

of the property from the attachment by giving a bond, if he acts before judgment is entered. The bond must be approved by a judge or justice of the court in which the action was brought, but where the action was brought in the district court, the court commissioner may approve the bond. The bond shall be executed in a penal sum at least double the amount claimed in the writ of attachment or, where the value of the property attached is less than the amount claimed, twice such value. The bond shall be conditioned to pay any judgment rendered against the defendant in the action, or as much as equals the value of the property attached. If he approves the bond, the judge, justice, or court commissioner shall issue an order discharging the attachment and releasing the property. When the defendant has filed the order with the bond and served a copy of the order upon the plaintiff or his attorney, the order becomes effective.

Sec. 4. Minnesota Statutes 1949, Section 571.66, Subdivisions 2, 3, are hereby repealed.

Approved March 12, 1953.

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#### CHAPTER 111—S. F. No. 655

*An act relating to land forfeited to the state for taxes and providing for the granting of leases thereon; amending Minnesota Statutes 1949, Section 282.04, Subdivision 1, as amended.*

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

Section 1. Minnesota Statutes 1949, Section 282.04, Subdivision 1, as amended by Laws 1951, Chapter 203, Section 1, is amended to read:

**282.04 Sale of timber; lease of lands; partition; easement.** Subdivision 1. **Cash sales only.** The county auditor may sell dead, down and mature timber upon any tract that may be approved by the conservation commissioner. Such sale of timber products shall be made for cash at not less than the appraised value determined by the county board to the highest bidder after not less than one week's published notice in an official paper within the county. Any timber offered at such public sale and not sold may thereafter be sold at private sale by the county auditor at not less than the appraised value thereof, until such time as the county board may withdraw such timber from sale. The appraised value of the timber and the forestry practices to be followed in the cutting of said timber shall be approved by the commissioner of conservation.

Payment of the full sale price of all timber sold on tax forfeited lands shall be made in cash at the time of the timber sale. The county board may require final settlement on the basis of a scale of cut products. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale above mentioned, in which case the notice shall contain a description of such parcels, a statement of the estimated quantity of each specie of timber thereon and the appraised price of each specie of timber for 1000 feet, per cord or per piece, as the case may be. In such cases any bids offered over and above the appraised prices shall be by percentage, the per cent bid to be added to the appraised price of each of the different species of timber advertised on the land. The purchaser of timber from such parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of such sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of such sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber may be removed from such parcels of land until scaled by a person or persons designated by the county board and approved by the commissioner of conservation. No timber shall be removed until fully paid for in cash. Small amounts of green standing, dead, down, dying, insect infested or diseased timber not exceeding \$250 in appraised valuation may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of such sale involving a total appraised value of more than \$50 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than one such sale, directly or indirectly to any individual shall be in effect at one time. As directed by the county board, the county auditor may lease tax forfeited land to individuals, corporations or organized subdivisions of the state at public or private vendue with or without provision for annual renewal, and at such prices and under such terms as the county board may prescribe, for use as cottage and camp site and for agricultural purposes and for the purpose of taking and removing of hay, stumpage, sand, gravel, clay, rock, marl, peat, and black dirt therefrom, for storing thereon ore, waste, materials from mines, or rock and tailings from ore milling plants and for garden sites and other

temporary uses provided that no leases shall be for a period to exceed one year; provided, further that any leases involving a consideration of more than \$50 per year shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any such leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by such cancelation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county.

Approved March 12, 1953.

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#### CHAPTER 112—H. F. No. 79

*An act relating to benefits under the Workmen's Compensation Law; amending Minnesota Statutes 1949, Section 176.13, as amended.*

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

Section 1. Minnesota Statutes 1949, Section 176.13, as amended by Laws 1951, Chapters 457 and 670 is amended to read:

**176.13 Increase of previous disability; special compensation fund.** 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.

(a) 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, as provided for by section 176.11, *subdivision 3 (1-41 inclusive)*, out of a special fund known as the special compensation fund.

(b) Following the effective date of this act, no compensation shall be paid for permanent total disability from the special fund for injuries occurring after said date, except for second injury cases as provided in clause (a) of this section. All employees who are now receiving, or who may hereafter become entitled to receive, compensation for permanent total disability, as a result of injuries occurring before the effective date of this act, whether from the employer or from the special