

United States by a proper deed attested by the State Auditor, the following described real estate situated in Rolette County, North Dakota: The North One-half of the Northeast One-quarter, the Southeast One-quarter of the Northeast One-quarter and the Northeast One-quarter of the Southeast One-quarter, all in Section Thirty-five, Township One hundred Sixty-one, North of Range Seventy-one West, for a consideration to be determined by the Governor on the basis of its fair value, said described lands being required by the United States for a duly authorized purpose.

Approved April 11, 1935.

CHAPTER 139—S. F. No. 1214.

An act authorizing and directing the Governor and State Auditor, on behalf of and in the name of the State of Minnesota, to execute and deliver to G. M. Kerr, a deed conveying to him certain real estate in Isanti County, Minnesota in exchange for a deed conveying to the State certain other real estate located in said county.

WHEREAS, the State of Minnesota appears to be the record owner of the following described real estate situated in the County of Isanti and State of Minnesota, to-wit: Lot 5 except north 6 rods 3.5 feet thereof, Section 5, Township 35, Range 23, which land is now in the possession of G. M. Kerr who has made improvements thereon in the belief that he was the owner of the same, and,

WHEREAS, G. M. Kerr appears to be the record owner of the following described real estate situated in said county, to-wit: Lot 4 in said Section 5, and,

WHEREAS, the said State is now in possession of said Lot 4 and has made valuable improvements thereon and for that reason the best interests of the State require that it secure a good and sufficient title to said Lot 4;

NOW, THEREFORE, Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Governor and Auditor to convey lands.**—The Governor and State Auditor, on behalf of and in the name of the State of Minnesota, are hereby authorized and directed to execute and deliver to G. M. Kerr a deed conveying to him the following described real estate situated in the County of Isanti and State of Minnesota, to-wit: Lot 5 except the north 6 rods 3.5 feet thereof, Section 5, Township 35, Range 23, in exchange for a warranty deed executed by the said G. M. Kerr

and by his wife, if he is married, conveying to the State of Minnesota the following described premises lying and being in the County of Isanti and State of Minnesota, to-wit: Lot 4, Section 5, Township 35, Range 23, free and clear of all incumbrances.

Provided, however, that the said Governor and State Auditor shall not deliver the deed covering said Lot 5 except the north 6 rods 3.5 feet thereof to said G. M. Kerr until the Attorney General shall have certified that in his opinion all incumbrances on said Lot 4 have been satisfied and discharged in full and that upon receipt of said deed covering said Lot 4 the State will become the owner in fee of said Lot 4 free and clear of all said incumbrances.

Approved April 11, 1935.

CHAPTER 140—H. F. No. 256.

An act relating to the attendance of witnesses in criminal cases within and without the State.

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

Section 1. Witnesses in criminal cases.—If a judge of a court of record in any state which by its laws has made provision for commanding persons within that state to attend and testify in criminal actions in this state certifies under the seal of such court that there is a criminal action pending in such court, that a person being within this state is a material witness in such action, and that his presence will be required for a specified number of days at the trial of such action, upon presentation of such certificate to any judge of the district court of the county in which such person resides, or the county in which such person is found if not a resident of this state, such judge shall fix a time and place for a hearing and shall notify the witness of such time and place.

If at the hearing the judge determines that the witness is material and necessary, either for the prosecution or the defense in such criminal action, that it will not cause undue hardship to the witness to be compelled to attend and testify in the action in the other state, that the witness will not be compelled to travel more than one thousand miles to reach the place of trial by the ordinary traveled route, and that the laws of the state in which the action is pending and of any other state through which the witness may be required to pass by ordi-