

THE 79  
GENERAL STATUTES

OF THE  
STATE OF MINNESOTA

As Amended by Subsequent Legislation, with which are Incorporated  
All General Laws of the State in Force December 31, 1894

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AND A GENERAL INDEX BY THE EDITORIAL STAFF OF THE NATIONAL  
REPORTER SYSTEM

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COMPLETE IN TWO VOLUMES

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VOL. 1

CONTAINING THE CONSTITUTION OF THE UNITED STATES, THE ORDINANCE OF 1787,  
THE ORGANIC ACT, ACT AUTHORIZING A STATE GOVERNMENT, THE STATE  
CONSTITUTION, THE ACT OF ADMISSION INTO THE UNION, AND

Sections 1 to 4821 of the General Statutes

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# MINNESOTA STATUTES 1894

§§ 3902-3905

UNIVERSITY OF MINNESOTA.

[Ch. 37

## CHAPTER 37.

### [UNIVERSITY OF MINNESOTA.]

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#### [TITLE 1.]

#### [THE UNIVERSITY.]

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### § 3902. Object of the university.

The object of the university of Minnesota, established by the constitution, at or near the Falls of Saint Anthony, shall be to provide the means of acquiring a thorough knowledge of the various branches of literature, science and the arts, and such branches of learning as are related to agriculture and the mechanic arts, including military tactics, and other scientific and classical studies.

(1868, c. 1, § 1; <sup>2</sup> G. S. 1878, c. 37, § 1.)

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### § 3903. Departments of the university.

There shall be established in the university of Minnesota, five or more colleges or departments, that is to say, a department of elementary instruction, a college of science, literature and the arts, a college of agriculture, including military tactics, a college of the mechanic arts, a college or department of law, and also a college or department of medicine. The department of elementary instruction may be dispensed with, at such rate and in such wise as may seem just and proper to the board of regents.

(1868, c. 1, § 2, as amended 1872, c. 10, § 1; G. S. 1878, c. 37, § 2.)

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### § 3904. Government—Board of regents.

The government of the university shall be vested in a board of twelve regents, of which the governor of the state, the state superintendent of public instruction, and the president of the university, shall be members ex officio, and the nine remaining members thereof shall be appointed by the governor by and with the advice and consent of the senate. Whenever a vacancy therein occurs for any cause the same shall be filled for the unexpired term in the same manner. After the expiration of the term of the members of the present board of regents, their successors shall be appointed in like manner and shall hold their office for the full term of six years from the first Wednesday of March succeeding their appointment, and until their successors are appointed and qualified. The president of the university shall be ex-officio the corresponding secretary of the board of regents.

(1868, c. 1, § 3, as amended 1872, c. 10, § 2; G. S. 1878, c. 37, § 3; 1889, c. 266, § 1.)

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### § 3905. Corporate name—Quorum.

The regents of the university shall constitute a body corporate under the name and style of "University of Minnesota;" and by that name may sue

<sup>1</sup>In G. S. 1866 this chapter was entitled "State Normal Schools." The provisions of the General Statutes on this subject are superseded by the school law of 1877 (see §§ 3833-3852); and the vacancy thus occasioned in this chapter is filled with the laws relating to the University, passed since 1866.

<sup>2</sup>An act to reorganize and provide for the government and regulation of the university of Minnesota, and to establish an agricultural college therein. Approved February 18, 1868 (Laws 1868, c. 1).

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and be sued, contract and be contracted with, make and use a common seal, and alter the same at pleasure. A majority of voting members shall constitute a quorum for the transaction of business, and a less number may adjourn from time to time.

(1868, c. 1, § 4, as amended 1872, c. 10, § 3; G. S. 1878, c. 37, § 4.)

**§ 3906. Officers of board—Bonds of president and treasurer.**

The board of regents shall elect from the members of the board, a president of the board. They shall also elect a recording secretary and a treasurer who may or may not be members of the board. All of said officers shall hold their respective offices during the pleasure of the board, and the president and treasurer each shall, before entering upon the duties of his office, execute a bond in the penal sum of fifty thousand dollars, with at least two sufficient sureties to the state of Minnesota, to be approved by the governor, conditioned for the faithful and honest performance of the duties of his office according to law, which bonds when so approved shall be filed in the office of the secretary of state.

(1868, c. 1, § 5, as amended 1872, c. 10, § 4; G. S. 1878, c. 37, § 5; 1881, Ex. S. c. 46, § 1; 1889, c. 266, § 2.)

