

upon the relator's attorney, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall stay proceedings upon the decision appealed from.

The planning commission shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return must concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and must be verified.

If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

Costs shall not be allowed against the commission, unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

All issues in any proceeding under this section shall have preference over all other civil actions and proceedings.

Sec. 13. This act shall take effect and be in force from and after its passage.

Approved March 20, 1933.

CHAPTER 94—S. F. No. 511

An act relating to the angling season for fish in the waters of the Lake of the Woods on the international border and the rivers tributary thereto.

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

Section 1. **Open season for fish in Lake of the Woods.**—The Commissioner of Conservation may open the season for taking fish by hook and line from the waters of Lake of the Woods on the international border, and the rivers tributary thereto, during all or any part of the Canadian open season upon such waters. This open season shall be in addition to the seasons now fixed by law.

Approved March 20, 1933.