

Sec. 7. **Construction.**—That the words used in this act shall be construed to import the plural or singular, as the case demands.

Sec. 8. **Payment of fines and fees.**—In all prosecutions under this act the costs thereof shall be paid and collected as in other criminal cases but all fines and fees collected shall be paid into the state treasury.

Sec. 9. This act shall take effect and be in force from and after its passage.

Approved September 22, 1919.

#### CHAPTER 17—S. F. No. 40.

*An act to amend Section 5219, General Statutes 1913, providing for the appraisal of state lands, appointment of appraisers and their compensation.*

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

Section 1. **Appraisal of state lands to be made by state appraisers, to be appointed by land commissioner.**—That section 5219, General Statutes 1913, be amended to read as follows:

5219. Whenever in the opinion of the land commissioner of the state of Minnesota it will be for the public interest that an appraisal of any of the school or other state lands should be made, he shall appoint one appraiser, who shall be one of the regularly employed state appraisers, and who shall not be a resident of the county in which the lands to be appraised are situated, and notify the governor, who shall appoint one appraiser who may be a resident of such county. *Such appointment shall be made within thirty (30) days after such notice. Where the land to be appraised is prairie land, the land commissioner or state auditor is authorized to appoint as appraiser, to serve as hereinafter stated, any competent surveyor, who shall serve in lieu of the regularly appointed state appraiser in the appraisal of such prairie land.* Each appraiser shall, before entering upon the duties of his office, take and subscribe an oath, before any person qualified to administer oaths that he will faithfully and impartially discharge his duties as appraiser, according to the best of his ability, and that he is not interested directly or indirectly in any of the school or other state lands or improvements thereon, and has entered into no combination to purchase the same or any part thereof, which said oath shall be attached to the report made of such appraisal, said appraisers after taking oath of office shall proceed to view and appraise such lands and the improvements thereon and make a report thereof to the land commissioner as he may direct. The valuation of such lands and the timber shall each be made and stated separately in the appraisement, and the minimum price established by such appraisal shall be the minimum price for such lands until changed

by subsequent appraisal. No school or other state lands shall be sold until so appraised, nor for a less price than five (\$5.00) dollars per acre. Such appraisers shall receive as compensation for their work a sum not to exceed the sum of five (\$5.00) dollars per day for each day actually employed, *and their necessary traveling expenses.* The land commissioner shall hold frequent sales of school and other state lands, the time and place of such sales to be publicly posted on the front door of the court house in the county in which the sale is to take place, at least three months in advance of such sale, in addition to the regular notice of sale provided by law. At said sales the land commissioner shall sell such lands as he considers for the public interest. Where land mainly valuable for agricultural purposes, as shown by the appraisement and other reports in the office of the land commissioner contain only small quantities of pine, tamarack, or other timber, the land commissioner may in his discretion, either sell the timber separately in the manner provided by law for state timber sales, or he may sell the land as agricultural land, requiring the purchaser to pay down as first payment an amount equal to the value of the timber, in addition to the fifteen per cent first payment required on the land. It shall be the duty of the appraisers to report to the land commissioner such lands as in their opinion should be drained. After the state has constructed or has been assessed for any public ditch or drain, the lands hereby assessed or improved shall thereafter be re-appraised before being offered for sale. Provided, that if the improvements upon said lands were made by one who in the opinion of the state land commissioner settled upon said land in good faith, believing it to be land subject to homestead entry under the laws of the United States, and such settlement was made before the land was certified to this state, then the value of such improvements shall be appraised separately, and if at the sale of such land the settler who made the improvements shall be the purchaser, he shall not be required to pay for such improvements; but if a person other than such bona fide settler purchased said land and the improvements at such sale, such purchaser shall pay to the state within thirty days, the full amount for which improvements are appraised and the amount so received by the state for such improvements shall be paid over to such settler, his heirs, or assigns by warrant drawn by the state auditor upon the state treasury, and the amount necessary to make such refundment is hereby annually appropriated.

Provided further, that in order to be permitted to purchase such land and improvements from the state without paying for the improvements, the bona fide settler must make such purchase at the first sale held by such state auditor in which the land in question is offered for sale, and

Provided further, that prior to such sale by the state auditor any and all contest proceedings or actions involving the land in

question, which had been instituted or are pending relative to the land in question must have been finally determined.

Approved September 22, 1919.

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CHAPTER 18—S. F. No. 47.

*An act authorizing the commissioner of highways to accept war materials allotted to the state for road purposes by the federal government and to make payments from the state road and bridge fund for incidental expenses thereof; and appropriating moneys for the purpose of erecting and equipping necessary buildings.*

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

**Section 1. Acceptance of government war materials.**—The commissioner of highways is hereby authorized to accept from the Federal government, allotments to the state of excess war materials suitable for roads construction and maintenance purposes and to provide for the use of same in the improvement and maintenance of roads in the state.

**Sec. 2. Expense for delivery of same authorized.**—The commissioner of highways is hereby authorized to pay the necessary expense incurred in receiving, placing in use, or delivering such excess war materials from the Federal government and to pay for the expense so incurred from the reserve maintenance fund; provided that any expense so incurred in receiving and delivering material which may be loaned to counties, shall be charged to the counties receiving such material and payment by the county shall be credited to the reserve maintenance fund.

**Sec. 3. Assistants to be appointed by highway commissioner.**—The commissioner of highways is hereby authorized to employ such necessary assistance and to buy such supplies and equipment as may be necessary to carry out the provisions of this act, and to purchase and supply extra parts for excess war materials as may be required to furnish an adequate supply depot for proper upkeep of such material, and to charge the expense thereof to the reserve maintenance fund; provided that such extra parts and equipment which is furnished to counties shall be delivered at cost and payment by the counties shall be credited to the reserve maintenance fund.

**Sec. 4. \$60,000 appropriated.**—There is hereby appropriated from funds in the state treasury not otherwise appropriated, the