**§ 3907. Regents—Powers and duties—Officers—Duties.**

The board of regents shall have power, and it shall be their duty, to enact by-laws for the government of the university of Minnesota in all its departments, to elect a president of the university, and, in their discretion, a vice-president, and the requisite number of professors, instructors, officers and employes, and to fix their salaries; also the term of office of each; and to determine the moral and educational qualifications of applicants for admission; and in the department of professors, instructors and other officers and assistants of the university, and in prescribing the studies and exercises thereof, and in all the management and government thereof, no partiality or preference shall be shown to one sect or religious denomination over another, nor shall anything sectarian be taught therein; and the board of regents shall have power to regulate the course of instruction, and prescribe the books and authorities to be used, and also to confer such degrees and grant such diplomas as are usual in universities, in their discretion. It shall be the duty of the recording secretary to record all the proceedings of the board, and carefully preserve all its books and papers, and, before entering upon the duties of his office, he shall take and subscribe an oath to perform his duties honestly and faithfully as such officer. It shall be the duty of the treasurer to keep an exact and faithful account of all moneys, bills receivable and evidences of indebtedness, and all securities and property, received or paid out by him, and, before entering upon his duties, he shall take and subscribe an oath that he will well and faithfully perform the duties of treasurer thereof. It shall be the duty of the president to preside at the meetings of the board; and in case of his inability to preside, the board may appoint a president pro tempore.

(1868, c. 1, § 6, as amended 1872, c. 10, § 5; G. S. 1878, c. 37, § 6.)

Laws 1872, c. 10, § 5, purports to amend Laws 1868, c. 1, § 5, but was evidently intended to amend section 6, and not section 5.

**§ 3908. Scandinavian language—Professorship.**

There is hereby established a professorship of Scandinavian language and literature in the State University, with the same salary as is paid in said university to other professors of the same grade.

(1883, c. 140, § 1; G. S. 1878, v. 2, c. 37, § 6a.)

**§ 3909. Same—Appointment.**

It shall be the duty of the board of regents of the State University, as soon as practicable after the passage of this act, to appoint to said professorship some person learned in the Scandinavian language and literature, and at the same time skilled [in] and capable of teaching the dead languages, so called.

(1883, c. 140, § 2; G. S. 1878, v. 2, c. 37, § 6b.)

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**§ 3910. Income of fund — Sales of agricultural-college lands.**

In addition to all the rights, immunities, franchises and endowments heretofore granted or conferred to or upon the university of Minnesota for the endowment, support and maintenance thereof, there shall be and is hereby inviolably appropriated and placed at the disposal of the board of regents thereof, to be drawn from the state treasury upon the order of the president, drawn upon the state auditor, countersigned by the secretary of the board, and payable to the order of the treasurer of the board, all the interest and income of the fund to be derived from the sales of all the lauds granted and to be granted to the state of Minnesota, by virtue of an act of congress, entitled, "An act donating lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2d, A. D. 1862; and also all such gifts, grants and contributions to the endowment thereof as may be derived from any and all sources.

(1868, c. 1, § 7; G. S. 1878, c. 37, § 7.)

**§ 3911. Annual and special meetings of regents.**

The first meeting of the board of regents, under the provisions of this act, shall be holden at the university building, on the first Wednesday of March, 1868, at which meeting the officers of the board shall be elected; and the annual meetings of the board shall be holden on the second Tuesday of December in each and every year thereafter. Special meetings of the board shall be called and holden at such times and in such manner as the board of regents shall determine.

(1868, c. 1, § 9; G. S. 1878, c. 37, § 8.)

**§ 3912. Privilege of endowing a professorship.**

Any person or persons contributing a sum of not less than fifteen thousand dollars shall have the privilege of endowing a professorship in the university, the name and object of which shall be designated by the board of regents.

(1868, c. 1, § 10; G. S. 1878, c. 37, § 9.)

**§ 3913. Regents to have control of books and property.**

The said board of regents shall succeed to and have the control of the books, records, buildings, and all other property of the university; and the present board of regents shall be dissolved immediately upon the organization of the board herein provided for: provided, that all contracts made and at that time binding upon the board then dissolved shall be assumed and discharged by their successors in office.

(1868, c. 1, § 11; G. S. 1878, c. 37, § 10.)

For act to provide the law library of the university with general and special laws and the reports of the decisions of the supreme court, see §§ 2280-2282.

As to the character of the corporation, the power of the regents to contract, give promissory notes, etc., and as to their power to sue and be sued, and the duty of persons dealing with them to take notice of their powers, see Regents of the University, etc., v. Hart, 7 Minn. 61, (Gil. 45.)

