

Not to lease,
purchase or
control paral-
lel lines.

Provided, further, that no railroad corporation shall consolidate with, lease or purchase, or in any way become owner of or control any other railroad corporation, or any stock, franchises, rights or property thereof, which owns or controls a parallel or competing railroad to and with the railroad owned or controlled or operated by such leasing or purchasing railroad corporation; and the question whether any of such railroads are parallel or competing lines shall, when demanded by the party complaining, be decided by jury as in other civil actions.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 15, 1899.

S. F. No. 231.

CHAPTER 230.

Insane hos-
pitals; at
Anoka and
Hastings.

An act to locate the first state asylum for the insane at Anoka, and to acquire a site and locate the second state asylum for the insane at Hastings, and to appropriate money therefor.

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

First asylum
at Anoka;
description of
location.

SECTION 1. That the first state asylum for the insane shall be located at the city of Anoka, in said state, and shall be known as the first state asylum for the insane, and the said asylum is hereby located upon the following described lands in the county of Anoka and State of Minnesota, to-wit: Government lots two (2), three (3) and four (4), and the southeast quarter (S. E. $\frac{1}{4}$) of the southwest quarter (S. W. $\frac{1}{4}$), and the northwest quarter (N. W. $\frac{1}{4}$) of the northwest quarter (N. W. $\frac{1}{4}$) and east half (E. $\frac{1}{2}$) of the northwest quarter (N. W. $\frac{1}{4}$) of section thirty-one (31), the southwest quarter (S. W. $\frac{1}{4}$) of section thirty (30), and the southwest quarter (S. W. $\frac{1}{4}$) of the northwest quarter (N. W. $\frac{1}{4}$) of section thirty (30), all in township thirty-two (32) of range twenty-four (24) west; also government lot one (1), in section thirty-six (36), and government lots one (1) and two (2) in section twenty-five (25), all in township thirty-two (32), range twenty-five (25) west, containing six hundred and fifty-two and sixty one-hundredths (652 $\frac{60}{100}$) acres of land, excepting and reserving therefrom, however, four acres of land described as follows, to-wit: Commencing at the northeast corner of the southwest quarter (S. W. $\frac{1}{4}$) of section thirty-one (31) aforesaid, thence running west on the

north line of said southwest quarter (S. W. $\frac{1}{4}$) twenty-four and one-third (24 $\frac{1}{3}$) rods, thence at right angles south twenty-six and one-third (26 $\frac{1}{3}$) rods, thence east to the east line of section thirty-one (31), thence north on said east line to the point of beginning, containing four (4) acres of land more or less. Also excepting and reserving all rights of flowage belonging to and appertaining to the dam across the Rum river at Anoka, Minnesota.

SEC. 2. That the second state asylum for the insane shall be located at the city of Hastings, in said State of Minnesota, and shall be known as the second state asylum for the insane, and the said asylum is hereby located upon the following described lands in the county of Dakota and State of Minnesota, to-wit: Thirteen (13) acres in the southeast corner of the northwest quarter (N. W. $\frac{1}{4}$) of section thirty-four (34), being all that part of said quarter section lying south of the Vermillion river, and east of the Hastings & Dakota railroad; one hundred and fifty (150) acres in the northeast quarter (N. E. $\frac{1}{4}$) of said section thirty-four (34), being all that portion of said quarter section lying south of the Vermillion river; the west half (W. $\frac{1}{2}$) of the northwest quarter (N. W. $\frac{1}{4}$) of section thirty-five (35); the west half (W. $\frac{1}{2}$) of the southwest quarter (S. W. $\frac{1}{4}$) of said section thirty-five (35), and the southeast quarter (S. E. $\frac{1}{4}$) of section thirty-four (34), all in township one hundred and fifteen (115) north, range seventeen (17) west, according to the government survey thereof; also the following described property in said county of Dakota and State of Minnesota, to-wit: The northwest quarter (N. W. $\frac{1}{4}$) of section two (2) in township one hundred and fourteen (114) north, range seventeen (17) west, according to the said government survey; the above described premises lying and being in the county of Dakota and State of Minnesota, containing six hundred and forty-three (643) acres of land.

SEC. 3. There is hereby appropriated from the funds in the state treasury, not otherwise appropriated, the sum of fifteen thousand (15,000) dollars for the purpose of purchasing the said site and lands for the said second state asylum at Hastings and to pay for the same.

