

companies or farmers' mutual fire insurance companies now doing business in this state may organize a mutual association for the purpose of insuring its members against losses occurring within any one calendar year exceeding *one quarter of one per cent* of the total amount of insurance in force. Any township mutual fire insurance company or farmers' mutual fire insurance company now or hereafter organized is eligible for membership in such association."

Sec. 2. Members may withdraw.—That section 3 of chapter 55, Special Session Laws Minnesota 1919, be and the same hereby is amended so as to read as follows:

"Sec. 3. Any member of such association may withdraw from membership upon giving ninety (90) days' notice of its intention so to do when such withdrawal has been authorized by a majority vote of its members *present and voting* at a regular meeting or a special meeting called for that purpose. Such withdrawal shall not in any way affect its liability to contribute for any losses or expenses which may have been incurred prior to the time of withdrawal."

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 20, 1921.

CHAPTER 400—H. F. No. 1140.

An act relating to the University of Minnesota providing for the erection and equipment of buildings in accordance with a comprehensive building plan, and as incidental thereto granting authority to contract for the removal of the railroad tracks of the Northern Pacific Railway Company now laid and operated through the campus, and to convey a railroad right of way through another part of the campus as part consideration for such removal, and to acquire certain lands by purchase, exchange or condemnation, and authorizing the levy of taxes to provide funds therefor and the issuance of certificates of indebtedness for such purposes, and the payment thereof from the proceeds of the tax levies, and repealing Chapter 289 Laws 1919 relating to the same subject.

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

Section 1. Annual tax levy for eight years.—For the purpose of providing the necessary funds for the erection and equipment of buildings in accordance with a comprehensive building plan for the University of Minnesota, and as necessarily incidental thereto to acquire land, and remove the tracks of the Northern Pacific Railway Company now constructed and operated across the campus of the University, there is hereby levied on the taxable property of the State for the year 1921

and each succeeding seven years a tax sufficient to produce Five Hundred Sixty Thousand Dollars for each of said years together with a sufficient sum each year to pay the interest accruing on certificates of indebtedness to the amount of One Hundred Ninety Thousand Dollars issued as hereinafter provided out of the sum of Five Hundred Sixty Thousand Dollars payable in 1928 and interest on the sum of Five Hundred Sixty Thousand Dollars payable in 1929. The interest on all other certificates of indebtedness issued under this act shall be paid out of the principal sums for which the annual tax is levied as aforesaid. The State Auditor is hereby directed to levy and collect such a tax each year for the purposes mentioned with and as other taxes for State purposes are levied and collected. The proceeds of such taxes shall be credited to a fund to be known as the "University Building Fund" and the moneys which shall from time to time be paid into said fund are hereby appropriated to the University of Minnesota for the purposes set forth in this act.

Sec. 2. Buildings to be erected by board of control—Regents to anticipate tax collections.—The buildings to be erected shall be constructed under the supervision of the board of control, as provided in section 3066, General Statutes of Minnesota 1913. The Board of control shall cause to be prepared such plans and specifications as the board of regents may request and shall award contracts for buildings as so requested within a safe margin of the anticipated funds; provided, that no contract shall be entered into until there is full assurance that the funds will be available to meet current payments.

The board of regents of the University of Minnesota is hereby authorized in its discretion to anticipate the collecting of the taxes heretofore levied under Chapter 289, Laws 1919, or hereafter levied or to be levied pursuant to the provisions of this act and to issue and dispose of, on such terms and conditions as may be determined by it, certificates of indebtedness of the University of Minnesota; but not more than Five Hundred Sixty Thousand Dollars of the certificates so issued shall mature in any one year. The proceeds of the sale of such certificates shall be paid into the state treasury to the credit of the "University Building Fund" and used for the purpose in this act specified. The principal and interest of any certificates so issued shall be paid from the "University Building Fund" when the taxes for the year for which such certificates were respectively issued are collected and credited to said fund.

Sec. 3. Levies ratified and confirmed.—The levies of taxes heretofore made in the years 1919 and 1920 pursuant to the provisions of Chapter 289, Laws 1919, are hereby in all respects ratified and confirmed, and all sums of money heretofore or

hereafter collected and credited to the "University Building Fund" created by said Chapter 289, are hereby made a part of the "University Building Fund" created by this act, and are hereby appropriated to the University of Minnesota for the purposes specified in this act.

Sec 4. Regents may acquire right of way of railroads.—The board of regents of the University of Minnesota is hereby empowered to acquire in the name of the University of Minnesota, and for its purposes, by purchase, or exchange, all the right, title, interest and estate of the Northern Pacific Railway Company, its mortgages, lessees, in the right-of-way of the Northern Pacific Railway Company in the City of Minneapolis, in the County of Hennepin and State of Minnesota, between Oak Street and the Mississippi River, including the south half (s. ½) of Arlington Street, which lands and right-of-way are particularly described as follows, to-wit:—

"That tract of land bounded on the north by the center line of Arlington Street, on the east by Oak Street, on the south by the south line of Lot Four in Block Nine, and on the south line of Lots Four and Seven in each of Blocks Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen and Sixteen of St. Anthony City; all according to the plat of St. Anthony City, on file and of record in the office of the Register of Deeds of Hennepin County, Minnesota."