**§ 3914. To provide experimental farm.**

It shall be the duty of the board of regents herein provided for to make arrangements for securing suitable lands, pursuant to the act of congress above mentioned, in the vicinity of the university, for an experimental farm; and, as soon as may be thereafter, to make such improvements thereon as will render the same available for experimental purposes in connection with the course in the agricultural college; and for such purpose the board of regents is hereby authorized to expend a sum not exceeding the amount specified in the act of congress aforesaid.

(1868, c. 1, § 12; G. S. 1878, c. 37, § 11.)

Sale of farm authorized, Laws 1881, c. 101; proceeds to be invested in new farm, 1883, c. 13.

Purchase of farm near Lake Minnetonka for tree culture authorized, Laws 1878, c. 82. Sale of that farm authorized, Laws 1889, c. 265.

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## § 3915. Agricultural experiment station.

It shall be the duty of the board of regents of the University of Minnesota, as soon as practicable after the passage of this act, to establish at said university an agricultural experiment station for the purpose of promoting agriculture in its various branches by scientific investigation and experiment, which station shall be under the control and supervision of the said board of regents. (1885, c. 209; G. S. 1878, v. 2, c. 37, § 11c; as amended 1889, c. 264.)

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## § 3916. State assent to grants of money by United States.

That the state of Minnesota does hereby assent to the grants of money authorized by an act of the congress of the United States, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states," under the provisions of an act approved July second, one thousand eight hundred and sixty-two, and of the acts supplementary thereto.

(1889, c. 58, § 1.3)

## § 3917. Experimental tree station.

That an experimental station be, and hereby is, established on the state school farm at Owatonna, in this state, for the purpose of producing new and valuable varieties of fruit trees, thoroughly testing promising varieties we now have, and securing reliable reports in regard to fruit, forest, and ornamental trees best adapted to the state.

(1887, c. 160, § 1; G. S. 1878, v. 2, c. 37, § 11d.)

## § 3918. Same—Supervision—Superintendent.

That said station shall be under the general supervision of the board of regents of the State University, who shall, with the advice of the president and secretary of the State Horticultural Society, appoint a superintendent, who shall report to the board of regents as they may direct, and who shall report to the State Horticultural Society in person at each annual winter meeting thereof.

(1887, c. 160, § 2; G. S. 1878, v. 2, c. 37, § 11e.)

## § 3919. Same—Products.

That all products of said station shall be the exclusive property of the state, and all surplus shall be disposed of as the board of regents may direct.

(1887, c. 160, § 3; G. S. 1878, v. 2, c. 37, § 11f.)

## § 3920. Same—Appropriation.

That said board of regents is hereby authorized to set apart and appropriate from any fund at their disposal, for such purposes, such sum as they may deem advisable, not exceeding one thousand dollars per annum, for the total expenses of said station.

(1887, c. 160, § 4; G. S. 1878, v. 2, c. 37, § 11g.)

## § 3921. Annual report of board of regents.

On or before the second Tuesday of December in each and every year, the board of regents, through their president, shall make a report to the governor, showing in detail the progress and condition of the university during the previous university year—the wants of the institution in all its various departments—the nature, costs and results of all improvements, experiments and investigations—the number of professors and students—the amounts of money received and disbursed—and such other matter, including industrial and economical statistics, as they may deem important or useful. One copy of the said report shall be transmitted to each of the other colleges which shall

<sup>3</sup>An act to accept the grants of moneys authorized by an act of the congress of the United States entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July second, eighteen hundred and sixty-two," and of the acts supplementary thereto, approved March two, eighteen hundred and eighty-seven. Approved February, 1889.

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be endowed under the provisions of said act of the congress, and one copy to the secretary of the interior.

(1868, c. 1, § 13, as amended 1872, c. 10, § 6; G. S. 1878, c. 37, § 12.)

## § 3922. President—Powers and duties.

The president of the university shall be the president of the general faculty, and of the special faculties of the several departments or colleges, and the executive head of the institution in all its departments. As such officer, he shall have authority, subject to the board of regents, to [give] general direction to the practical affairs and scientific investigations of the university, and, in the recess of the board of regents, to remove any employe or subordinate officer not a member of the faculty, and supply, for the time being, any vacancies thus created. He shall perform the customary duties of a corresponding secretary, and may be charged with the duties of one of the professorships. He shall make to the superintendent of public instruction, on or before the second Tuesday in December in each and every year, a report, showing in detail the progress and condition of the university during the previous university year, the number of professors and students in the several departments, and such other matters relating to the proper educational work of the institution, as he shall deem useful. It shall also be the duty of the president of the university to make to the board of regents, on or before the second Tuesday in December in each and every year, a report, showing in detail the progress and condition of the university during the previous university year, the nature and results of all important experiments and investigations, and such other matters, including economical and industrial facts and statistics, as he shall deem useful.

