

## CHAPTER 213.

H. F. No. 277.

*An act to appropriate money to reimburse Richard H. Medcraft for his expenses incurred in the contest of his election as a member of the legislature of the State of Minnesota from the Sixty-third (63) legislative district for the present term.*

R. H. Medcraft, appropriation.

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

SECTION 1. That the sum of five hundred and seventy-seven and thirty one-hundredths (577 30-100) dollars is hereby appropriated out of any money in the state treasury, not otherwise appropriated, to be paid to Richard H. Medcraft, a member of the present house of representatives of the legislature of the State of Minnesota, to reimburse him for his expenses incurred in the contest for his seat in said house, instituted against him by one Peder M. Hendricks. That a warrant, payable to said Richard H. Medcraft, or to his order, for said sum, be drawn by the proper officers of the State of Minnesota, and delivered to him, or to his order, for payment.

\$577.30 to reimburse him for legislative seat contest.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1899.

## CHAPTER 214.

H. F. No. 238.

*An act to encourage the growing and preservation of forests, and to create forest boards and forest reserves, and to appropriate money therefor.*

Forestry and forest boards.

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

SECTION 1. There is hereby designated forest reserves for the state, to be known and designated in all public documents as the "forest reserves," to be managed and controlled as herein provided, which shall consist of all such tracts and parcels of land as shall be set apart from any state lands, by the legislature, for forestry purposes; or which shall be deeded, devised, or granted to the state for forestry purposes; under the terms of this, or any

Forest reserves; lands included in.

subsequent act, by any person or persons; or granted to this state by the United States government for forestry purposes, where such grants from the United States government have been accepted by the legislature of this state; or given or devised outright, for forestry purposes, to the state, by any person or persons.

Forestry board of nine members.

SEC. 2. There is hereby created a forestry board for the state, to be known and designated in all public documents as the "Minnesota State Forestry Board," which shall consist of nine (9) members, to be designated or chosen as follows, to-wit:

Chief fire warden to be member.

First—The person who by law is for the time the chief fire warden of the state shall be ex-officio a member thereof.

Professor of horticulture at university to be a member.

Second—The person for the time occupying the chair of horticulture in the agricultural department of the University of Minnesota shall be ex-officio a member thereof.

Three members to be appointed by university board of regents.

Third—Three (3) persons, citizens of the state, shall be recommended for appointment by the regents of the university in January, or as soon thereafter as possible, of every other odd-numbered year, commencing in eighteen hundred and ninety-nine (1899), for a term of four (4) years each, one of whom shall be selected on account of his interest in and knowledge of the planting, cultivation and preservation of forest trees and groves in the prairie regions of the state; one of whom shall be selected on account of his interest in and knowledge of the best methods for the preservation of the natural forests of the state, and of reforesting denuded lands; and one of whom shall be selected on account of his interest in and knowledge of the best methods of protecting the sources of supply of the several river systems of the state.

Other members, how recommended and appointed.

Fourth—Four (4) citizens of the state shall be recommended for appointment as members of said board as follows, viz.: One by each of the following named associations or bodies, for a term of two (2) years each, in January, or as soon thereafter as possible, of each odd-numbered year, as follows, to-wit:

The Minnesota State Forestry Association, the board of managers of the Minnesota State Agricultural Society, the Minnesota Horticultural Society and the State Fish and Game Commission.

Recommendations, how made.

Fifth—The recommendation for the appointment of such members shall be properly certified by the proper respective officers of such associations or bodies to the governor of the state, who, if he shall deem the persons so recommended suitable and proper persons therefor,

may appoint and issue a commission to each of them; vacancies in membership shall be filled in the same manner.

