

## CHAPTER XII.

*An Act to amend Chapter Sixty-two, of the Session Laws of 1862, entitled "An Act to establish a State Land Office, and for other purposes," approved March 10th, 1862.*

- SECTION 1.** Amendment to section 7. Minimum price of school lands.
- 2.** Amendment to section 9. Commissioners to deliver to purchasers certificate of sale—what to contain.
- 3.** Amendment to section 12. Governor shall cause patents to be issued—when.
- 4.** Amendment to section 22. Duty of Assessors—when County Auditors to make return to State Auditor.
- 5.** Amendment to section 45. Moneys received by County Treasurers to be held subject to order of State Treasurer.
- 6.** Amendment to section 46. Commissioners may, when deemed necessary, order an appraisal of lands—who to be appraisers.
- 7.** Amendment to section 53. Moneys received from the sale of lands to be paid into the State Treasury—may be invested in Minnesota or United States bonds.
- 8.** Amendment to section 55. When Commissioner may permit the cutting of pine timber upon school lands—proceeds from such sale to be a part of permanent School Fund.

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

**SECTION 1.** That Section 7 of Chapter 62 of the General Laws of 1862, entitled "an act to establish the State Land Office, and for other purposes," approved March 6th, 1862, be amended so as to read as follows:

**Sec. 7.** The minimum price of the School Lands shall be five dollars per acre, and all sales of said lands shall be within the county in which said lands are situated; *Provided*, That pine lands may be sold at such place as may be designated by the Commissioner of the State Land Office, but no lands shall be sold for less than the minimum price, nor less than the appraised value.

**SEC. 2.** That Section 9 of said act be amended so as to read as follows:

**Sec. 9.** At the time of the sale of any such lands, the Commissioner shall make out and deliver to the purchaser or purchasers thereof, a certificate, in which the said Commissioner shall certify the description of the lands sold, the quality thereof, and the price per acre, the consideration paid and to be paid therefor, and the

Minimum price of school lands

Commissioners to deliver to purchasers certificate of sale—what to contain

time and terms of payment. Such certificate shall be numbered and made assignable, but no certificate shall be delivered to the purchaser by the Commissioner until the sum of money required by this act to be paid at the time of the sale, shall be paid to the Treasurer of the county where said sale shall take place, and in case the purchaser shall fail to pay the amount so required to be paid at the time of said sale, it shall be lawful and valid for said Commissioner to again immediately offer said land for sale, but no bid shall be received from the person so failing to pay as aforesaid.

SEC. 3. That Section 12 of said act be amended so as to read as follows :

Sec. 12. The Governor of this State shall sign and cause to be issued under the seal of the State Land Office of this State, and attested by the Commissioner of said office, patents for said lands as described in the certificates of sale, whenever the same shall be presented to him, with the further certificate of the Commissioner endorsed thereon, that the whole amount of principal and interest specified therein, and all rents and taxes due on said land have been paid, and that the holder of the certificate is entitled to a patent of the lands described therein, and the Governor shall in like manner, sign and cause to be issued, patents of said land to any purchaser of the right, title, and interest of the original purchaser, his heirs or assigns, at an execution or mortgage sale, upon presentment to him of the certificate of the Commissioner, that the whole amount of principal interest, rents and taxes due thereon, has been paid according to law, and that said purchaser at execution or mortgage sale, is entitled to a patent for the land described in such certificate.

When Governor  
to cause patents  
to be issued

SEC. 4. That Section 22 of said act be amended so as to read as follows :

Sec. 22. It shall be the duty of the assessors in the several towns and cities of this State, at the time of making assessment for the year 1863, and for every year thereafter, to appraise all school lands in their several towns and cities, which are occupied and improved by any person or persons, and make a return of the number of acres improved, and all land which is fenced shall be deemed to be improved, and the assessors aforesaid shall enter upon the general assessment roll, the name of the person or persons occupying such school land, the num-

Duty of Assessors

ber of acres improved, a full description of the land, and the value of the same per acre; *Provided*, That no land for the purpose contemplated by this section, shall be assessed at less than two and 50-100 dollars per acre. And it shall be the duty of the County Auditors in the several counties of this State, to extend upon the several personal property tax rolls in their counties upon the assessed valuation of all school lands returned by the several assessors in their respective towns and cities, in accordance with this section, a tax of seven per centum upon such valuation as rents, which tax shall be collected in the same manner that the tax upon personal property is collected in the several counties of this State, and such tax shall be a lien upon all improvements upon such land, and may be collected of any person or persons occupying the same, in the same manner that any tax upon the personal property of such person or persons is collected by law, and the improvements of any person or persons upon any of the school land of this State, are hereby declared to be personal property, within the meaning of this act, and may be sold as such, for the tax assessed upon such land, in accordance with this act. It shall be the duty of the several County Auditors in this State, on or before the last day of December, annually, to make a return to the State Auditor, giving a description of all school land in their respective counties, upon which there are settlers, and the amount of tax assessed, as rents, by virtue of this act.