(1868, c. 1, § 14, as amended 1872, c. 10, § 7; G. S. 1878, c. 37, § 13.)

## § 3923. Sale of liquor near university.

It shall be unlawful for any person to sell or dispose of any spirituous, vinous, or malt liquors within a distance of one mile of the main building of the University of Minnesota; as now located in the city of Minneapolis: provided, that the provisions of this section shall not apply to that part of the city of Minneapolis lying on the west side of the Mississippi river.

(1876, c. 80, § 1; G. S. 1878, c. 37, § 14; as amended 1883, c. 71, § 1.)

The terms "dispose of" are meant to include other forms of disposal than indicated by the preceding words in the section, though consistent with them as respects its intent and purpose. *State v. Deusting*, 33 Minn. 102, 103, 22 N. W. Rep. 442.

## § 3924. Same—Penalty.

Any person violating the provisions of the foregoing section, shall, upon conviction, be fined not less than fifty nor more than one hundred dollars for every such offence, or shall be imprisoned in the county jail of the county of Hennepin for a period of not less than two nor more than twelve months.

(1876, c. 80, § 1; G. S. 1878, c. 37, § 15.)

## § 3925. Standing appropriation.

There is hereby annually appropriated to the university of Minnesota, from any money in the state treasury not otherwise appropriated, belonging to the fund for the support of state institutions, the sum of thirty-one thousand dollars; nineteen thousand dollars thereof to be used to aid in the support of said university; and twelve thousand dollars to be applied to the reimbursement of the permanent university fund for moneys heretofore used for the support of said university, arising from the sales of stumpage on university lands. All moneys hereby appropriated shall be drawn upon orders of the board of regents of the university, and the state auditor is hereby authorized to draw warrants on the state treasury on the presentation of such orders.

(1874, c. 124, § 1; G. S. 1878, c. 37, § 16.)

## § 3926. Same—Additional appropriation.

That the sum of fifty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, in addition to the income of

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the permanent university fund,\* from the general revenue fund for the support of the State University for the fiscal year ending July thirty-one, one thousand eight hundred and eighty-eight, and annually thereafter.  
(1887, c. 247, § 1; G. S. 1878, v. 2, c. 37, § 16a.)

\* See 1879, c. 117, § 1.

§ 3927. Same.

From and after the expiration of the fiscal year ending July 31st, 1894, the annual appropriations for the support of the university made by chapter two hundred and forty-seven of the General Laws of one thousand eight hundred and eighty-seven, and by the seventeenth item of section one of chapter two hundred and eighty-seven of the General Laws of one thousand eight hundred and eighty-nine, shall cease and determine; provided, that whenever the amount in the fund for the maintenance of the University of Minnesota raised under the provisions of this act shall be over the sum of one hundred and twenty-five thousand dollars in any one year, the amount over said sum shall be passed to the revenue fund of the state.

(1893, c. 110, § 2.)

See § 3768.

[TITLE 2.]

[GEOLOGICAL AND NATURAL-HISTORY SURVEY.]

(1) THE SURVEY.

§ 3928. Geological and natural-history survey.

It shall be the duty of the board of regents of the university of Minnesota to cause to be begun, as soon as may be practicable, and to carry on, a thorough geological and natural-history survey of the state.

(1872, c. 30, § 1; G. S. 1878, c. 37, § 17.)

§ 3929. Geological survey.

The geological survey shall be carried on with a view to a complete account of the mineral kingdom as represented in the state, including the number, order, dip and magnitude of the several geological strata, their richness in ores, corals, clays, peats, salines and mineral waters, marls, cements, building stones, and other useful materials, the value of said substances for economical purposes, and their accessibility; also an accurate chemical analysis of the various rocks, soils, ores, clays, peats, marls, and other mineral substances, of which complete and exact records shall be made.

(1872, c. 30, § 2; G. S. 1878, c. 37, § 18.)

§ 3930. State geologist—Actual tests.

It shall be the duty of the state geologist to make practical and actual tests, by drilling or digging or other excavations in the earth, such as he shall deem best suited to accomplish the purpose of this bill, for the discovery of any of the hidden mineral resources of the state, such as iron, copper, silver, gold, coal, gas, coal oil, common salt, or any other valuable material that he may deem likely to exist in any of the rock strata of this state.

