

and resumed active duty in such police department, the period that such applicant has served in such military or defense emergency service shall be counted in computing period of service herein provided for, but during such period of military or defense emergency service, he shall not be considered as an active member of his association. Said pension shall be paid to any widow or child under sixteen years of age of any such pensioned and retired member of the police department or to any widow or child under sixteen years of age of any member who dies while in the service of the police department of any such city, or to any widow or child under sixteen years of age of any member who, after having been a member of such paid municipal police department for twenty (20) years or more, shall sever his connection with such paid municipal police department and who shall die before he arrives at the age of fifty (50) years, and such widow or child shall receive the sums hereinafter provided.

Forty Dollars (\$40.00) per month to such widow and Ten Dollars (\$10.00) per month to each of such children under sixteen years of age; provided, that where such widow and such children reside together the money herein required to be paid to such children shall be paid to such widow for the support of such children but the money paid to such widow for herself and such children shall not exceed Seventy-five Dollars (\$75.00) per month in all; provided, however, that in the event that any such widow remarries, she shall receive no further benefits under this law; provided, further, that said fund shall not be used for any other purpose than for the payment of service, disability, or dependency pensions as herein provided.

The word 'member' as used in this act shall include police women, police matrons, and assistant police matrons."

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

Approved April 18, 1941.

CHAPTER 307—H. F. No. 1526

An act relating to eminent domain proceedings by the state or its agencies; amending Mason's Minnesota Statutes of 1927, Section 6557-1.

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

Section 1. Law amended.—Mason's Minnesota Statutes of 1927, Section 6557-1, is hereby amended to read as follows:

"6557-1. Eminent domain proceedings by state—procedure.—In eminent domain proceedings instituted by the state or by any of its agencies or political subdivisions as petitioners under the provisions of Chapter 41, General Statutes 1923, the procedure shall be as follows:

(a) The report of commissioners shall be filed with the clerk of district court within 90 days from the date of the order *appointing* such commissioners, *but for cause shown the court upon such notice as the court may determine may extend the time for making and filing said report.*

(b) At any time within 30 days from the date of the filing of such report, any party to the proceeding may appeal from any award of damages embraced in said report, or from any omission to award damages, by filing with the clerk a notice of such appeal. Such notice of appeal shall specify the particular award or failure to award appealed from, the nature and amount of the claim, the land to which it relates, and the grounds of the appeal. Upon appeal the prevailing party shall recover costs and disbursements.

(c) Payment of the damages awarded may be made or tendered at any time after the filing of said report. The duty of the public officials to pay the amount of any award or final judgment upon appeal shall for all purposes be held and construed to be full and just compensation to the respective owners or the persons interested in the lands.

(d) The notice of filing of report provided for in Section 6545, General Statutes 1923, shall be dispensed with; as shall also the final decree provided for in Section 6553, General Statutes 1923, provided the attorney for the petitioner make a certificate describing the land taken and the purpose or purposes for which taken, and reciting the fact of payment of all awards or judgments in relation thereto, which certificate upon approval thereof by the court shall establish the rights of the petitioner in the lands taken and shall be filed with the clerk and a certified copy thereof filed for record with the register of deeds. Such record shall be notice to all parties of the title of the state or of its agency or political subdivision to the lands therein described.

(e) The commissioner of highways may except as to lands already devoted to a public use, at any time after the filing of a petition for the condemnation of any land for a trunk highway, or for material for the construction

or improvement thereof, take possession of such land; and may at any time enter upon any lands and make surveys and examinations thereof in the location of trunk highways or in the acquisition of material for the construction or improvement thereof.

Approved April 18, 1941.

CHAPTER 308—S. F. No. 291

An act amending Mason's Supplement 1940, Section 6039-1, relating to the power of the conservator of rural credit to enter into composition agreements on mortgages and on contracts for deed containing the crop payment clause heretofore or hereafter entered into with the purchasers of land from the State of Minnesota, Department of Rural Credit.

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

Section 1. Law amended.—Mason's Supplement 1940, Section 6039-1, is hereby amended to read as follows:

"6039-1. Composition with mortgagors—application to district court—review.—Whenever the Conservator upon his own initiative or upon an application by a mortgagor, is of the opinion that real estate held as security by the State of Minnesota is worth less than the amount due on the indebtedness secured by the same, and the Conservator is able to liquidate said indebtedness by a satisfactory cash settlement, and whenever the Conservator, upon the written application by a contract vendee under the Crop Payment Plan who has fully complied with all the terms and provisions of his contract, is of the opinion that the real estate so sold by the State of Minnesota is worth less than the amount then due thereon and is of the opinion that the amount offered in payment by said contract vendee is commensurate with the then value of said real estate, he may enter into an amended contract for the sale of such land to such purchaser, upon the payment by said purchaser of not less than 25 per cent of such compromised purchase price, the balance thereof to be amortized over a period of not to exceed 20 years, he shall present a verified petition to the Judge of the District Court of the county where such lands are located setting forth the facts, and said judge, if satisfied that it is for the best interest of the state, may hear such petition, either with or with-