SEC. 4. As soon as practicable after the passage of this act the attorney general shall examine or cause to be examined duly certified abstracts of title of the property hereinabove described as a site for said second state asylum, and shall examine the deeds of conveyance of such property to the State of Minnesota, such deeds and abstracts of title to be forthwith furnished said attorney general by said city of Hastings for his examination and

Second asylum
at Hastings;
description of
location.

\$15,000 ap-
propriated for
site at
Hastings.

Attorney
general to ex-
amine titles
and deeds.

inspection. If the title to said premises shall be ascertained by said attorney general to be good and marketable in the person or persons proposing to convey the same to the said State of Minnesota, and the form of said deeds of conveyance shall be approved by said attorney general and shall be by him certified to be properly executed, he shall so certify in writing to the state auditor and shall at the same time deposit said deeds of conveyance with said auditor. Upon filing such certificate of said attorney general and upon the receipt of such deeds of conveyance the said state auditor shall thereupon execute and deliver unto the said city of Hastings his warrant upon the said state treasurer for the said sum of fifteen thousand (15,000) dollars, and the said state treasurer shall, out of the moneys from which such appropriation is herein made, pay the same; upon the payment of said warrant said auditor shall deposit said deeds with the state treasurer.

Attorney general to certify title to state auditor; payment, how made.

Board of trustees to erect 2 cottages on each site.

Board of trustees to send patients to.

Cost of cottages not to exceed \$500 per patient.

To be under management of board of trustees.

Powers of boards of trustees; manner of procedure.

SEC. 5. The board of trustees for the state hospitals for the insane shall, as soon as practicable, erect at least two cottages and other necessary buildings for said asylums on each of said sites and have such buildings ready for the reception and care of insane patients. Said asylums shall consist of cottages not to exceed two (2) stories in height, to be built in such manner and of such size, material, capacity and construction as the board of trustees for state hospitals for the insane may direct. Said board of trustees shall designate the number and classes of patients who shall be received into and cared for in said asylums. *Provided*, that the number of patients to be transferred from the present state hospitals for the insane to said asylums shall not be less than four hundred (400). *Provided*, that the cost of construction and equipment of the cottages shall not exceed five hundred (500) dollars per patient, based upon the capacity of said cottages.

SEC. 6. The said asylums for the insane shall be subject to the management and control of the board of trustees for the state hospitals for the insane, who shall appoint such officers and employes for said asylums as in their judgment are necessary for the proper government, management and welfare thereof. Said board of trustees shall prescribe rules for the supervision and government of said asylums and the officers and employes thereof.

SEC. 7. The said board of trustees are hereby authorized, empowered and directed in the name of and on behalf of the state to enter upon, purchase, take and ac-

quire any lands and premises, public or private, that may be necessary, convenient and proper for the purpose of drainage or sewerage, or any other purpose necessary to the proper construction and sanitation of the said state asylums; and in case the owner of any lands or grounds and the said board of trustees cannot agree as to the value of the premises taken or to be taken for any such use, the value thereof shall be determined by the appraisal of three (3) reputable freeholders, not directly or indirectly interested in the premises to be taken, said freeholders to be appointed on application of the said board of trustees by the judge of the district court of any judicial district of this state, according to the provisions of title one (1) of chapter thirty-four (34) of the General Statutes of eighteen hundred and seventy-eight (1878), so far as reasonably applicable, which said law shall apply to and govern proceedings under this act.

SEC. 8. The sum of one hundred and twenty-five thousand (125,000) dollars or so much thereof as may be necessary is hereby appropriated for the purpose of erecting and equipping the buildings herein provided for, and for providing the necessary stock and implements for the use of the institutions.

\$125,000 appropriated for buildings, etc.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 15, 1899.

CHAPTER 231.

S. F. No. 632.

An act to amend the military code by reducing the regimental staff, prescribing the organization of companies, providing for detail of engineers, regulating the issue of warrants and discharges, the apportionment and use of allowances, and the control and disposition of military property, fixing the maximum term of armory leases, and providing for the disposition, when returned, of military property and funds temporarily transferred or diverted in raising and equipping the volunteers.

Military code.

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

SECTION 1. That section 14 of said military code be and the same is hereby amended by adding thereto the following provision:

Sec. 14 amended.