SEC. 3. The board shall appoint a secretary of the board, who shall have charge of all books, maps, records, title deeds and papers and documents of the board, and shall keep the minutes of all meetings of the board and executive committee, and shall prepare for printing and publication all bulletins, reports, circulars, rules, regulations, by-laws, and other documents ordered printed or published by the board. He shall cause to be made accurate maps of all tracts and parcels of the forest reserves, which maps shall be open to the inspection of any person desiring to inspect the same, but under such rules as the board may prescribe. All such books, maps, records, title deeds and papers and documents shall be kept in the office of the secretary, who shall also keep a record of the names and addresses of all beneficiaries under this act. The secretary shall keep a record of all warrants for the payment of money issued, and shall countersign each warrant, which shall be signed by the president.

Board to appoint secretary. Duties of secretary.

SEC. 4. No member of such board shall receive any pay for his services but shall be repaid actual reasonable expenses incurred in attending meetings of the board or executive committee, or in performing services at the request of the board or executive committee.

Board to receive no salary; expenses to be paid.

SEC. 5. The state treasurer is hereby required to act as the treasurer of the said board, and to keep accurate books of account of all money received and paid out for or on account of said board, or said "Forest Reserves," according to law and the by-laws of said board, and all funds appropriated for the use of the board, or which may in any way come to its use, disposal or control from the sale of timber or otherwise, shall be deposited with the said treasurer, and kept, and books and accounts of the same kept under the designated name of "Forest Reserve Fund." And there is hereby appropriated from any moneys in the state treasury not otherwise appropriated, the sum of one thousand (1,000) dollars, annually, to defray the reasonable necessary expense of said "Forestry Board" in carrying out the provisions of this act, which sum shall be credited to and be a part of said "Forest Reserve Fund." Said forestry board shall not be authorized to expend in any one (1) year any greater amount than the one thousand (1,000) dollars herein provided.

State treasurer to be treasurer of board.

\$1,000 annually for expenses.

SEC. 6. The care, management and preservation of the forest reserves, and the forests thereon, as well as future growths thereon, and all moneys appropriated in that behalf, or collected therefrom in any way, and all personal

Property and care of vested in forestry board. Duties of board.

property acquired to carry out the object of this act, are hereby confided to and vested in said "Minnesota State Forestry Board," as the same may be herein, or in subsequent acts, defined and required. The board shall observe, keep in view and, so far as it can, ascertain the best methods of reforesting cut-over and denuded lands, foresting waste and other prairie lands, preventing destruction of forests by fire, the administering of forests on forestry principles, the encouragement of private owners in preserving and growing timber for commercial and manufacturing purposes, and the general conservation of the forest tracts around the head waters and on the watersheds of all the water courses of the state, and for these purposes to make reports of its doings, conclusions and recommendations to each session of the legislature, and from time to time publish, in a popular manner and print for popular distribution, in bulletin or other form, such of its conclusions and recommendations as may be of immediate public interest.

Board to choose president. Powers of board.

SEC. 7. The members of said board may choose a president and vice president annually, in January, or as soon thereafter as possible; may contract and be contracted with, in the name of the State of Minnesota, or in its behalf; adopt and use a seal, and alter the same at pleasure, and cause actions to be brought in the courts in the name of or in behalf of the state, to protect the state's interests in all matters confided to the board's care; a majority of the members shall constitute a quorum for the transaction of business and a less number may adjourn from time to time. The board may make all reasonable rules, regulations and by-laws for the government of its own meetings and actions, and for the conduct of its officers, agents and employes, and for the care, management, protection and preservation of the forest reserves and the forests thereon, and may appoint such needed agents, officers, attorneys and employes as it deems best. The board may appoint an executive committee annually, on which it may confer authority to perform any executive act, and to exercise its judgment in minor details which cannot conveniently be acted upon by the board.

Town supervisors and county commissioners constituted forest boards.

SEC. 8. The respective town boards of supervisors and county commissioners are hereby constituted respectively, town and county forest boards, which shall only have such pay for services as shall be expressly authorized by the legislature, and which shall only perform such duties, have such authority, and exercise such powers as may hereafter, herein, or in subsequent acts, amendatory or otherwise, be expressly conferred by the legislature.

