

office, all cross marks in squares opposite names, not exceeding the whole number to be elected, including written names thereon, shall be counted. When less than the number to be elected are marked, only those so marked shall be counted;

(f) The judges shall disregard misspelling or abbreviations of the names of candidates, if it can be clearly ascertained from the ballot for whom it was intended;

(g) When the judges can determine from a ballot the voter's choice for only a part of the ~~officers~~ *offices*, the ballot shall be counted for that ~~party part~~ *part* only;

(h) When a voter uniformly uses a mark other than (X) in marking his ballot, clearly indicating his intent to mark against a name, and does not use (X) anywhere else on the ballot his vote shall be counted for each candidate so marked; *when a voter uses two or more distinct marks in expressing his vote on a ballot such as (X) and some other mark, the vote shall be counted for each candidate so marked, nonetheless, unless it is so marked by distinguishing characteristics so as to make the entire ballot defective as provided in (k);*

(i) When a ballot shows that marks have been made against the names of two candidates, and an attempt made to erase or obliterate one of the marks, it shall be counted for the candidate for whom it was evidently intended;

(j) All ballots marked as hereinbefore provided shall be counted for the candidates or proposition therein shown to be voted for;

(k) When a ballot is so marked by distinguishing characteristics that it is evident that the voter intended to identify his ballot, the entire ballot is defective;

(l) When the number of candidates is equal to the number to be elected to an office, and the voter has not marked against any name, no vote may be counted for that office.

Approved May 13, 1963.

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#### CHAPTER 685—H. F. No. 1696

*An act relating to lands or minerals and mineral rights becoming the property of the state under tax laws; amending Minnesota Statutes 1961, Section 93.335, Subdivision 1.*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

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

Section 1. Minnesota Statutes 1961, Section 93.335, Subdivision 1, is amended to read:

**93.335 State lands, minerals, mineral rights acquired under tax laws.** Subdivision 1. **Land grouped into mining units; leases.** Lands or minerals and mineral rights, including fractional undivided interests therein, becoming the absolute property of the state under the tax laws, may be grouped into mining units, permits to prospect for iron ore thereon shall be awarded, and mining leases thereon issued as provided by sections 93.14 to 93.33, and, except as otherwise specifically provided herein, all the terms, conditions and provisions of such sections shall be applicable thereto, regardless of whether or not such lands or minerals and mineral rights are held in trust for taxing districts. Leases issued hereunder shall be in the form provided by law, with only such changes as the commissioner of conservation shall find necessary to indicate the specific interest covered by the lease and the proportion of the stipulated royalty or rental payable under subdivision 2 or otherwise to conform with the provisions hereof. In case the state owns such a fractional undivided interest ~~not exceeding one third~~, and the remaining undivided interest in the property is owned or held under lease for mining purposes by another, the commissioner of conservation, with the approval of the executive council, upon application of such owner or lessee, without public sale and without prior issuance of a prospecting permit, may enter into a mining lease with such owner or lessee covering the state's interest under the following terms and conditions:

(1) The application shall be in such form and shall contain such information as the commissioner shall prescribe;

(2) Where any of the ore to be mined under such lease lies within the bed of a public lake or stream, the lessee shall obtain an appropriate permit from the commissioner, pursuant to section 105.42 and other applicable laws;

(3) The lease shall be in the form herein prescribed, except that it may provide for the payment of rental and royalty at such rates as may be agreed upon between the parties and may contain such additional appropriate provisions, not inconsistent with law, as may be agreed upon in furtherance of the mutual interests of the parties; provided, that the rental and royalty rates for iron ore shall not be less than the applicable minimum rates prescribed in section 93.20.

Approved May 13, 1963.

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Changes or additions indicated by *italics*, deletions by ~~strikeout~~.