(1887, c. 226, § 1; G. S. 1878, v. 2, c. 37, § 25a.)

§ 3931. Same.

In determining the localities at which such testing and exploring shall be done, he shall be guided by such geological facts as he may possess or obtain, which may indicate the existence of any of the substances of which it is the purpose of this act to discover. He shall also be guided by the proportionate amount of money that the owner or owners of the land on which such explorations may be proposed shall contribute to pay the cost of such exploration.

(1887, c. 226, § 2; G. S. 1878, v. 2, c. 37, § 25b.)

\* An act to provide for a geological and natural history survey of the state, and entrust the same to the university of Minnesota. Approved March 1, 1872 (Laws 1872, c. 30).

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**§ 3932. Same—Report.**

It shall be the duty of the state geologist to report at once to the board of regents all discoveries either of economic or scientific interest to the state that may be made by such testing and exploration; such report shall be published by the board of regents in the same manner as now provided for the publication of the annual reports of the geological and natural history survey of the state, and shall be paid for out of the same funds: *provided*, that any important mineral discoveries or other scientific contributions to the geological and natural history survey that the said state geologist may deem necessary for immediate publication shall not be suppressed until the regular report of the board of regents, but shall be issued from time to time under the direction of said state geologist.

(1887, c. 226, § 3; G. S. 1878, v. 2, c. 37, § 25c.)

**§ 3933. Same—Appropriation—Favor to mining companies forbidden.**

That the sum of five thousand dollars for the year A. D. one thousand eight hundred and eighty-seven, and the sum of five thousand dollars for the year A. D. one thousand eight hundred and eighty-eight, is hereby appropriated out of any moneys not otherwise appropriated for the purpose of defraying the expenses of said test. The investigations provided for in this act shall not be conducted in the interest of any mining company or corporation.

(1887, c. 226, § 4; G. S. 1878, v. 2, c. 37, § 25d.)

**§ 3934. Natural-history survey.**

The natural-history survey shall include, first, an examination of the vegetable productions of the state, embracing all trees, shrubs, herbs and grasses, native or naturalized in the state; second, a complete and scientific account of the animal kingdom as properly represented in the state, including all mammalia, fishes, reptiles, birds and insects.

(1887, c. 226, § 3; G. S. 1878, v. 2, c. 37, § 19.)

**§ 3935. Order of survey and examination—Assistants.**

The said surveys and examinations shall be made in the manner and order following: First, the geological survey proper, together with the necessary and implied mineralogical investigations, all of which shall be undertaken so soon as may be practicable, and be carried forward with such expedition as may be consistent with economy and thoroughness; second, the botanical examinations; third, zoological investigations: provided, however, that whenever the said board of regents may find it most economical to prosecute different portions of the surveys in conjunction, or that the public interest demands it, they may, in their discretion, depart from the above-prescribed order. And in the employment of assistants in the said surveys, the said board of regents shall at all times give the preference to the students and graduates of the university of Minnesota, provided the same be well qualified for the duties.

(1872, c. 30, § 4; G. S. 1878, c. 37, § 20.)

**§ 3936. Meteorological statistics.**

The said board of regents shall also cause to be collected and tabulated such meteorological statistics as may be needed to account for the varieties of climate in the different parts of the state; also to cause to be ascertained, [by] barometrical observation or other appropriate means, the relation, elevations and depressions of the different parts of the state; and also, on or before the completion of the said surveys, to cause to be compiled, from such actual surveys and measurements as may be necessary, an accurate map of the state, which map, when approved by the governor, shall be the official map of the state.

(1872, c. 30, § 5; G. S. 1878, c. 37, § 21.)

**§ 3937. Specimens to be prepared—How disposed of.**

It shall be the duty of the said board of regents to cause proper specimens, skillfully prepared, secured and labelled, of all rocks, soils, ores, coals, fossils,



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cements, building stones, plants, woods, skins and skeletons of animals, birds, insects and fishes, and other mineral, vegetable and animal substances and organisms, discovered or examined in the course of said surveys, to be preserved for public inspection, free of cost, in the university of Minnesota, in rooms convenient of access and properly warmed, lighted, ventilated and furnished, and in charge of a proper scientific curator; and they shall also, whenever the same may be practicable, cause duplicates, in reasonable numbers and quantities, of the above-named specimens, to be collected and preserved for the purpose of exchanges with other state universities and scientific institutions, of which latter the Smithsonian Institute at Washington shall have the preference.

(1872, c. 30, § 6; G. S. 1878, c. 37, § 22.)

See § 3956.

