

*ing principal support from such member or surviving mother or father, or surviving brother or sister, or surviving children of the deceased brother or sister of such member.*

*If the beneficiary designated by the member is not one of the class of persons named in the preceding sentence, such benefit from the accumulations of city deposits shall be paid in the following order: (1) to the surviving spouse, the whole thereof; (2) if there be no surviving spouse, to the surviving children, share and share alike; (3) if there be no surviving spouse or child, or children, to the dependent or dependents, as those terms are herein defined, of the member, share and share alike; (4) if there be no surviving spouse, child or children, or dependents, to the surviving mother and father, share and share alike; (5) if there be no surviving mother and father, to the surviving brothers and sisters of the member, in equal shares; (6) and if there be no surviving brothers and sisters, to the surviving children of the deceased brothers and sisters of the member, in equal shares; (7) and if there be no person named in the preceding sentence who survives the member, the accumulation of city deposits shall be cancelled. The interest credit accrued from the date of separation to the date of death on such member's deposit shall be withheld and credited to the reserve for loss on investment account.*

Approved March 27, 1951.

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#### CHAPTER 171—S. F. No. 605

*An act relating to the prospecting of iron ore in certain lands belonging to the state not known to contain merchantable deposits of such ore and limiting the prospecting areas; amending Minnesota Statutes 1949, Section 93.283, Subdivisions 2, 4, 5 and 6.*

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

Section 1. Minnesota Statutes 1949, Section 93.283, Subdivision 2, is amended to read:

93.283. Subd. 2. **Prospecting permits, mining leases, for certain lands.** All parts of the State of Minnesota except

St. Louis, Lake, Itasca, Crow Wing, and Fillmore counties are hereby classified as areas in which no merchantable deposits or iron ore are known to exist and with respect to which prospecting permits and mining leases may be issued hereunder covering lands belonging to the state or lands in the minerals of which the state has an interest. At any time prior to the receipt by him of an application for a permit thereon in accordance with the provisions of this section, the commissioner of conservation may withdraw for such time as he sees fit from the operation of this section any designated townships or portions thereof by publishing notice of such withdrawal in a legal newspaper published in the county in which the lands so withdrawn are situated. The commissioner of conservation, with the approval of the executive council, may classify as being subject to this section particular areas in St. Louis, Itasca, Crow Wing, Lake, or Fillmore counties situated more than *one mile* from any known occurrence of iron ore or iron-bearing formation, and thereupon lands in such areas shall be subject hereto.

Sec. 2. Minnesota Statutes 1949, Section 93.283, Subdivision 4, is amended to read:

Subd. 4. **Rights under permit.** Permits hereunder shall confer the same rights to prospect for iron ore on the lands described therein and shall be subject to the same conditions with respect to prospecting and reporting thereon as are provided under Section 93.18, with respect to holders of permits granted in accordance therewith, but shall otherwise be in form appropriate to the provisions of this section. The term of such permit shall be for a period of two years and the work of prospecting thereunder shall begin within six months from the date thereof. It shall contain provisions requiring the payment of any damages sustained by the state to timber, structures or other improvements belonging to the state. The requirements for prospecting work thereunder may be satisfied by work performed upon either the lands covered by the permit or on lands included in other permits issued to the same permit holder hereunder in the same general mineral formation or area as those covered by the permit and in the same section according to the United States Government survey or in an adjoining section; provided work done under one permit cannot be credited upon *more than three additional* permits hereunder located in *the same section or one adjoining* section. In case the prospecting work is not performed on the lands covered by the permit the holder's reports on the pro-

gress of the work shall show work performed on other lands within the limitations above set forth sufficient to constitute compliance with the foregoing provisions.

Sec. 3. Minnesota Statutes 1949, Section 93.283, Subdivision 5, is amended to read:

Subd. 5. **Applications, fees.** Applications for permit to prospect for iron ore hereunder shall be presented to the commissioner of conservation either by the applicant or his agent in person or by mail. The application shall describe the lands to be embraced in the permit, which shall consist of contiguous descriptions and shall not exceed 160 acres unless some of the descriptions are fractional subdivisions, in which case the acreage may exceed that number by not more than the amount by which any one or more of such fractional subdivisions shall exceed 40 acres each. The lands covered by any such permit are herein referred to as a "mining unit," and no such mining unit shall contain lands belonging to more than one permanent trust fund, or shall intermingle tax-forfeited lands not held in trust for taxing districts with tax-forfeited lands held in trust for taxing districts, or intermingle either with permanent trust fund lands. Each application shall be accompanied by a certified check or a cashier's check on a national or state bank in Minnesota, payable to the state treasurer, in the sum of \$50 as fee for the permit, and a like check in the sum of \$200 as a guarantee that the applicant will carry out and perform in good faith all the covenants set out in the permit. The commissioner of conservation shall endorse upon each application the exact time of presentation and shall preserve the same in his office. The first applicant for permit on any land whose application hereunder, with accompanying fees, is filed with the commissioner of conservation in accordance herewith shall be entitled to receive a permit hereunder.

Sec. 4. Minnesota Statutes 1949, Section 93.283, Subdivision 6, is amended to read:

Subd. 6. **Permit holders may receive mining leases.** At any time prior to the expiration of any such permit, the original holder or any assignee thereof shall have the right to receive from the commissioner of conservation a mining lease, which shall bind the state and the person to whom it shall be issued to the mutual observance of the obligations and conditions thereof, and the mining lease shall be in the form

set forth in section 93.20, and require the payment of the royalties set forth in *Laws 1941, Chapter 546*, except that the royalties shall be modified so as to provide that the royalties shall, for each calendar year the lease remains in force, be increased for that calendar year by 10% of the increase in the Lake Erie price for Mesabi non-bessemer ore, as announced previous to May 1st of that year, over and above the corresponding Lake Erie price that prevailed at the time of submission of the application for a prospecting permit on the mining unit covered by the lease, and also except that the rental shall be modified so as to provide that the annual rental for that part of the first calendar year remaining after the effective date of the lease and for the four succeeding calendar years shall be at the rate of \$500 per calendar year, and the annual rate of rental thereafter shall be \$5,000 per calendar year. As a condition precedent to the issuing of such mining lease the holder of the permit shall file a full report, properly verified, of all work of exploration done under the permit, or an affidavit in case no work was done, stating such facts, and pay to the state treasurer a sum of money based on the quarterly royalty payment of \$125 for the first quarter, as set out in the lease, in the ratio that the unexpired portion of the quarter bears to the full quarter. Approved March 28, 1951.

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CHAPTER 172—S. F. No. 249

[Not Coded]

*An act relating to the powers of county commissioners in certain counties to appropriate monies for and to agricultural societies.*

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

**Section 1. Agricultural societies, appropriated to by certain counties.** The board of county commissioners of any county having an assessed valuation of not less than \$8,200,000, nor more than \$9,500,000, exclusive of monies and credits, and a population of not less than 13,000 nor more than 16,000 inhabitants according to the 1950 federal census, and which did not in the year 1950 levy any taxes under the provisions of Minnesota Statutes 1949, Section 38.27 or Section 38.28,