

ceeding shall be dismissed with prejudice. Such bond shall be executed by the party or parties who instituted the litigation, or some person for him or them, as principal and conditioned for the payment to the corporation of such damage as the public and taxpayers shall sustain by reason of the litigation, if the court finally decides that the party or parties were not entitled to the relief sought. The amount of damages may be ascertained by a reference or otherwise as the court shall direct, in which case the sureties shall be concluded as to the amount but the damages shall be recoverable only in an action on the bond. If the party or parties by or for whom such bond is furnished prevails in the litigation, the premium paid on the bond shall be repaid by or taxed against the corporation. During the pendency of the litigation, the court, on motion, may require additional security if found necessary, and upon failure to furnish the same shall dismiss the action or proceeding with prejudice. The court may likewise, on motion, reduce the amount of a bond theretofore required or release the bond upon being shown that the amount is excessive or the bond no longer required.

Sec. 3. [360.143] **Appeals.** In any such litigation wherein a bond has been required and given under Section 2 hereof or the court has denied a motion to require such bond, the court shall advance the case on its calendar for trial at the earliest feasible date; and in such litigation an appeal to the Supreme Court from an appealable order made, or from a judgment entered, in a district court may be taken only within thirty days after entry of such judgment or after written notice of such order from the adverse party.

Sec. 4. [360.144] **Civil damage actions.** Nothing contained herein shall affect the rights of any aggrieved person to bring a suit for civil damages. No bond shall be required therein except as otherwise provided by law.

Approved April 3, 1957.

CHAPTER 305—H. F. No. 897

An act relating to settlement for general relief purposes; amending Minnesota Statutes 1953, Section 261.07, Subdivision 2.

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

Section 1. Minnesota Statutes 1953, Section 261.07, Subdivision 2, is amended to read:

Subd. 2. The time during which a person has received old age assistance or aid to dependent children, or has been the inmate of a hospital, old age home, or nursing home for the care of the invalid or aged, or an institution, home, or school for the mentally deficient, whether public or private, and the time during the pendency of any suit to determine his legal poor settlement, and the time during which a person has been an inmate of a poorhouse, jail, prison, or other public institution, or under commitment to the guardianship of the commissioner of public welfare, *or a private agency authorized by the commissioner to accept guardianship of children*, or one of the state institutions as a mentally deficient, delinquent, or dependent person, and each month during which he has received relief from the poor fund or any county or municipality or from funds supplied by the state or the United States or any department or departments thereof, except a recipient of assistance under the aid to the blind act, supplied as direct relief or in providing work on a relief basis and in lieu of direct relief, shall be excluded in determining the time of residence hereunder.

Approved April 3, 1957.

CHAPTER 306—H. F. No. 901

[Coded]

An act relating to the observance of Arbor Day.

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

Section 1. [131.191] **Arbor Day.** [Subdivision 1.] The first Friday in May is designated Arbor Day. On that day there may be special observances throughout the state celebrating and emphasizing the importance of cultivating forest, fruit and ornamental trees. In the public schools of the state, time may be devoted by the teachers, either in the class room or outside of the class room, to appropriate instructions and exercises commemorating the history and tradition of Arbor Day observances in the past and illustrating the future value to the state of cultivating, planting and developing the trees and forest resources. These observances shall not consume more than one-half of the normal school day.

Sec. 2. [Subd. 2.] The department of conservation may assist and encourage the observances of Arbor Day by any public school, group or association requesting assistance. The department may lend its facilities and resources to such