§ 3938. **Geological map.**

The said board of regents shall cause a geological map of the state to be made, as soon as may be practicable, upon which, by colors and other appropriate means and devices, the various geological formations shall be represented.

(1872, c. 30, § 7; G. S. 1878, c. 37, § 23.)

§ 3939. **Reports—Commission for publication.**

The governor, the secretary of state, and the state geologist are hereby created a commission for the printing and the publication of the reports of the regents of the university on the geological and natural history survey of the state.

(1885, c. 228, § 1; G. S. 1878, v. 2, c. 37, § 24a.)

Provision for binding the remaining unbound portion of volume 1 of the geological and natural-history survey 1885, c. 229.

§ 3940. **Same—Supervision of printing.**

It shall be their duty to supervise the printing of the final reports of said survey, and the engraving of the accompanying maps and illustrations, in such style and manner as they shall determine and judge best calculated to exhibit to the people of the state the natural resources of the state as required by the law creating the geological and natural history survey.

(1885, c. 228, § 2; G. S. 1878, v. 2, c. 37, § 24b.)

§ 3941. **Same—Republication of reports.**

They shall cause to be republished in the same manner the third, fourth, and fifth reports of progress of said survey at as early a date as practicable, in an edition of two thousand copies.

(1885, c. 228, § 3; G. S. 1878, v. 2, c. 37, § 24c.)

§ 3942. **Same—Distribution—Sale—Proceeds.**

The volumes of the final report of said survey, as they may be prepared by the state geologist from time to time, shall be issued in an edition of five thousand copies each, and shall be distributed in the name of the board of regents of the university, under the direction of the state geologist, to scientific and educational institutions, and to individuals, as follows: To the library of each chartered college and scientific institution in Minnesota, three copies each; to each normal school, three copies; to the libraries of the institute for the deaf and mute, the insane asylums, the state prison, and every public library in the state not otherwise designated, one copy each; to each county auditor, for the use of the county, one copy; to each of the offices in the capitol, one copy; to each member of the board of regents, three copies; to the library of the state university, two hundred copies; to the Historical Society and to the Minnesota Academy of Sciences, ten copies each; to each newspaper published in the state, one copy; to each senator and representative of the present legislature,

\*An act relating to the publication of the report of the geological and natural-history survey of the state. Approved March 7, 1885.

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one copy; to the governor and lieutenant governor, each one copy; to each assistant on the survey, who has furnished manuscript or illustrations published in the report, three copies; to the general office of each railroad that has furnished aid to the survey, three copies; to the library of each high school furnishing students fitted for the freshman class of the state university, one copy; to the state library of each state in the Union, one copy; to each state university and each college of agriculture and mechanic arts, one copy; to geologists and naturalists of Minnesota, fifty copies; to the geologists and naturalists of other states, two hundred copies; to other colleges and scientific institutions in the United States, one hundred copies; to foreign institutions and scientists, one hundred copies; and to the state geologist, twenty-five copies. The remainder shall be deposited in the state university, and shall be sold at such prices as the board of regents may determine; and the proceeds of such sales shall be used by said regents for the purchase of apparatus and books for the survey, and, after its completion, for the departments of natural science at the state university.

(1885, c. 228, § 4; G. S. 1878, v. 2, c. 37, § 24d.)

**§ 3943. Same—Expense—Payment.**

The expense of printing, engraving, binding, and distribution of said reports shall be paid out of any moneys not otherwise appropriated in the state treasury, on warrants of the state auditor, approved by the governor and secretary of state.

(1885, c. 228, § 5; G. S. 1878, v. 2, c. 37, § 24e.)

**§ 3944. Same—Commissioners' compensation.**

The commissioners hereby appointed shall perform the duties herein designated without further compensation than the payment of the actual expenses incurred in the discharge thereof.

(1885, c. 228, § 6; G. S. 1878, v. 2, c. 37, § 24f.)

**§ 3945. Geological survey—Custody of published volumes.**

The secretary of the state historical society is hereby vested with the custody and control of the published volumes of the Minnesota geological survey; and he is hereby authorized to receipt for the same to the officers now having possession thereof; and it is made the duty of said secretary to distribute the volumes of said survey as follows:

First. He shall deliver one copy of the second volume of such survey to each member of the legislature of eighteen hundred and eighty-five, eighteen hundred and eighty-seven, who received the first volume of such survey.

Second. He shall deliver one copy of the first volume of said survey to each member of the legislature of eighteen hundred and eighty-nine.