The board of regents is also empowered to acquire in the name of the University of Minnesota, and for its purposes, by purchase, exchange or condemnation, any and all rights, claims, titles, estates and easements of whatever nature or character, of persons or corporations, public or private, other than the Northern Pacific Railway Company, its mortgages and lessees, including among others any contingent rights, titles, estates or interests, and possibilities of reverter, in and to the lands aforesaid, and also the following lands in addition, to wit:

"Lots Nine and Ten in Block Two, Lots Three and Eight, and the easterly half (E½) of Lots One and Two in Block Fourteen, and Lots Eight, Nine and Ten in Block Fifteen of St. Anthony City."

and every such right, title estate and interest, including contingent and reversionary rights, titles, estates and interests, and possibilities of reverter, may be conveyed by deed or quit claim to the University of Minnesota.

Sec. 5. May exchange properties.—For the purpose of such acquisition, and as part of the consideration, the board of regents is authorized to convey to the Northern Pacific Railway Company a right-of-way for railway purposes through the campus

of the University, from University Avenue to the Mississippi River, adjoining and adjacent to the present right-of-way of the Great Northern Railway Company, where the latter right-of-way is now located westerly of University Avenue, from a point in University Avenue between Thirteenth Avenue Southeast and Fourteenth Avenue Southeast in the City of Minneapolis.

Sec. 6. May acquire other properties.—The board of regents may acquire separately before or after the acquisition of the title of the Northern Pacific Railway Company, its lessees and mortgagees, any and all rights, claims, titles, estates, interests and easements, of whatever nature or character of either persons or corporations, public or private, including among others, any contingent rights, titles, estates or interests, and possibilities of reverter, in and to every portion of the lands described in Section four (4), and every such right, title, estate, interest and easement, including contingent and reversionary rights, titles, estates and interests, and possibilities of reverter, may be conveyed by deed or quit claim to the University of Minnesota.

Sec. 7. Not to affect title to other property.—This act shall not be construed to the prejudice or impairment of any right, titles, estate or interest in any portion of said lands already acquired, owned or possessed by the University of Minnesota.

Sec. 8. May condemn property—Awards—Judgments.—Proceedings for the condemnation of such lands, or any right, titles, estate, easement or interest therein, may be taken under Chapter 41, General Statutes 1913, and acts amendatory thereof and supplementary thereto. Upon the completion of such condemnation, every right, titles, estate and interest and easement of whatever character, whether actual, vested or contingent or reversionary, or possible, shall vest absolutely and in fee simple in the University of Minnesota, unqualified in any way whatsoever. "All persons unknown having or claiming any title or interest" may be joined by that designation and shall be bound by the judgment.

All awards and judgments in such condemnation proceedings, unless set aside by the court, shall be a charge upon the state.

Possession may be taken of any tract at any stage of the proceedings, and the court may issue a writ or writs to put the University of Minnesota in possession thereof. Failure to pay the awards within the time specified in said Chapter 41 shall not defeat the proceedings.

Sec. 9. May contract up to \$750,000 for property.—The board of regents may enter into a contract or contracts with the Northern Pacific Railway Company, its mortgagees and Lessees, for the purchase or exchange of said lands, at such price, and upon

such terms and conditions, as the board of regents may deem best; but the total liability incurred by any such contract or contracts, in addition to the right-of-way conveyed, shall not exceed the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00).

Sec. 10. **Laws repealed.**—Chapter 289, Laws 1919, is hereby repealed subject to the reservations made in Sections 2 and 3 of this act.

Sec. 11. This act shall take effect and be in force from and after its passage.

Approved April 20, 1921.

CHAPTER 401—H. F. No. 785.

An act to prevent lynching; to fix indemnity for the dependents of any person lynched, and to provide for the removal from office of the Sheriff and Deputy Sheriffs having charge of any person lynched.

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

Section 1. **Lynching defined.**—Lynching is the killing of a human being, by the act or procurement of a mob.

Sec. 2. **Damages may be recovered.**—Whenever any person shall be lynched, the county in which said lynching occurred shall be liable in damages to the dependents of the person lynched in a sum not exceeding seven thousand five hundred dollars to be recovered in a civil action.

Sec. 3. **Officers guilty of malfeasance in certain cases.**—Any Sheriff, Deputy Sheriff or other officer having the custody of any person whom it is sought by a mob to take from his custody who shall fail or neglect to use all lawful means to resist such taking, shall be deemed guilty of malfeasance and shall be removed from office by the Governor in the manner and upon the same procedure as is provided by law for the removal from office of County Officers guilty of malfeasance or nonfeasance in the performance of their official duties.

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

Approved April 20, 1921.

CHAPTER 402—H. F. No. 1132.

An act authorizing the county commissioners of a county to appropriate money for and to reimburse persons furnishing automobiles, dogs, telephonic and telegraphic services in a man hunt of the slayer of a sheriff or other public officer of the county.