SEC. 9. Any person or corporation being the owner in fee simple of any cut-over or denuded, or partially cut-over or partially denuded, natural forest lands, which will not probably be utilized for many years for agricultural purposes, or any bare or waste, or partially bare or waste, rough prairie lands, or any very sandy, very rough or very rocky lands in this state, or any lands deemed absolutely necessary for the preservation of water courses (all to be determined by said state forestry board) may deed the same to the State of Minnesota for forestry purposes; all lands so deeded to the state for forestry purposes by any person or corporation are hereby forever dedicated for forestry purposes. Before such deed shall be made and delivered a proposition in writing shall be made by such owner or owners to said state forestry board to so deed the same for forestry purposes, under the terms of this act, and amendments thereof, made prior to such offer, and the question of the acceptance thereof shall be referred to the town or county forestry board where the land is situated (or both such town and county forestry boards) for its advice on the question of accepting the same; and said state forestry board or its executive committee may hear the person offering so to deed, or his or her representative, and also may hear such town or county forestry board or its representative, both sides in person or by written reasons submitted, why such deed should or should not be received, and the decision of the state forestry board to receive or reject such offer and deed shall be final. Such deed may be made by quit claim when, by the advice of the attorney general, or by the advice of its attorney, if said board have one, said lands are clear of liens except for taxes and tax sales still owned by the state. When such deeds shall be so accepted by the board the lands thereby conveyed shall become a part of the forest reserves of the state.

Lands, how  
deeded to state  
for forest  
purposes.

SEC. 10. At least once in every five (5) years, and as much oftener as the state forestry board may decide, the accumulated income from each tract of land so deeded by the persons or corporations for state forestry purposes, shall be divided by the state forestry board and disposed of as follows, to-wit:

Income of  
forests, how  
disposed of.

First—One-third ( $\frac{1}{3}$ ) shall belong to the state, to reimburse the state for the care and protection of the forests thereon, and for the non-payment of taxes thereon to the state, county and town, which third ( $\frac{1}{3}$ ) shall be divided between the state, county and town where the land is situated as follows, to-wit:

One-half ( $\frac{1}{2}$ ) to the state, one-fourth ( $\frac{1}{4}$ ) to the county, and one-fourth ( $\frac{1}{4}$ ) to the town.

Second—Two-thirds ( $\frac{2}{3}$ ) shall be paid to such public educational institution or system in the state as the grantor may designate in the deed of conveyance, or in a separate instrument, executed as deeds of land are required to be executed, and recorded in the office of the register of deeds of the county where the land is situated, or by will. But in case the grantor fails to so designate such institution or system, or if for any reason such institution or system fails to exist, then the same to be paid to the proper officer or officers or boards for the benefit of the public school system of the state, and the University of Minnesota, the public school system to have three-fourths ( $\frac{3}{4}$ ) thereof, and the said university to have one-fourth ( $\frac{1}{4}$ ) thereof.

Powers of  
forestry  
board to lease  
forest land.

SEC. 11. The state, by and through said state forestry board, shall have full power and authority to lease for revenue, or for protection from fire, trespassers, or otherwise, low meadow tracts, or other tracts for pasture, when the same will not interfere with the growth of forest trees, and to sell dead and down timber and mature timber, and to deed said tracts, or parcels or parts of the same, where the growth of the towns, the building of railroads, water power or other public improvements may demand alienation by the state, and said state forestry board may cause to be cut and sold, or sold with the right to cut and haul away, forests or trees when said board may determine that the state's and the beneficiaries' interests will be subserved by so doing, but all proceeds of such sales or leases shall be divided as is the income therefrom as above provided.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved April 13, 1899.

H. F. No. 810.

## CHAPTER 215.

State Horti-  
cultural So-  
ciety.

*An act pertaining to the reports of the Minnesota State Horticultural society, and appropriating money for printing the same.*

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

8,000 copies  
of report of to  
printed.

SECTION 1. There shall be annually printed and bound three thousand (3,000) copies of the report of the Minnesota State Horticultural Society; *provided*, the number of printed pages of the same shall not exceed six hundred (600).