When County Auditor to make return to State Auditor

Sec. 5. That Section 45 of said act be amended so as to read as follows :

Sec. 45. All moneys received by the County Treasurer, under the provisions of this act, shall be held at all times subject to the order and direction of the State Treasurer, for the benefit of the funds to which such moneys respectively belong; and on the first day of August in each year, and at such other times as he may be requested so to do, by the said State Treasurer, each County Treasurer shall pay over to the said State Treasurer, all moneys he may have received on account of such fund, and the State Treasurer is hereby declared to be the Treasurer of the School Fund, and the present State Treasurer and his successors in office, shall give a bond, with two or more sureties, to be approved by the Governor, in the sum of one hundred thousand dollars, payable to the State of Minnesota, conditioned for the faithful discharge of his duties as Treasurer of the School

Money received by County Treasurer to be held subject to order of State Treasurer

Fund, which said bond shall be given at once by the present State Treasurer, and by his successors before entering upon the duties of their office. Said bonds shall be filed with the State Auditor.

SEC. 6. That Section 46 of said act be amended so as to read as follows :

Sec. 46. Whenever in the opinion of the Commissioner, it will be for the interest of the people of this State, that an appraisal of any of the School Lands mentioned in this act, or of the improvements upon the same should be made, it shall be his duty to appoint an appraiser in the county in which the lands to be appraised are situated, and to notify the County Commissioners of said county, to appoint two appraisers, and thereupon the said County Commissioners shall within ten days, appoint such appraisers, and said appraisers shall proceed to appraise such lands and the improvements thereon, if any, as the Commissioner may direct, and the valuation of such lands and improvements shall be separately made and stated in the appraisement, and the minimum price established by such appraisal shall be the minimum for such lands until changed by a subsequent appraisal; but no lands shall be sold for less than the minimum price established by this act; *Provided*, That not more than one hundred thousand acres of School lands shall be sold in any one year.

When Commissioner may order an appraisal of lands—who to be appraisers

SEC. 7. That Section 53 of said act be amended so as to read as follows :

Sec. 53. All moneys received from the sale of any of the lands mentioned in this act, or interest accruing from such sale, shall be paid into the State Treasury, and the purchase money so received, may be invested in Minnesota Bonds (Railroad Bonds always excepted), or in United States Bonds, bearing not less than six per cent. interest, and the Governor, Treasurer, and State Auditor are hereby constituted a Board of Commissioners, to invest said funds; and it shall be the duty of the State Treasurer to place to the credit of the respective funds, when received, the interest so accruing in said loan, and pay over the same as directed by law. The bonds purchased in accordance with this section shall not be transferrable, except upon the order of the Governor, and on such bonds shall be written "Minnesota School Fund Bond, transferrable only upon the order of the Governor."

Money to be paid into State Treasury—may be invested in Minnesota or United States bonds

SEC. 8. The following shall be added to said act as Section 55, and Section 55 of said act shall be Section 56 :

SEC. 55. The Commissioner of the State Land Office is hereby empowered whenever in his opinion, the best interest of the School Fund will be promoted thereby, to grant permits for the cutting of pine timber upon the pine School Lands of this State, under such restrictions and regulations as he may deem proper, or as may be prescribed by law, but no permit to cut pine timber under this act shall be granted, or such timber offered for sale, until a minimum price per thousand feet for such timber shall have been fixed by the Surveyor General of logs and lumber, for the district in which such pine land is situated, and approved by the Commissioner of the State Land Office, and no permit shall be granted for a less price than the minimum so established ; and it shall be the duty of the several Surveyor Generals of logs and lumber, in this State, when requested so to do by the said Commissioner, to fix a minimum price upon any pine timber in their several districts, and if to fix such price it shall be necessary to make a personal examination of such timber land, they shall be allowed the sum of two and 50-100 dollars per day, while so employed, to be paid by the State, and no such permit shall be granted to any person but at public auction, after the giving of a notice of such sale at least thirty days before such day of sale, in some newspaper published in the county where such sale is to be made, and if there be no newspaper published in such county, then in some paper having general circulation in such county, and also in the official paper of the State, published in St. Paul, and published for thirty days before such day of sale ; and all pine lumber, cut upon any School land of this State, by virtue of this act, shall be and remain the property of the State until all money due the State, under permits for cutting the same, shall be fully paid. All money received for pine timber cut under the provisions of this act, shall be a part of the permanent School Fund of this State, and shall be invested in accordance with the provisions of Section 53 of this act. The Commissioner of the Land Office is hereby authorized to sell from year to year, the right to cut grass, gather cranberries, and make maple sugar upon the School lands of this State.

Approved, March 5, 1863.

When Commissioner may permit the cutting of pine timber upon school lands—proceeds from such sale to be a part of permanent School Fund