant on the state treasurer for the purchase price thereof; and thereafter said land shall forever remain the property of the state and in its custody for the uses and purposes herein mentioned. Same.

Provided that the state may hereafter enclose, improve and adorn the land, but no inscription shall ever be placed upon any structure thereon which does not conform to the official records of the state and to the facts of authoritative history.

SEC. 4. The adjutant general, or his agent, is further directed to procure the removal of the monument known as the Birch Coulie monument, now standing as aforesaid, to the site acquired under the provisions of this act, and to cause the said monument to be durably and permanently placed and set on the said acquired site, to-wit: A portion of the "corral" or actual battle ground whereon was fought the battle of Birch Coulie. Removal of present Birch Coulie monument.

SEC. 5. The adjutant general, or his agent, shall cause all incorrect inscriptions on said monument to be so changed, amended and corrected as to conform to and with the truths of history, as shown by official and other authoritative records, and may make any proper additions thereto, so that as a whole the inscriptions shall declare historical facts and show the state's appreciation of the gallant conduct and services of its officers, soldiers, and citizens who participated in the battle of Birch Coulie. Correction of inscription.

In particular, said inscriptions shall show the established facts that Major Joseph R. Brown, of the state militia, was in general command of the state's forces and that Captain H. P. Grant, of Company A, Sixth regiment of Minnesota infantry, and Captain Joseph Anderson, of the "Cullen Frontier Guards," (cavalry) were in subordinate commands of companies at and in the battle of Birch Coulie.

SEC. 6. Upon the completion of the duties and services assigned him by the provisions of this act, the adjutant general shall make a report of the services performed and the work done by him or his agent, which report shall include the cost of the land purchased and an itemized statement of the expenses incurred of the removal of the monument and in the corrections and emendations of the inscriptions thereon. Report by adjutant general.

Said report shall be duly verified and addressed to the governor and state auditor, and on its approval by them shall be filed with the secretary of state, and the sum or sums shown thereby to be due or owing by the state shall be paid by the warrants of the state auditor upon the state treasurer;

Provided, that in the aggregate the amount is not in excess of the appropriation made by this act, that is to say, the sum of twelve hundred dollars, (\$1200.00).

SEC. 7. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 20th, 1895.

CHAPTER 377.

H. F. No. 581.

Road and
bridge fund.

An act to appropriate the income derived from the investments in the internal improvement land fund to the internal improvement or road and bridge fund.

Be it enacted by the Legislature of the state of Minnesota:

Income from
internal im-
provement
land fund
transferred.

SECTION 1. That the income derived from all investments now in the internal improvement land fund or that may hereafter accrue to said fund from sales of land or otherwise, be and the same is hereby set aside and appropriated to the internal improvement, or road and bridge fund.

How used.

SEC. 2. The moneys hereby appropriated shall be used only for making public roads and building bridges on public roads within this state in such amounts and in the manner as the legislature of the state may direct.

Exceptions.

SEC. 3. Nothing in this act contained shall operate to affect or abrogate the right of any person to have his claim or claims adjusted and settled, as provided by chapters one (1) and seventy-one (71), general laws, extra session eighteen hundred and eighty-one (1881), or to revive any claim heretofore barred or extinguished by the provisions of any law of this state; but every valid claim shall, when approved, be paid as now provided by law.

Submitted to
people.

SEC. 4. This act shall be submitted to the electors of the state of Minnesota at the next general election to be held therein and shall take effect and be in force from and after its approval by a majority of the electors of the state voting at said election.