

operated as a municipal plant or otherwise, by erecting poles along any public road or highway and extending from such city, village or borough to such electric light and power plant, subject to the provisions of law relating to the use of public roads, highways and streets by light and power companies and string along such poles wires and cables for the transmission of electrical current from such plant to the system of poles, wires and cables erected in such city, village or borough; and such council may enter into such contract or contracts for and on behalf of its municipality and the inhabitants thereof for furnishing electrical current and power as to it may be deemed advisable and may prescribe the rates to be charged for such current and power.

Sec. 2. **Authorization by voters.**—Before incurring any expense under the powers conferred by Section 1 of this act the approval of the voters of such city, village or borough shall first be had at a general or special election held therein. If a majority of the voters of such city, village or borough participating at such election shall vote in favor of the construction of the system of poles, wires and cables herein authorized to be made, the council shall proceed with such construction.

Sec. 3. **Bonds may be issued.**—The expense incurred in carrying out the provisions of this act may be paid out of any money in the general fund of the city, village or borough available for the purpose. If there is no money in such fund available, the bonds of the city, village or borough may be issued under and pursuant to the provisions of Chapter 10 of the General Statutes of Minnesota for 1913. The proposition of constructing a system of poles, wires and cables and the proposition to issue bonds therefor may be submitted at the same election.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved February 21, 1923.

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#### CHAPTER 30—H. F. No. 252.

*An act to amend Section 5266, G. S. 1913, relating to settlement by the Board of Timber Commissioners for timber cut on state lands in certain cases.*

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

Section 1. **State estimators of State lands and timber.**—That Section 5266 General Statutes 1913 be and the same is hereby amended so as to read as follows:

5266. The auditor may appoint such state estimators as may be necessary to examine the lands in his charge, and to estimate and appraise the timber thereon; and he may discharge such estimators from time to time, as he deems best. Each estimator shall be a citi-

zen of the state, an experienced land surveyor, or cruiser, and acquainted with the value of pine lands and stumpage, and shall have at least five years practice in surveying or cruising and estimating such lands and the timber thereon. Before any person is so appointed he shall file with the auditor an affidavit showing that he possesses all the qualifications aforesaid. At the time of his appointment he shall give a bond to the state in at least the sum of \$5,000.00, conditioned for the faithful performance of his duties, which bond shall be approved by the auditor, and, with the required oath, filed in his office. The state estimators are hereby authorized to arrest any person found trespassing upon state lands and deliver him to the sheriff of the county, and such estimator shall immediately enter a complaint before a justice of the peace in said county, charging the person so arrested with such trespass, and the person so in custody shall be arraigned and given a hearing on such complaint. Such state estimators shall wear when on duty a badge of office to be designed and provided by the state land commissioner. And it is hereby declared a misdemeanor for any person not a duly appointed and acting state estimator to wear such a badge or to personate or claim to be a state timber estimator. The board of timber commissioners, created by section 13 (5270) of this act, are hereby authorized to dispose of and settle for, at stumpage value, timber cut by railroad companies upon right of way of land acquired from the state of Minnesota, or cut upon state lands and actually used in the construction of a railroad, also for the timber used in the construction of dams, lumber camps or public improvements of a permanent nature. *Such board of timber commissioners are further authorized to settle for, at stumpage value, timber cut by lessees under contracts made pursuant to provisions of Chapter 405, laws of 1919.* Provided, however, that no such settlements shall be made until the timber has been scaled or counted and appraised by a duly appointed state land examiner or timber estimator.

Approved February 21, 1923.

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#### CHAPTER 31—H. F. No. 300.

*An act to amend Section 5279, General Statutes, 1913, relating to assignment of timber permits.*

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

Section 1. **Assignments of permits.**—That section 5279, General Statutes, 1913, be and the same is hereby amended so as to read as follows:

“Section 5279. The assignment of any permit shall be executed in the same manner as a deed of land, and shall be acknowledged. No assignment shall be operative without the approval of the auditor, who, if he shall approve the same, shall endorse his approval