

town or towns to separate it its tax levies the moneys levied for the purpose of paying off such indebtedness. The moneys raised from such levies, both upon territory within such village and upon the territory detached therefrom, shall be paid to the village to be held in a special fund available only for the purpose of paying off such indebtedness.

Sec. 3. Appeals to the District Court.—Any person or party aggrieved may appeal from the order of the board of county commissioners to the district court of the county upon the following grounds:

1. That the board of county commissioners has no jurisdiction to act.

2. That its action is against the best interest of the territory affected.

Such appeal shall be taken by serving upon the county auditor within thirty (30) days from the making of the order a notice of appeal, specifying the grounds thereof. The appellant shall also execute and deliver to the auditor a bond to the county in the sum of One Hundred and no/100 (\$100.00) Dollars, to be approved by the county auditor, conditioned for the payment of all costs taxed against the appellant on such appeal. Such further proceedings shall be had upon such appeal as upon other appeals from the county board.

Sec. 4. Not to affect pending action.—The provisions of this Act relating to appeals shall not apply to any action or proceeding now pending involving the separation of land from any village or town.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved April 22, 1939.

CHAPTER 415—S. F. No. 1316

An act creating a commission to be known as Minnesota Claims Commission and authorizing it to investigate, allow, adjust, compromise and pay certain claims against various departments of the state heretofore entered into without the authority of law and appropriating monies and creating a fund therefor.

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

Section 1. Minnesota claims commission created.—There is hereby created a commission to be known as the Minnesota Claims Commission consisting of the Governor, the Attorney General and the State Auditor.

Sec. 2. To investigate contracts.—Said commission is hereby authorized and empowered to investigate all contracts heretofore made wherein and whereby the State of Minnesota, through its various departments and agents, purchased and received certain goods, wares, merchandise, materials, supplies and/or services which have been received and used by the State and not heretofore paid for, by reason of the fact that in making certain of said contracts there were certain omissions in complying with the provisions of existing laws or lack of authority on the part of the State or its agents in entering into such contracts by reason of which there now exists no other lawful method or means by which said claims can be recognized, adjusted, compromised and paid.

Sec. 3. May pay amount due on contract.—If, upon such investigation, said commission finds that there was no fraud or collusion in the making of or entering into such contracts and that said goods, wares, merchandise, materials, supplies and/or services were actually furnished to the State of Minnesota and that said services were rendered to and for the State of Minnesota, in good faith, then, and in that event, said commission is hereby authorized and empowered to order and direct payment for said goods, wares and merchandise, materials, supplies and/or services at the reasonable value thereof, at the time of furnishing the same and performing said services.

Sec. 4. Appropriation.—All claims so allowed by such commission shall be paid out of the funds of the department against which it would have been a charge had said claims been valid at their inception. In the event that sufficient moneys are not available for the payment of such claims as may be allowed by said Commission out of the particular fund provided therefor then the balance of any such payments over and above the amount appropriated for said department shall be paid out of the General Revenue Funds of the State and there is hereby appropriated out of any moneys not otherwise appropriated, the sum of \$25,000.00 or so much thereof as may be necessary to constitute a special fund for the purpose of paying such claims as may be allowed by the commission herein provided for and not available from the funds appropriated to and allotted to the departments against which said claims may be allowed, provided, however, that any and all

claims arising out of transactions with the Highway Department shall be paid only out of funds belonging to said Highway Department.

Sec. 5. Claims to be filed before July 1, 1940.—All claims to be considered by the commission hereunder shall be filed with the State Auditor on or before July 1, 1940.

Sec. 6. Effective until December 1, 1940.—This act shall be and remain in full force and effect until December 31, 1940.

Approved April 22, 1939.

CHAPTER 416—S. F. No. 1374

An act to amend the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 4284, relating to workmen's compensation payments to alien dependents.

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

Section 1. Payments to alien dependents.—That the 1938

Supplement to Mason's Minnesota Statutes of 1927, Section 4284 be and the same hereby is amended so as to read as follows:

“4284. In case a deceased employe, for whose injury or death compensation is payable, leaves surviving him an alien dependent or dependents residing outside of the United States, the Industrial Commission shall direct the payment of all compensation due to such dependent or dependents to be made to the duly accredited consular officer of the country of which the beneficiaries are citizens, if such consular officer resides within the state of Minnesota, or to his designated representative residing within the state, or if the Industrial Commission believes that the interests of such alien dependent will be better served, and such alien dependent shall *at any time prior to final settlement* file with the commission a power of attorney designating any other suitable person residing in this state to act as attorney in fact in such proceedings, then the said Industrial Commission may in its discretion appoint such person. Provided that, if it appears necessary to institute or carry on any proceedings to enforce payment of compensation due to such dependent or dependents, the Industrial Commission may permit the said consular officer to commence and institute said proceedings, and if during the pendency of the same, following the death of the alien employe, such power of attorney is filed by said alien dependent, the Industrial