

Sec. 4. Severable. If any part, section or provision of this act shall be found to be unconstitutional or invalid for any reason, by a court of competent jurisdiction, it shall not invalidate the remainder of the act.

Sec. 5. Repeal. Except as otherwise herein provided, all existing acts or parts of acts, which relate to salaries of county auditors, in all counties of the state having a population of less than 50,000 inhabitants according to the last Federal census are hereby repealed in so far as they are inconsistent with this act.

Sec. 6. Fees in addition to salary. Nothing in this act shall limit the right of any county auditor to collect and retain any fees, per diem payment, or other payment which he is now authorized by any other provision of law to collect and retain in addition to the stated amount of his annual salary.

Sec. 7. Validation. The salary heretofore paid any county auditor, under the provisions of any existing law which may be found unconstitutional or invalid for any reason, by a court of competent jurisdiction, is hereby legalized and made valid.

Sec. 8. Effective date. This act shall take effect from and after May 1, 1945.

Approved April 14, 1945.

CHAPTER 282—S. F. No. 663

An act relating to exceptions to rulings, orders, decisions, or instructions of a court; amending Minnesota Statutes 1941, Section 547.03.

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

Section 1. Minnesota Statutes 1941, Section 547.03, is amended to read as follows:

547.03. Exceptions to ruling, order, decision or instruction of court. *Subdivision 1.* A party may except orally at the trial to any ruling, order, decision, or instruction of the court on a matter of law. No particular form of exception is required. A minute of the exception shall be made by the judge or stenographer, and the same may be preserved either in a

bill of exceptions, or a settled case; provided that in order to obtain a review of any such ruling, order, decision, or instruction made or given by the court it shall not be necessary to take an exception thereto, but in lieu of an exception the aggrieved party shall clearly specify the alleged error in his notice of motion for a new trial or other relief therefrom.

Subdivision 2. In the trial of any civil or criminal case any adverse ruling, order, decision or instruction of the court on a matter of law shall be deemed excepted to for all purposes of this chapter.

Approved April 14, 1945.

CHAPTER 283—S. F. No. 883

An act relating to the use of water of Birch Lake and the damming and other use of the water of Dunka River flowing into said lake, and of state lands adjacent thereto, in aid of the concentration of taconite and the treatment of the product thereof.

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

Section 1. Permission to use waters of Birch Lake and Dunka River; limitations. Any company or association engaged in the mining and beneficiation of taconite as defined in Minnesota Statutes 1941, Section 298.23, or constructing a beneficiation plant for that purpose, is authorized to use water from Birch Lake situated in Township 61, Range 13, and Township 61, Range 12, in St. Louis County, and in Township 61, Range 11, in Lake County, and to use water from the Dunka River, a tributary of said lake, in any plant for the beneficiation or concentration of taconite, or in the sintering, agglomeration or other treatment of concentrates from taconite, and, so far as may be necessary for such purposes, to construct a dam or dams in or across said Dunka River and to alter the natural water level and volume of flow of said river, and to flood or otherwise affect lands of the state adjacent to said river, all subject to the conditions and restrictions that:

(a) A permit therefor be first obtained from the commissioner of conservation in accordance with and subject to the provisions of Laws 1937, Chapter 468, as amended, so far