

where it was cut before it has been so scaled or counted by a *deputy surveyor general* shall be deemed guilty of a felony, and may be prosecuted criminally therefor. The purchaser of any such timber shall pay the state for all timber that may be cut upon or removed from such land during the life of his permit, at his purchase price per thousand feet, or per piece, or per cord, as the case may be. In all other respects such sale shall be subject to all the restrictions and conditions applicable to the sale of other state timber.

Approved April 17, 1917.

CHAPTER 326—H. F. No. 635.

An act to amend Section 13, Chapter 204, General Laws of Minnesota, 1905, relating to the sale of timber on state lands; defining trespass thereon and describing penalties therefor.

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

Section 1. Timber board to formulate rules and instruct auditor how timber shall be disposed of.—That section 13, chapter 204, General Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 13. The governor, treasurer, auditor, state forester and attorney general shall constitute a board of timber commissioners, of which the governor shall be chairman. The auditor shall be ex-officio secretary of the board, and he or his deputy shall attend each meeting and make full minutes of the proceedings, which shall be signed at the close of each meeting by the commissioners present, and shall be kept subject to public inspection in the office of the auditor. The governor and two other members shall be a quorum for the transaction of business. Before any timber is sold the auditor shall submit to the board, which shall meet from time to time, upon the call of the governor, the question of such sale, and shall produce the record of appraisal of such timber and the board shall examine the same, together with other documents and records and such witnesses as it may require. If the governor and at least two other members of the board shall so determine, they shall enter upon the record of appraisals a statement, dated and signed by them that such timber is in danger of being injured, and that a sale thereof is necessary to protect the state from loss. Thereafter, and not before, the auditor may make such sale. Whenever any member of the board becomes satisfied, before issuance of a permit, that, by reason of fraud or misstatement on the part of any estimator, witness or officer, or by reason of any combination or irregularity, the interests of

the state so demand, he shall withdraw his approval of any sale, by an entry signed by him upon the record of the appraisals. No sale of timber shall be made until not less than two independent estimates have been made.

The timber board shall upon call by the chairman thereof, meet during the month of January and formulate rules to be followed in regard to the bark mark, end mark, or other mark or marks to be utilized by the purchasers of timber, the method to be pursued in the settlement of trespass cases, and to establish such other rules as it may deem wise in the transaction of the state's timber business.

The timber board shall have power to instruct the state auditor how timber that has been seized by him shall be disposed of, and it may order sold at private vendue timber cut in trespass or removed from state lands in violation of law, where the appraised value thereof shall not exceed \$50.00.

Approved April 17, 1917.

CHAPTER 327—H. F. No. 636.

An act to amend Section 19, Chapter 204, General Laws of Minnesota 1905, relating to the sale of timber on state lands, defining trespass thereon and prescribing penalties therefor.

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

Section 1. Provisions for sale of timber on state lands and reports to be made by purchasers.—That section 19, chapter 204, General Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 19. Upon the delivery and filing of the duplicate receipts mentioned in the preceding section, the auditor shall issue a permit to such purchaser, in a form approved by the attorney general, by the terms of which he shall be authorized to enter upon the land, and to cut and remove the timber therein described, according to the provisions of this chapter. Such permit shall be correctly dated and executed by the auditor, and signed by the purchaser. No permit shall cover more than two logging seasons, and the timber shall be cut and removed within the time specified therein. Not more than one section or fractional section of land, according to the government survey, shall be described in any one permit, and no permit shall be issued to any person other than the purchaser in whose name the bid was made. The permit shall state the amount of timber estimated to be thereon, the estimated value thereof, and the price at which it is sold, or the price per thousand feet, in case it is sold by the thousand feet, and shall