

supervision and control of the court, consistently with the reasonable protection of the interests of all the creditors and with the performance of such public duties and functions of the village, town or district as shall be feasible. Such proceedings shall not preclude the issuance and sale of the bonds, nor the exercise of any of the other powers and functions, hereinbefore authorized, but, during the pendency of such proceedings, the same shall be done and performed under the supervision of the court, and that of the state board of investment shall not be required. Any final order of the court in proceedings authorized by this act shall be subject to appeal and review as in other like cases.

Sec. 8. Act remedial.—This act shall be construed as remedial and consistently with the constitutional rights and duties of each village, town, school district, taxpayer and creditor affected. If any section, part of provision hereof be found unconstitutional, such determination shall not affect the validity of the remaining provisions not clearly dependent thereon.

Sec. 9. Act not restrictive.—Nothing in this act contained shall be construed to prohibit any such village, town or district's agreeing with its creditors, or any of them, to a compromise and settlement of any or all of its indebtedness for less than the amount thereof, nor its borrowing money, to affect such settlement, under this or any other statute authorizing the borrowing of money by villages, towns or school districts, as the case may be.

Sec. 10. Construction.—No statute heretofore or hereafter enacted shall be construed to prohibit or impair the right to issue and sell the bonds with the maturities herein authorized, unless the purpose so to do shall be expressly declared.

Sec. 11. This act shall take effect and be in force from and after its passage.

Approved April 20, 1927.

CHAPTER 332—S. F. No. 300.

An act amending Section 6277, General Statutes 1923, relating to the appraisal and sale of state lands.

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

Section 1. Appraisal of state lands to be made by state appraisers.—That section 6277, General Statutes 1923, be and same hereby is amended so as to read as follows:

"6277. 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 notify the governor, who shall appoint one appraiser. 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 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 *thirty days* in advance of such sale, in addition to the regular notice of sale provided by law. At said sale 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 contains 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 com-

missioner 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 approved 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 bonafide settler purchase said land and the improvements at such sale, said 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."

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

Approved April 20, 1927.

CHAPTER 333—S. F. No. 440.

An act to amend General Statutes 1923, Section 5543, as amended by Laws 1925, Chapter 380, relating to the taking of beaver and otter.

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

Section 1. **Beaver and otter.**—That General Statutes 1923, Section 5543, as amended by Laws 1925, Chapter 380, be and the same hereby is amended so as to read as follows: