

arately or in toto. To the end that such settlement or settlements may be carried out and completed, said commission is hereby authorized to accept patents of lands issued by the United States and to reconvey to the United States any state lands which it may by unanimous vote determine should be so reconveyed in order to carry out the provisions of this act, whenever approved by the state legislature.

Sec. 3. Filing and conclusions to be referred to the legislature.—This commission shall refer its findings and conclusions to the legislature for confirmation and no adjustment or settlement of any claim by the commission shall be final until ratified by the legislature. Provided however, that the commission have authority to make final settlement and adjustment of individual claims of settlers or Indian allottees, where the land in question does not exceed 160 acres in area.

Sec. 4. Auditor to report status of all claims against the United States.—The state auditor is hereby directed to report to said commission the status of all claims of the state against the United States for lands patented to the state by the United States under any acts or grants relating to lands; and the status of all claims of the United States against the state for lands alleged to have been wrongfully patented or conveyed to the state by the United States.

Sec. 5. Auditor directed to expend money for clerk hire, traveling, hotel bills, etc.—The state auditor is hereby directed to expend from any fund or funds appropriated for the maintenance of any department of the state auditor's office such sums as may be necessary for clerk hire, expenditure of travel, hotel bills or otherwise as may be necessary to carry out the provisions of this act. Such expenditures shall be audited by the state auditor and approved by the commission and for such purpose a per diem expenditure may be audited and approved.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 17, 1917.

CHAPTER 325—H. F. No. 633.

An act to amend Section 16, Chapter 204, General Laws of 1905, as amended by Chapter 476, General Laws 1909, relating to the sale of timber on state lands, defining trespass thereon and prescribing penalties therefor.

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

Section 1. 25 per cent of appraised value of timber to be paid at time when sold at public auction.—That section 16, chapter 204, General Laws of 1905, as amended by chapter 476, Gen-

eral Laws of 1909, be and the same is hereby amended so as to read as follows:

Section 16. The board of timber commissioners may authorize the auditor to sell the stumpage of pine, spruce, tamarack, cedar, balsam, balm of gilead, birch or poplar, on any tract of state land, not exceeding one section in area, where the estimated quantity of log timber thereon does not exceed 100,000 feet, at public auction to the highest bidder, at the county seat of the county in which such tract is located. He shall give three weeks' published notice of any such sale in a paper published at the county seat of the county where such land is situated, instead of eight weeks' notice in papers at St. Paul and Minneapolis, as provided for in section 15 for the sale to be held at the capitol building. Such notice of sale shall contain a description of each tract of land upon which is situated any timber that is to be offered, and a statement of the estimated quantity of each kind of timber thereon, and of the appraised price of each kind of such timber per thousand feet, or per piece, or per cord, as the case may be. Timber estimated and appraised as log timber shall be offered and sold by the thousand feet; timber estimated and appraised as log timber shall be offered and sold by the thousand feet; timber estimated and appraised as tie, or pole or post timber shall be offered and sold by the tie, or pole, or post, as the case may be; timber estimated and appraised as pulpwood, or lathbolts, or mine lagging, or wood for fuel purposes, shall be offered and sold by the cord; all cords to be single cords. The sale shall be made to the party who shall bid the highest price for all the several kinds of timber as advertised. The purchaser of any such timber at any such sale shall immediately pay to the auditor, or the person conducting the sale for him, for delivery by such official to the state treasurer, *25 per cent of the appraised value of such timber*, and shall thereupon be entitled to receive from the auditor a permit to enter upon such land and cut and remove such timber. Before receiving such permit, however, he shall execute a bond to the state of Minnesota, with sureties to be approved by the auditor, in an amount at least double the appraised value of such timber, conditioned upon cutting of all said kinds of timber that there may be upon said land, clean, acre by acre, and paying the state the balance that may be due therefor, and for the faithful performance of all the terms and conditions of the law governing such matters. All timber cut on any of the state lands under any such sale and permit is to be scaled, or counted, as the case may be by a *deputy surveyor general*. In no case shall any such timber be removed from the land where it was cut, until it has been so scaled or counted by a *deputy surveyor general*. Any person removing any such timber from the land

where it was cut before it has been so scaled or counted by a *deputy surveyor general* shall be deemed guilty of a felony, and may be prosecuted criminally therefor. The purchaser of any such timber shall pay the state for all timber that may be cut upon or removed from such land during the life of his permit, at his purchase price per thousand feet, or per piece, or per cord, as the case may be. In all other respects such sale shall be subject to all the restrictions and conditions applicable to the sale of other state timber.

Approved April 17, 1917.

CHAPTER 326—H. F. No. 635.

An act to amend Section 13, Chapter 204, General Laws of Minnesota, 1905, relating to the sale of timber on state lands; defining trespass thereon and describing penalties therefor.

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

Section 1. Timber board to formulate rules and instruct auditor how timber shall be disposed of.—That section 13, chapter 204, General Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 13. The governor, treasurer, auditor, state forester and attorney general shall constitute a board of timber commissioners, of which the governor shall be chairman. The auditor shall be ex-officio secretary of the board, and he or his deputy shall attend each meeting and make full minutes of the proceedings, which shall be signed at the close of each meeting by the commissioners present, and shall be kept subject to public inspection in the office of the auditor. The governor and two other members shall be a quorum for the transaction of business. Before any timber is sold the auditor shall submit to the board, which shall meet from time to time, upon the call of the governor, the question of such sale, and shall produce the record of appraisal of such timber and the board shall examine the same, together with other documents and records and such witnesses as it may require. If the governor and at least two other members of the board shall so determine, they shall enter upon the record of appraisals a statement, dated and signed by them that such timber is in danger of being injured, and that a sale thereof is necessary to protect the state from loss. Thereafter, and not before, the auditor may make such sale. Whenever any member of the board becomes satisfied, before issuance of a permit, that, by reason of fraud or misstatement on the part of any estimator, witness or officer, or by reason of any combination or irregularity, the interests of