

*A of this section, and dependency later is shown, or if deposit is or has been made pursuant to paragraph B hereof by mistake or inadvertence, or under such circumstances that justice requires a refund thereof, the State Treasurer is hereby authorized to refund such deposit upon order of the Industrial Commission.*

Sec. 2. This Act shall be in force from and after its passage.

Approved December 27, 1933.

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#### CHAPTER 22—H. F. No. 72

*An act to amend Mason's Minnesota Statutes of 1927, Section 6277, providing for the appraisal of State Lands and improvements thereon, and appointment of Appraisers, and their compensation.*

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

Section 1. **Appraisers of school lands.**—That Mason's Minnesota Statutes of 1927, Section 6277, be amended to read as follows:

"6277. Whenever in the opinion of the *Commissioner of Conservation* 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 30 days after such notice. 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 *commissioner of conservation* 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. The *commissioner of conservation* 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 30 days in advance of such sale, in addition to the regular notice of sale provided by law. At said sale the *commissioner of conservation* 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 *commissioner of conservation* contains only small quantities of pine, tamarack, and other timber the *commissioner of conservation* 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 15 percent first payment required on the land. It shall be the duty of the appraisers to report to the *commissioner of conservation* 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 *commissioner of conservation* 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 the state, or if the improvements upon said land were made by a lessee thereof, or if such improvements were made by one who in the opinion of the *Commissioner of Conservation* did so in good faith, believing he had a legal right so to do, then the value of such improvements shall be appraised separately, and if at the sale of such land the settler or the lessee of the state 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 or lessee of the state purchase said land and the improvements at such sale, said purchaser shall pay to the state within 30 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 or lessee of the state, 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 bonafide settler *or lessee of the state*, must make such purchase at the first sale held by such *commissioner of conservation* in which the land in question is offered for sale, and

Provided further, that prior to such sale by the *commissioner of conservation* any and all contest proceedings or actions involving the land in question, which had been instituted or 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 December 27, 1933.

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#### CHAPTER 23—S. F. No. 152

*An act to amend Laws of 1933, Chapter 308, Section 1, relating to fixing maximum annual expenditures for old age pensions in counties of this State now or hereafter having property of the assessed valuation of not less than \$325,000,000.00, exclusive of money and credits and having a bonded indebtedness not exceeding \$5,000,000.00, inclusive of bonds issued to defray the cost of permanently improving State Trunk Highways, which bonds the State of Minnesota has heretofore agreed to pay.*

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

Section 1. **Tax levy for old age pensions in certain counties.**  
—That Laws of 1933, Chapter 308, Section 1, be amended so as to read as follows:

"Section 1. In all counties of this state now or hereafter having property of the assessed valuation of not less than \$325,000,000.00, exclusive of money and credits and having a bonded indebtedness not exceeding \$5,000,000.00, inclusive of bonds issued to defray the cost of permanently improving state trunk highways, which bonds the State of Minnesota has heretofore agreed to pay, the maximum amount which may be expended in any one year for old age pensions shall not exceed such a sum as may be produced by a tax levy of seven-tenths of a mill on each dollar of the taxable value of the