

the state so demand, he shall withdraw his approval of any sale, by an entry signed by him upon the record of the appraisals. No sale of timber shall be made until not less than two independent estimates have been made.

The timber board shall upon call by the chairman thereof, meet during the month of January and formulate rules to be followed in regard to the bark mark, end mark, or other mark or marks to be utilized by the purchasers of timber, the method to be pursued in the settlement of trespass cases, and to establish such other rules as it may deem wise in the transaction of the state's timber business.

The timber board shall have power to instruct the state auditor how timber that has been seized by him shall be disposed of, and it may order sold at private vendue timber cut in trespass or removed from state lands in violation of law, where the appraised value thereof shall not exceed \$50.00.

Approved April 17, 1917.

CHAPTER 327—H. F. No. 636.

An act to amend Section 19, Chapter 204, General Laws of Minnesota 1905, 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. Provisions for sale of timber on state lands and reports to be made by purchasers.—That section 19, chapter 204, General Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 19. Upon the delivery and filing of the duplicate receipts mentioned in the preceding section, the auditor shall issue a permit to such purchaser, in a form approved by the attorney general, by the terms of which he shall be authorized to enter upon the land, and to cut and remove the timber therein described, according to the provisions of this chapter. Such permit shall be correctly dated and executed by the auditor, and signed by the purchaser. No permit shall cover more than two logging seasons, and the timber shall be cut and removed within the time specified therein. Not more than one section or fractional section of land, according to the government survey, shall be described in any one permit, and no permit shall be issued to any person other than the purchaser in whose name the bid was made. The permit shall state the amount of timber estimated to be thereon, the estimated value thereof, and the price at which it is sold, or the price per thousand feet, in case it is sold by the thousand feet, and shall

specify the bark, *end or other mark* to be used. A separate bark, *end or other mark* shall be used on the timber cut under each permit, and, if the permit covers more than one season, it shall specify a separate mark to be used each season. It shall provide that the purchaser shall place the specified bark mark, upon every piece of timber cut, and also plainly upon the end thereof the stamp mark MINN, and, that, in case of any failure to place both bark and stamp mark upon any such piece, the state shall have the right to take possession of the same wherever found. It shall contain such other provisions as may be necessary to secure to the state the title of all timber cut thereunder, wherever found, until full payment thereof, and until all provisions of the permits have been fully complied with. It shall also provide that all timber standing on the land and sold shall be cut; *that the same shall be cut clean, acre by acre, without damage to other timber; that the purchaser agrees to remove all timber whether it be log timber or any other timber of value, unless specifically withheld under the terms of sale, and that timber sold by board measure, determined by the state auditor as not convertible into board measure may be paid for by the piece upon a graduated scale based upon the size, species, or value of each piece or cord, as may be determined by the state timber board; that the purchaser shall pay to the state the permit price for all timber, including timber which he fails to cut and remove, and the amount of fees of the surveyor general; and that he shall, in writing, notify the surveyor general for the district, and also the auditor, at least fifteen days before any cutting is done, at what time such cutting will begin, at least fifteen days before any timber is removed from the land, at what date such removal will begin.*

It shall provide that the purchaser shall make a report in writing to the state auditor under oath, enumerating and stating the amounts of timber cut under such permit; the kinds of timber removed and the amounts of each in board feet per piece, in cords, or any other dimension, in the manner and forthwith whenever so required by the state auditor. The permit shall further state that a false return made contrary to the provisions of the permit shall constitute a gross misdemeanor and be punished as such, and such return when wilfully made is hereby declared to be a gross misdemeanor, and shall be punished as such. The permit shall state that the state auditor shall have power to order suspended all operations under the permit and any timber cut or removed during the period of suspension is hereby declared to be cut in trespass. The permit shall further state that the timber board may cancel the permit at any time when in its judgment the conditions thereof have not been complied with, and such cancellation shall constitute repossession of the timber by the state. The purchaser shall have ninety days within which to remove his equipment from such land. The per-

mit shall further state that if the purchaser at any time fails to pay any obligation to the state under all or any other permits, this, any or all other permits may be cancelled as hereinbefore provided for. The permit shall also state that any timber removed in violation of the terms of the permit or any law shall constitute trespass. A provision shall be contained in the permit that the statute of limitations shall not prevent the bringing of an action growing out of any violation of any provision, either civil or criminal, of this act, and no statute of limitations shall so operate. The permit shall state that the timber board reserves the right to change the bark end or other marks of identification from time to time as may be expedient which the purchaser must place upon all timber purchased from the state. The state board of timber commissioners, state forester, attorney general, or state auditor are hereby specifically empowered to enforce all provisions and all conditions contained in any timber permit executed pursuant to the provisions of this act. Any permit failing to conform to the requirements of this section shall be void on its face. All permits shall be filed for record with such surveyor general.

Approved April 17, 1917.

CHAPTER 328—H. F. No. 669.

An act regulating the salary and clerk hire of probate judges in counties having a population of less than 100,000 inhabitants.

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

Section 1. **Salaries of probate judges in counties having less than 100,000 inhabitants.**—The probate judges in all the counties in this state where compensation is not fixed by special laws shall receive in full compensation for all services rendered by them annual salaries to be paid in twelve equal monthly installments, based on the then last preceding completed state or national census, and on the then last preceding assessed valuation of real and personal property, as fixed by the Minnesota state tax commission as follows:

In counties whose population is less than six thousand, seven hundred fifty dollars; if the population is six thousand and less than nine thousand, one thousand dollars, and in addition thereto fifty dollars for every one million dollars assessed valuation not to exceed three hundred dollars; if the population is nine thousand and less than thirteen thousand eleven hundred fifty dollars, and in addition thereto fifty dollars for every one million dollars assessed valuation not to exceed four hundred dollars; if the population is thirteen thousand and less than seventeen thousand, thirteen hundred dollars, and in addition thereto