

"6602-62. **Appeals.**—Any party in interest may appeal from any determination of the commissioner to the district court of the county in which the project is wholly or partially located or to the district court of Ramsey County. Appeals may likewise be taken from the judgments of the district court to the supreme court of the state. Such appeal may be taken and the rules of pleading and procedure on such appeal shall be the same as now provided by law for appeals from orders of the railroad and warehouse commission of this state *as provided in Mason's Minnesota Statutes of 1927, Section 5308*, and on the trial or appeal the Judge of the district court having jurisdiction, or the supreme court, may set aside, modify or confirm such determination as the evidence or law may require. The pendency of any such appeal shall not of itself stay or suspend the operation of the order or determination of the commissioner, but the district court, or the supreme court, in their discretion may restrain or suspend, in whole or in part, the operation of the commissioner's determination pending the final hearing and determination of the appeal by requiring the filing of an appropriate bond or other undertaking by the appellant conditioned that the appellant shall answer for all damages caused by the delay in the enforcement of the determination of the commission. The court may, in lieu of such bond, require or permit of such other security as it may deem proper."

Approved March 28, 1941.

CHAPTER 87—H. F. No. 351

An act relating to the lands of the United States and jurisdiction thereover.

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

Section 1. Jurisdiction of certain lands ceded to the United States.—There is hereby ceded to the United States for the purpose of maintaining and operating a migratory waterfowl and wildlife refuge at Talcot Lake in Cottonwood County, Minnesota, all jurisdiction of the State of Minnesota over the water areas contained in the following description:

All that part of Section 19, Township 105 N., Range 38 West of the 5th Principal Meridian, in the County of Cottonwood, State of Minnesota lying south of Lots 2, 3, 4, 5 and lying north of the south 1/16 line of said Section 19 aforesaid,

reserving, however, to the State of Minnesota full and complete jurisdiction and authority over all such areas not incompatible with the maintenance and control thereof by the United States for the purposes of the waterfowl and wildlife refuge herein referred to.

Approved March 28, 1941.

CHAPTER 88—H. F. No. 355

An act relating to the water conservation program, the control and operation of dams and the acquisition of property therefor; amending Mason's Supplement 1940, Section 6602-66.

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

Section 1. Law amended.—Mason's Supplement 1940, Section 6602-66, is hereby amended to read as follows:

“6602-66. Dams to be maintained by State—Commissioner may acquire lands by condemnation.—All dams owned by the state or erected upon lands owned by the state or for which the state has acquired permanent easement, shall be maintained by the state from funds appropriated by the legislature directly for such purpose or from such other sources as may be provided by law. *Whenever in the interest of public health or welfare, it may be necessary to acquire dam sites, flowage rights or rights-of-way for the construction, operation and maintenance of water control works and other appurtenant construction for the development of water conservation program of the state, the commissioner of conservation, subject to the provisions of Section 6602-67, Mason's Minnesota Statutes, 1940 Supplement, is authorized to acquire such lands or any necessary interest therein by purchase, gift or condemnation whenever the necessary funds have been provided by legislative appropriation or from such other sources as may be provided or authorized by law. The commissioner is authorized to accept from local governmental and civic agencies, or persons, funds for the purpose of maintaining or constructing such dams and appurtenant or control structures, or the lands required therefor.*”

Approved March 28, 1941.