

with all the conditions and covenants of such lease, to at once enter upon the premises described in such lease and take possession of the same, any rule of law or equity to the contrary notwithstanding.

Re-entry by state.

SEC. 7. Should copper, or any other valuable mineral be discovered on land and leased as heretofore authorized, the terms and conditions on which the same may be mined, shall be agreed upon by the state land commissioner and the lessee, and in case they are unable to agree, then each shall choose a referee—the two (2) persons thus selected shall choose a third. The decision of said board shall be final and binding on the parties in interest.

Discovery of valuable minerals.

SEC. 8. The state land commissioner is hereby authorized to lease state lands for hay or grass privileges, subject to such restrictions as he may prescribe; *provided* that no such lease shall be for more than one (1) calendar year.

Leasing state lands.

SEC. 9. Whenever state lands situated in the counties of St. Louis, Lake and Cook are sold, for which contracts or patents are issued, it shall be proper for the land commissioner of the state land office to indorse across the face of such contracts or patents the following words; "All mineral rights reserved to the state." The effect of such indorsement shall be to reserve to the state all mineral rights.

Reserving mineral rights.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 24th, 1895.

## CHAPTER 106.

H. F. No. 488.

*An act to amend chapter fifty-six (56) of the general laws of eighteen hundred and ninety-one (1891), entitled "An act to establish and create a public park to be known and designated as the Itasca State Park, and authorizing condemnation of lands for park purposes."*

Itasca State Park.

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

That chapter fifty-six (56) of the general laws of eighteen hundred and ninety-one (1891), entitled "An act to establish and create a public park to be known and designated as the Itasca State Park, and authorizing condemnation of lands for park purposes, be amended as follows:

SECTION 1. That section six (6), township one hundred and forty-two (142), range thirty-five (35);

Territory included.

sections six (6), seven (7), eighteen (18), nineteen (19), thirty (30), and thirty-one (31), township one hundred and forty-three (143), range thirty-five (35); sections one (1), two (2), three (3), four (4), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24) twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), thirty-three (33), thirty-four (34), thirty-five (35), and thirty-six (36), township one hundred and forty-three (143), range thirty-six (36); and sections one (1), two (2), three (3), and four (4), township one hundred and forty-two (142), range thirty-six (36), or so much thereof as the state is now or may hereafter become seized, shall be set apart and perpetually used as a public park.

**Name.** SEC. 2. The name of said park shall be the Itasca State Park, and the same is by this act dedicated to the perpetual use of the people of this state under the proper restrictions hereinafter provided, or which may be hereinafter provided by law.

**State auditor to have charge.** SEC. 3. The general care and supervision of the Itasca State Park, until otherwise provided for, shall be vested in the state auditor, acting as state land commissioner.

**Trospassors—how punished.** SEC. 4. Any person who shall wilfully cut, destroy or mutilate or who shall cause to be wilfully cut, destroyed or mutilated, any tree, shrub, timber, evergreen, or plants of any kind, or who shall kill, cause to be killed, or pursue with intent to kill, any moose, bear, deer, fox, otter, porcupine, mink, or other wild animal in said park, or who shall in any other manner without the consent of the person in charge, and then only with a hook and line held in the hand, take any fish from the waters of said park, or who shall in any manner whatsoever take or catch any fish in the waters of said park for the markets of the state, or who shall in any manner whatsoever raise or cause to be raised, lower or cause to be lowered, any of the lakes or streams within said park, or the waters therein; or who shall set, or cause to be set, any fire therein, or who shall in any manner whatsoever at any time or place within said park, willfully hunt and cause to be discharged any firearms at any animal, bird, fowl or fish, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for the first offense fifty (50) dollars; for the second offense two hundred (200) dollars, and for the third or further offenses he shall be fined and imprisoned in the county jail not less than ninety (90) days, nor more than one (1) year, and the provisions of this section

shall apply to all manner of persons, including Indians. All offenses charged for misdemeanors, as hereinbefore provided, shall be tried and determined under the general laws of this state applicable to the trial of criminal actions in like causes; and whenever the commissioner or other person shall make complaint in writing to the district court, or a judge thereof, setting forth that any said offenses have been committed, or are about to be committed whereby any of the timber of said park has been taken, or is about to be destroyed in any manner, it shall be the duty of the district judge to promptly and without delay issue an order of injunction against all trespassers who in any manner whatsoever destroy or injure, or who are about to destroy or injure any of the timber, trees, evergreens or shrubs within said park, belonging to or under control of the state.

SEC. 5. The state auditor shall take proper proceedings, under existing laws, relative to the appraisal and sale of school lands, to cause the transfer of the school lands in said park for park purposes, and at the sale thereof the same shall be bid in by the state for such park purposes.

Disposition of  
school lands  
included.

SEC. 6. The governor shall appoint a qualified resident of this state as commissioner, who shall hold his office until removed by the governor.

Commissioner  
—appointed.

The said commissioner shall file with the state auditor his oath to support the constitution of this state, and to conscientiously perform the duties of his office. The commissioner shall reside within the limits of the park. The governor is hereby authorized to cause to be erected suitable buildings for the accommodation of the park commissioner at a cost not to exceed one thousand (1,000) dollars. The park commissioner is hereby authorized to utilize a tract of land for agricultural purposes, not exceeding twenty (20) acres in and, with the privilege of keeping not to exceed ten (10) head of stock, and the right to use for fuel purposes any dead or down timber, and a further right to entertain any visitors in said park at a schedule of charges to be approved by the governor. It shall be the duty of the park commissioner, under the direction of the governor, to carefully guard and protect the fish, game and forests of said park, and to prevent the destruction or mutilation of any of its timber, and to preserve the park in its natural condition, and to warn all persons against setting fires in the park. Said commissioner shall annually, on or before the first day of December of each year, report to the governor the condition of the park, amount of fines collected and number of suits instituted for violation of the park law, together with such other informa-

Duties of  
Commissioner.

tion as shall be deemed of public interest, or required by the governor.

Territory —  
how acquired.

SEC. 7. The attorney general is hereby authorized, when requested by the governor, to take all reasonable steps to procure from landed property owners, railroad companies, corporations, or individuals owning lands within the limits of said park, concessions to the state for park purposes by contract or deed, subject to the approval of the governor. In case any tract or parcel or parcels of land within the limits of said park cannot be satisfactorily secured, the governor may direct the attorney general to institute for and on behalf of the state proceedings in condemnation, as now provided by law, for condemning and converting private property within the limits of the state to public use. Whenever any proceedings in condemnation are had and taken for the condemnation and conversion of any of said lands, all of the provisions of an act approved. March ninth (9th), eighteen hundred and seventy-four (1874), entitled "An act to provide for obtaining title to lands, by the state of Minnesota for the use of the state." And all amendments thereto, shall be applicable in all proceedings for the condemnation herein provided for.

Compensation  
of Commis-  
sioner.

SEC. 8. The compensation of said commissioner shall be six hundred (600) dollars per annum, which is hereby appropriated annually out of the state treasury, out of any moneys not otherwise appropriated, for the purpose of paying such commissioner. The further sum of one thousand (1,000) dollars or so much thereof as may be necessary is hereby appropriated for the purpose of erecting suitable buildings for the accomodation of the park commissioner.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 25th, 1895.