

which such district is situated shall appoint a competent person to fill such vacancy, who shall give such bond and take such oath as is by law required of court commissioners, and who shall hold his office until the next general election and until his successor is elected and qualified.

May perform marriage ceremony.

SEC. 7. That court commissioners shall have power to perform the marriage ceremony.

SEC. 8. Court commissioners for services mentioned in this act in actions or proceedings pending in the district court shall be allowed the following fees:

Fees of court commissioner.

For examining any petition, complaint, affidavit or any paper wherein an order is required, one (1) dollar. For making and entering an order on the same, fifty (50) cents. For passing and deciding on the return of a writ of habeas corpus, three (3) dollars for each day necessarily occupied in the hearing of the same. For all examinations of judgment debtors in proceedings supplementary to execution and for all disclosures in garnishment proceedings committed in writing at the rate of fifteen (15) cents per folio of one hundred (100) words so committed to writing.

For all other services rendered by them, the same fees as are allowed by law to other officers for similar services.

SEC. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

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

Approved April 23, 1897.

H. F. No. 606.

CHAPTER 312.

Sale and lease of mineral and other lands.

An act to amend section 2 of chapter 105 of the general laws of 1895, entitled An act to amend chapter 22 of the general laws of 1889, relating to the sale and lease of mineral and other lands belonging to the State of Minnesota.

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

Amendment.

SECTION 1. That section two (2) of chapter one hundred and five (105) of the general laws of one thousand eight hundred and ninety-five (1895) be, and the same is hereby amended so as to read as follows:

The application for a mineral lease as herein provided,

shall be in such form as the state land commissioner may prescribe. It shall correctly describe the land desired to be leased, and shall consist of contiguous descriptions, which, in the aggregate, shall not exceed one hundred and sixty (160) acres in any one lease, unless some of the descriptions shall be fractional subdivisions, in which case the acreage may exceed the number above mentioned.

Application
for mineral
lease.

Before any lease shall be granted, the applicant shall pay to the state treasurer the sum of twenty-five (25) dollars, and in case two or more persons shall apply for a mineral lease at the same time, then the one who will pay the largest sum of money therefor shall be entitled to receive the lease first provided for in this act.

Payment for
lease.

The holder of a mineral lease, secured as above provided, shall have the right to prospect for iron ore on the lands embraced therein, for the period of one (1) year from the date of issue of said lease, after which period his right to enter and prospect upon said land shall terminate under said lease. And no such prospecting lease for the same lands shall be issued to the same person for two (2) years in succession.

Right of
holder of
mineral lease.

Provided, that no iron ore shall be removed therefrom until a contract as hereinafter provided shall have been executed.

Provided, further, that any person, persons or corporation heretofore holding a lease under the provisions of sections one (1) and two (2) of chapter twenty-two (22) of the general laws of Minnesota for the year one thousand eight hundred and eighty-nine (1889), or under sections one (1) and two (2) of chapter one hundred and five (105) of the general laws of Minnesota for the year one thousand eight hundred and ninety-five (1895), on any lands belonging to this state, who before the expiration of the term of such lease shall have applied to the commissioners of the state land office for a contract as hereinafter or in said chapter provided, or who may hereafter or during the continuance of said original lease make such application, and who, prior to the expiration of such original lease, shall have made payment, or if the same has not yet expired shall hereafter and before such expiration make payment of the amount due therefor to said land commissioner, shall have a prior right to demand and receive from said commissioner the contract hereinafter provided; and it shall be the duty of said land commissioner, and he is hereby directed to execute and deliver such contract to said person, persons or corporation on demand.

Contract for
removal of
iron ore.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 23, 1897.