Third. He shall deliver one copy of each volume of said survey to the president of the state university for the use of such university, and one copy of each volume to the principal of each normal school in the state, and distribute the balance of said volumes among the high schools in the state in the order in which they shall be called for.

(1889, c. 252, § 1.)

**§ 3946: Annual report—Memoirs and final reports.**

It shall be the duty of the said board of regents, through their president, to make, on or before the second Tuesday in December in each and every year, a report showing the progress of the said surveys, accompanied by such maps, drawings, and specifications as may be necessary and proper to exemplify the same, to the governor, who shall lay the same before the legislature; and the said board of regents, upon the completion of any separate portion of the said surveys, to cause to be prepared a memoir or final report, which shall embody in a convenient manner all useful and important information accumulated in the course of the investigation of the particular depart-

<sup>5</sup> An act to provide for the distribution of copies of the geological survey of the state of Minnesota. Approved April 24, 1889.

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ment or portion, which report or memoir shall likewise be communicated through the governor to the legislature.

(1872, c. 30, § 8; G. S. 1878, c. 37, § 24.)

### § 3947. Standing appropriation.

To carry out the provisions of this act, the sum of one thousand dollars per annum is hereby appropriated, to be drawn and expended by the [said] board of regents of the university of Minnesota.

(1872, c. 30, § 9; G. S. 1878, c. 37, § 25.)

See § 3955.

### (2) STATE SALT LANDS, ETC.<sup>7</sup>

### § 3948. Salt lands transferred to university.

The state lands known as "state salt-lands," donated by the general government to aid in the development of the brines in the state of Minnesota, shall be transferred to the custody and control of the board of regents of the university of Minnesota. By said board of regents these lands may be sold, in such manner, or in such amounts, consistent with the laws of the state of Minnesota, as they may see fit, the proceeds thereof being held in trust by them, and only disbursed in accordance with the law ordering a geological and natural-history survey of the state.

(1873, c. 133, § 1; G. S. 1878, c. 37, § 26.)

### § 3949. Indemnity lands—Transfer to university—Sale—Proceeds.

That the lands granted by congress to this state by an act entitled "An act granting lands to the state of Minnesota in lieu of certain lands heretofore granted to said state," approved March three, one thousand eight hundred and seventy-nine, be, and the same are hereby, transferred to the custody and control of the board of regents of the University of Minnesota, which lands the said board may sell in such amounts as they may deem most expedient and beneficial, the proceeds thereof being held in trust by them, and only disbursed in accordance with the law ordering a geological and natural history survey of the state; and the said board shall make report of their doings in the premises as provided by law.

(1885, c. 215; § G. S. 1878, v. 2, c. 37, § 26a.)

### § 3950. Same—Certain deeds confirmed.

All deeds of conveyance heretofore made by or in the name of the university of Minnesota or of the board of regents thereof, by or under the authority of the board under the seal of the corporation and the signature or attestation of one or more of the officers of the university or of the board of regents thereof, of "State Salt Lands," so called, or the indemnity lands granted by congress to the state of Minnesota in lieu of such portions thereof as had been otherwise disposed of by the United States to actual settlers, being the same lands, the control and power of sale, and disbursement of the proceeds of which were conferred upon the board of regents of the university of Minnesota, by two certain acts of the legislature of the state of Minnesota; the one entitled "an act to aid the geological and natural history survey of the state, and to amend chapter thirty-three of the general laws approved March

<sup>7</sup> An act to aid the geological and natural history survey of the state, and to amend chapter thirty-three of the General Laws, approved March first, eighteen hundred and seventy-two, authorizing such survey. Approved March 10, 1873.

<sup>8</sup> The preamble to the act is as follows: "Whereas, the state lands, known as 'State-Salt Lands,' were by an act approved March 10, 1873, c. 133, General Laws of 1873, transferred to the custody and control of the board of regents of the University of Minnesota, to be by said regents sold and the proceeds thereof held in trust by them and disbursed in accordance with the law ordering a geological and natural history survey of the state; and whereas, it was found that certain parcels of such state salt lands had been otherwise disposed of by the United States to actual settlers upon such lands, for which indemnity lands have since been granted to this state by act of congress approved March 3, 1879; therefore be it enacted," etc.

