

provided in section 5 hereof. For recording any assignment or other instrument affecting the title to any permit or lease, or for furnishing certified copies of the records, the state auditor shall charge a fee of ten cents per folio. All such fees shall be turned into the state treasury.

Sec. 7. Rights of holder.—The holder of any such lease shall have the right to prospect for, mine, and remove any such minerals under the public waters within the area described by such lease.

Sec. 8. Minerals under public waters.—The discovery and mining or removing of the minerals described herein under the public waters in the state, is a matter of public interest to the state.

Sec. 9. Commissioner may cancel permits.—In the event the holder of such permit or lease shall fail to comply with all the provisions contained therein to be by him performed or observed, and such default shall continue for a period of 30 days, the commissioner of conservation, upon 30 days' notice to the holder of such permit or lease by registered mail to the address of such holder as shown by the records of the state auditor, may declare such permit or lease, and all rights acquired thereunder, forfeited. Upon the filing of such order of forfeiture with the state auditor, all rights under such lease or permit shall cease.

Approved January 18, 1936.

CHAPTER 43—H. F. No. 77.

An act to amend Mason's Minnesota Statutes of 1927, Section 4276, as amended by Laws 1935, Chapter 311, relating to the special compensation fund, and to injuries increasing disability of employees.

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

Section 1. Increasing disabilities of employees.—Mason's Minnesota Statutes of 1927, Section 4276, as amended by Laws 1935, Chapter 311, is hereby amended so as to read as follows:

"4276. If an employee receives an injury which of itself would cause only permanent partial disability, but which,

combined with a previous disability, does in fact cause permanent total disability, the employer shall only be liable for the permanent partial disability caused by the subsequent injury.

Provided, however, that in addition to compensation for such permanent partial disability and after the cessation of the payments for the prescribed period of weeks, the employee shall be paid by the state the remainder of the compensation that would be due for permanent total disability, out of a special fund known as the special compensation fund, and created for such purpose in the following manner:

A. In every case of the death of an employee resulting from an accident arising out of and in the course of his employment where there are no persons entitled to compensation, the employer shall pay to the industrial commission the sum of \$300.

B. Whenever an employee shall suffer a compensable injury, which results in permanent partial disability by reason of the total loss of a member or members, or injury to a member or members resulting in less than a total loss of such member, and which injury entitles him to compensation pursuant to *Mason's Minnesota Statutes of 1927, Section 4274, paragraph (c)*, the employer or his insurer shall, in addition to the compensation provided for in said paragraph (c), pay to the industrial commission for the benefit of the special compensation fund a lump sum, without interest deductions, equal to *two* per cent of the total compensation to which the employee is entitled to under said paragraph (c) for said permanent partial disability, said sum to be paid to the industrial commission as soon as the total amount of the permanent partial disability payable for the particular injury is determined by the industrial commission, or arrived at by the agreement of the parties and such amount is approved by the industrial commission.

Such sums as are paid to the industrial commission pursuant to the provisions hereof shall be by it deposited with the state treasurer for the benefit of the special compensation fund and be used to pay the benefits provided by this act. All moneys heretofore arising from the provisions of this section shall be transferred to this special compensation fund. All penalties collected for violation of any of the provisions of this act shall be credited to this special compensation fund.

The state treasurer shall be the custodian of this special fund and the industrial commission shall direct the distribu-

tion thereof, the same to be paid as other payments of compensation are paid. In case deposit is or has been made under the provisions of paragraph A of this section, and dependency later is shown, or if deposit is or has been made pursuant to either paragraphs A or 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."

Approved January 18, 1936.

CHAPTER 44—H. F. No. 80.

An act to authorize and empower the governing body of any city of the first class in this state, now or hereafter existing, and which city has a total bonded indebtedness not exceeding the sum of \$10,000,000, to issue and sell negotiable municipal bonds in a sum not exceeding \$150,000 for the purpose of financing or aiding in the financing of the cost of the portion of any public improvement in any such city in cases where any such city has been granted federal or state aid in connection with any unemployment relief program, and prescribing the procedure relating to the issuance, sale and negotiation of such bonds.

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

Section 1. **Sale of bonds authorized.**—That the governing body of any city of the first class in this state, now or hereafter existing, and which city has a total bonded indebtedness not exceeding the sum of \$10,000,000, is hereby authorized and empowered to issue and sell negotiable municipal bonds in a sum not exceeding, in any case or event, nor during any time fixed by this act, nor for any or all purposes provided for in such act, the aggregate total sum of \$150,000, in such denominations as such governing body may determine by ordinance; and to appropriate the proceeds from the sale of such bonds for the sole and specific purpose of financing, aiding in the financing of, or paying for the cost of such portion of any public improvement of any such city, in any case where such financing, aiding in the financing of, or paying for the cost of any such public improvement has been or will be made necessary as the result of action taken or which may be taken by any such governing body in applying for grants or loans and/or loans and grants made by or under the