

sus, is hereby authorized and empowered to establish and maintain a public bath house and grounds and park in connection therewith and for that purpose to acquire by grant, gift, purchase, lease or otherwise, lands within or without the corporate limits of such city, including land on any island in any navigable river lying in close proximity to such city in this or adjoining state, and appropriate money therefor and for the maintenance thereof, whenever the common council of such city by a majority vote thereof, deems the same necessary or advisable."

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

Approved March 24, 1911.

CHAPTER 54—S. F. No. 305.

An Act authorizing the consolidating of public drainage ditch proceedings in certain cases.

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

Consolidation of public drainage ditch proceedings authorized—Procedure.—Section 1. Upon the presentation to a judge of the district court of the county in which are pending one or more of the ditch proceedings to be affected, a verified petition, signed by at least five persons whose lands will be affected, accompanied by a good and sufficient bond conditioned for the payment of all expenses in case such petition be denied, representing that there are pending two or more proceedings for the establishment of public drainage ditches under the general laws of this state; that if the several ditches petitioned for in said proceedings be constructed, one common outlet will be sufficient; that the cost of constructing such outlet should be borne by all of the lands to be benefited; and that in order to equitably apportion the cost of the construction of such outlet to all of the lands to be benefited it is necessary that such proceedings be merged and consolidated; and asking that an order be made merging and consolidating the same, the judge shall make an order fixing the time and place for the hearing upon such petition, and ordering that all proceedings then pending in any or all of such ditch proceedings be stayed until the hearing and determination of such petition, which petition, bond and order shall be filed in the office of the clerk of the district court of such county, and which petition and order shall be served upon all persons and parties interested in such ditch proceedings by publication thereof once in each week for three successive weeks prior to the date of such hearing in a legal newspaper in each county in which said proposed ditches or any part thereof are situated, and if any of said proposed ditches are pending before the county

board of any county, such petition and order shall be served on the county auditor and clerk of the district court of such county.

Judge to hear testimony—Modifications.—Sec. 2. Upon such hearing the judge shall proceed to hear all testimony offered in relation to said matter, and if it be made to appear that the allegations of such petition are true, and that the same should be granted, he shall make an order granting said petition and merging and consolidating all of said ditch proceedings, and giving to said ditch proceeding, as consolidated, a title and number by which it shall in all subsequent proceedings be designated, and appointing a competent engineer to make such additional surveys, and such changes and modifications of the surveys, reports, plans and estimates theretofore made, as may be necessary, and fixing the time within which such modified and amended report of the engineer shall be filed in the office of the clerk of the district court of said county.

Judge to appoint viewers.—Sec. 3. Upon the filing of such modified and amended report of the engineer, the judge shall appoint three viewers to assess the benefits and damages in said proceeding in accordance with the provisions of the drainage laws of this state, and thereafter said proceeding shall be continued and carried to final determination under the general drainage laws of this state as though originally commenced as one proceeding before said judge.

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

Approved March 24, 1911.

CHAPTER 55—H. F. No. 359.

An Act to amend Chapter three hundred and forty-six (346), General Laws of 1909, being an act to designate certain trout streams in this state, and to prohibit any fishing therein except during such times as is allowed by law for the fishing of trout.

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

Catching of brook trout prohibited between the hours of 9 p. m. and 4 a. m.—Section 1. That section three (3) of chapter three hundred forty-six (346) of the General Laws of 1909 be and the same is hereby amended so as to read as follows:

“Section 3. From and after ten (10) days from the filing of such affidavit or affidavits and the depositing of such trout fry as aforesaid, of which facts a duly certified copy of such affidavit, with copy of certificate of filing thereon duly certified by the officer in whose office such affidavit is filed, shall be prima