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first, eighteen hundred and seventy-two, authorizing such survey," approved March tenth, eighteen hundred and seventy-three, and the other entitled "an act to transfer to the custody and control of the board of regents of the university of Minnesota the lands granted by congress to the state by an act entitled 'an act granting lands to the state of Minnesota in lieu of certain lands heretofore granted to said state,' approved March third, one thousand eight hundred and seventy-nine; to authorize the said board to sell such lands and dispose of the proceeds of such sales," approved February twenty-four, one thousand eight hundred and eighty-five, or of any tract, piece or parcel of said lands, and hereby ratified and confirmed, and made effectual from the time of their delivery, to pass to and vest in the grantees therein respectively all the title to the lands therein described which the state of Minnesota, or the university of Minnesota, or the board of regents thereof, had at the time of the delivery thereof, as fully to all intents and purposes as the state has power to pass or transmit the title thereof, or empower it to be passed or transmitted or to confirm and ratify its conveyance and transmission in the manner aforesaid.

(1889, c. 267, § 1.9)

## § 3951. Same—Deeds to be executed, when.

The university of Minnesota is hereby authorized and empowered to execute, acknowledge and deliver in its corporate name, under its corporate seal, and the signatures or attestation of the president and secretary of the board of regents, deeds of conveyance for all the lands mentioned or referred to in the two several acts aforesaid, which have heretofore been or shall hereafter be sold under the authority of the board of regents, and all deeds of such lands so executed and delivered shall be effectual to pass to the grantees therein respectively all the title of the state of Minnesota or the university of Minnesota or the board of regents thereof in the lands therein described at the time of such execution and delivery thereof.

(Id. § 2.)

## § 3952. Two certain deeds confirmed.

That two certain deeds of conveyance heretofore executed by and in the name of the university of Minnesota and the board of regents of the university of Minnesota to the Minneapolis union railway company of grounds for railroad purposes made in the adjustment of the railroad right of way and grounds therefor through the campus of the university and the extension thereof, the one deed dated November twenty-fourth, one thousand and eight hundred and eighty-three, and recorded in the office of the register of deeds of the county of Hennepin in the state of Minnesota, on the twenty-eighth day of November, one thousand eight hundred and eighty-three, in book one hundred and forty of deeds at page two hundred and fifty-one, et seq., and the other dated November twenty-six, one thousand eight hundred and eighty-three, and recorded in the office of the register of deeds aforesaid on the said twenty-eighth day of November, one thousand and eight hundred and eighty-three, in book one hundred and forty of deeds at page two hundred and forty-eight et seq., are hereby ratified and confirmed, and made effectual to pass to and vest in the said railroad company, at and from the time of the delivery thereof all the title of the state of Minnesota, or the university of Minnesota, or the board of regents thereof in the lands described therein as fully to all intents and purposes as if the said conveyances had been made by express authority of law previously conferred.

(Id. § 3.)

## § 3953. Full investigation and report to be made.

It shall be the duty of the said board of regents, as soon as practicable, to cause a full and scientific investigation and report on the salt-springs of the state, with a view to the early development of such brine deposits as may exist within the state.

(1873, c. 133, § 2; G. S. 1878, c. 37, § 27.)

<sup>9</sup> An act confirming and making effectual certain deeds of conveyance of lands heretofore made in the name of the University of Minnesota, or the board of regents thereof, and authorizing the conveyance in the future of certain lands by and in the name of the University of Minnesota. Approved April 13, 1889.

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**§ 3954. Investigation of peat deposits.**

The board of regents of the university of Minnesota shall cause the immediate survey and investigation of the peat deposits of the state of Minnesota, accompanied by such tests and chemical examinations as may be necessary to show their economical value, and their usefulness for the purposes of common fuel, a full report thereon to be presented to the legislature as soon as practicable.

(1873, c. 133, § 3; G. S. 1878, c. 37, § 28.)

**§ 3955. Standing appropriation.**

The sum of two thousand dollars is hereby appropriated annually (in lieu of one thousand dollars) for the purposes of the geological and natural-history survey, until such time as the proceeds of the sales of the salt lands shall equal that amount, when such annual appropriation shall cease.

(1873, c. 133, § 4; G. S. 1878, c. 37, § 29.)

**§ 3956. Number of specimens required.**

It shall be the duty of the board of regents of the university of Minnesota to cause duplicate geological specimens to be collected, and to furnish to each of the three normal schools, suites of such specimens, after the university collection has become complete.

(1873, c. 133, § 6; G. S. 1878, c. 37, § 30.)

See § 3937.

**§ 3957. Final report of survey—Statement of sales of salt lands.**

When the geological and natural-history survey of the state shall have been completed, the final report on the same by the said board of regents shall give a full statement of the sales of the salt lands hereby given into the custody and control of the board of regents of the university of Minnesota, together with the amount of moneys received therefrom, and of the balance, if any, left in the hands of the said board of regents.

(1873, c. 133, § 7; G. S. 1878, c. 37, § 31.)

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