

pleted state or national census, a population of not less than one hundred and fifty thousand (150,000) and not over two hundred thousand (200,000) inhabitants, the salary of the county attorney shall be and is hereby fixed at four thousand and five hundred (\$4,500) dollars per annum, and in all such counties the salary of the assistant county attorney shall be and is hereby fixed at two thousand seven hundred (\$2,700) dollars per annum, which salaries shall be payable out of the county treasury in equal monthly installments.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

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

Approved April 14, 1903.

H. F. No. 622.

CHAPTER 225.

An act to amend section one (1) of chapter three hundred and twelve (312) of the General Laws of eighteen hundred and ninety-seven (1897) entitled, "An act to amend section two (2) of chapter one hundred and five (105) of the General Laws of eighteen hundred and ninety-five (1895), entitled, 'An act to amend chapter twenty-two (22) of the General Laws of eighteen hundred and eighty-nine (1889), relating to the sale and lease of mineral and other lands belonging to the State of Minnesota.

Sale and
lease of
mineral
lands be-
longing to
state.

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

SECTION 1. That section one (1) of chapter three hundred and twelve (312) of the General Laws of eighteen hundred and ninety-seven (1897) be and the same is hereby amended so as to read as follows:

The application for a mineral lease as herein provided shall be in such form as the state land commissioner may prescribe. It shall correctly describe the land desired to be leased, and shall consist of contiguous descriptions, which, in the aggregate, shall not exceed one hundred and sixty (160) acres in any one lease, unless some of the descriptions shall be fractional subdivisions, in which case the acreage may exceed the number above mentioned.

Application
to describe
land.

Granting
lease.

Before any lease shall be granted, the applicant shall

pay to the state treasurer the sum of twenty-five dollars (\$25.00), and the first person or corporation making such application, and either tendering the sum of \$25.00 to the state auditor therefor, or paying the sum of \$25.00 to the state treasurer on the order of the state auditor therefor, shall be entitled to receive the lease herein provided for. In case two or more persons shall apply for a mineral lease of the same property at the same time, then the one who will pay the largest sum of money therefor shall be entitled to receive the lease first provided for in this act. Persons applying at the same time shall be construed to mean all persons making applications for a lease upon the same land within the same minute of time, at the office of the state auditor, or all persons who are simultaneously standing in line, or who are in process of advancing, in the auditor's office, and who shall actually advance forthwith and present for filing applications for a lease upon the same property. Separate applications made by the same mail delivery shall also be deemed to be made at the same time and at the moment of delivery.

Provided, that in case two or more applications are received for the same property on the same mail delivery, the state auditor shall fix a time at which said lease will be offered to the highest bidder among such applicants, and at the time so fixed the state auditor shall offer such lease to any of said applicants who will pay the largest sum therefor, such notice to be sent at least ten days before such time to each of such applicants, by registered mail, and the privilege being granted such applicants either to be present in person to bid upon said lease or to submit a bid sent by registered mail to the state auditor accompanied by a certified check for the amount of such bid; *provided further*, that only such bids by mail shall be considered as shall be actually in the hands of the state auditor at the time of offering such lease; *provided further*, that in the event of applications being received by mail at the same time at which personal applications are received for the same property, all persons who have applied at the same time for such property, either in person or by mail, shall receive a notice, as aforesaid, of the time at which the state auditor will offer such lease, and the granting thereof and the proceedings in relation thereto shall be as aforesaid.

It shall be the duty of the auditor to mark upon each

Application
at same
time.

Applications
by mail.

Exact
time of
filing.

Rights
under
lease.

Ore not to
be removed
until contract
executed.

Prior
right to
contract
defined.

application presented to him the exact time of filing same, and to preserve all of such applications in his office.

The holder of the mineral lease, secured as above provided, shall have the right to prospect for iron ore on the lands embraced therein for the period of one (1) year from the date of issue of said lease, after which period his right to enter and prospect on said land shall terminate under said lease. And no prospecting lease for the same lands shall be issued to the same person for two (2) years in succession.

Provided, that no iron ore shall be removed therefrom until a contract as hereinafter provided shall have been executed.

Provided, further, that any person, persons or corporation heretofore holding a lease under the provisions of sections one (1) and two (2) of chapter twenty-two (22) of the General Laws of Minnesota for the year one thousand eight hundred and ninety-nine (1899), or under sections one (1) and two (2) of chapter one hundred and five (105) of the General Laws of Minnesota for the year one thousand eight hundred and ninety-five (1895), on any lands belonging to the state, who, before the expiration of the term of such lease shall have applied to the commissioners of the state land office for a contract as hereinafter or in said chapter provided, or who may hereafter or during the continuance of said original lease make such application, and who, prior to the expiration of such original lease, shall have made payment, or if the same has not yet expired shall hereafter and before such expiration make payment of the amount due therefor to said land commissioner, shall have a prior right to demand and receive from said commissioner the contract herein-after provided; and it shall be the duty of said land commissioner, and he is hereby directed to execute and deliver such contract to said person, persons or corporation on demand.

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

Approved April 14, 1903.