

of deeds in the county where said cemetery is located, have all the powers and perform all of the duties and be subject to the same rights and liabilities as that provided by the general laws of the state of Minnesota pertaining to cemetery associations, and amendments thereof.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 25, 1913.

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#### CHAPTER 527—H. F. No. 1083.

*An Act to provide for the erection of and the acquiring of a site for a building for the use of the Minnesota historical society and the supreme court and the state library of the state of Minnesota and for purposes connected with the said society, court and library.*

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

**Section 1. Building for historical society, supreme court and library.**—The state board of control is hereby authorized, empowered and directed to acquire by gift, purchase or condemnation such lands as may be necessary and appropriate for a site for a building, and to erect thereon a fireproof building for and adapted to the use of the Minnesota historical society and of the supreme court of Minnesota and the state library. The selection of the site for such building shall be approved by said society.

**Sec. 2. Where located.**—The said building shall be located near the present capitol building and if practicable, so connected therewith by a suitable tunnel or tunnels, or protected passages for pedestrians and for the transmission of books and other commodities from one building to the other.

**Sec. 3. Right of condemnation given.**—Said board of control is hereby authorized and empowered for the purpose of carrying this act into effect, and in the name and on behalf of the state, to select, enter upon, purchase, acquire or cause to be condemned any lands or premises, public or private, that may be necessary, convenient or proper for such site or any part thereof; and in case the owner or owners of such lands and the said board cannot agree as to the value thereof, then the attorney general upon application of said board, shall institute for and in behalf of the state, proceedings in condemnation as provided by law for condemning and acquiring such property for the use of the state, for state institutions or other purposes.

**Sec. 4. Society members and justices to approve plans.**—The said board of control shall plan and construct said building,

as far as practicable, according to such plans therefor as may be proposed by said historical society. The arrangement of that part of the building set apart for the use of the supreme court and state library shall be left to the judges of said court, and said judges may select an expert to advise them in said matter. Said historical society may select and employ an architect to prepare plans and specifications for such building and supervise the erection thereof; provided, the fees of such architect shall not exceed the fees for which a competent architect could be obtained by said board and such fees and the architect shall be approved by said board of control, and said board shall be the ultimate authority in all matters connected with the erection of said building.

**Sec. 5. \$500,000 appropriated—certificates authorized.**—For the purposes aforesaid, there is hereby appropriated the sum of five hundred thousand (\$500,000) dollars out of any moneys in the state treasury not otherwise appropriated, payable as follows: for the fiscal year ending July 31, 1914, one hundred fifty thousand (\$150,000) dollars; for the fiscal year ending July 31, 1915, one hundred seventy-five thousand (\$175,000) dollars; for the year ending July 31, 1916, one hundred seventy-five thousand (\$175,000) dollars. The state is to be reimbursed for the expenditures of these amounts by the sale of certificates of indebtedness, as hereinafter provided: the sum of five hundred thousand (\$500,000) dollars and as much more as is needed, to pay the interest thereon is hereby levied and required to be levied and collected under the direction of the state auditor as other state taxes are levied and collected upon the taxable property of the state of Minnesota, and the state auditor is hereby authorized and required to formally levy and enter and collect said tax as follows: each year until 1920, such a tax as will produce a net amount large enough to pay the interest on certificates of indebtedness as hereinafter provided; each year from 1920 until all certificates are paid in full, with interest, such a tax shall be levied and collected as will produce a net amount sufficient to pay fifty thousand (\$50,000) dollars a year and all interest on the unpaid and then outstanding certificates. The amounts received from said levies are hereby set apart for the payment of said certificates of indebtedness thereon.

**Sec. 6. How certificates are to be issued, and when paid.**—The said board of control is hereby further authorized and empowered and required as funds may be needed for the purposes aforesaid, or for the reimbursement of the state for moneys expended for said site or building, to issue certificates of indebtedness to be known and designated as "Minnesota historical

society building certificates," in the amount hereby appropriated for the construction of such building, to bear interest at a rate not greater than four and one-half (4½) per cent per annum, payable annually. The said certificates shall be in the usual form of state certificates of indebtedness and fifty thousand (\$50,000) dollars of said certificates shall be payable each year beginning with the year 1921 and ending with the year 1930; provided the right of first purchase of such certificates is reserved to the state and afterwards such as are not taken by the state shall be offered by the board for sale to the general public in such manner as the board shall direct. All sales shall be for par and accrued interest. Issues of the certificates shall be of the amount needed to raise the moneys hereinbefore appropriated and as of the first day of the fiscal year during which such appropriations respectively are available.

**Sec. 7. To harmonize with capitol building, except Minnesota stone is to be used.**—All materials contracted for in the construction of such building shall be of the best quality and the said building shall be made to harmonize, as far as practicable, with the present capitol building. No stone shall be used in the construction of said building except Minnesota stone and only Minnesota labor (including architect) shall be employed; provided, however, that if in the judgment of the state board of control there exists a combination among the producers, manufacturers or owners of Minnesota stone to unduly advance the price thereof, then such board of control may exercise its discretion in the construction of said building of material other than Minnesota stone, and the plans and specifications of the work and the execution thereof shall be by skilled and reputable architects, contractors, artists, mechanics and laborers.

**Sec. 8. Donation from historical society accepted.**—Whereas: The Minnesota historical society has offered to donate to the state the sum of seventy-five thousand (\$75,000) dollars, or so much thereof as may be needed in securing a proper site for said proposed building and for the further purpose of equipping and furnishing that portion of said proposed building to be used by it and in installing therein its museum, its library and other departments and exhibits:

Said donation is hereby accepted and agreed to be used for the purpose for which it is donated.

Said society is directed to pay the amount of said donation into the treasury of the state as soon as practicable after the amount to be paid for such site shall be ascertained and determined and before the construction of said building is begun. Said amount to be paid either in cash or in bonds or other interest

bearing securities acceptable to and approved by the state treasurer, and the same, or so much thereof as is needed, is hereby appropriated to the board of control to be used solely in securing a proper site for said proposed building and for the further purpose of equipping and furnishing that portion of said building to be used by said Minnesota historical society and in installing therein its library, its museum, and other departments and exhibits, and said donation shall be in addition to the moneys hereinbefore appropriated.

Any future donations to the state for the same purpose are hereby directed to be received and are as and of the date of the reception of the same appropriated for the purpose for which the same are donated respectively.

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

Approved April 25, 1913.

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#### CHAPTER 528—H. F. No. 1101.

*An Act providing for re-assessment of benefits and damages in drainage proceedings in certain cases.*

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

Section 1. **Reassessment of benefits and damages in drainage proceedings.**—That whenever any public ditch or drain has been established under the provisions of Chapter 230 of the General Laws of Minnesota for 1905, or act amendatory thereof or supplementary thereto, which ditch or drain has drained, or purported to drain, any meandered lake in this state, and where viewers have assessed benefits or damages to abutting land owners on the basis of the acreage of land to be added to the abutting land of such owner as a result of said drainage and where, thereafter, by judgment of any court of competent jurisdiction, it shall appear or shall have appeared that any such abutting land owner is entitled to, or such land owner is awarded more or less land of such lake bed than was taken, awarded or considered by the viewers as the basis of assessing benefits and damages to such abutting land, then, and in that event, any abutting land owner, or any other person interested in or injured or aggrieved by such action of such viewers may apply to the county board, in case of a county ditch, or to the judge of the district court of the proper county in case of a judicial ditch, for a re-examination and re-assessment of benefits and damages of any or all lands abutting on said lake and affected as above provided, such application to be in writing, signed by the said party making the same, and shall