

CHAPTER 94

LANDS, STATE FORESTS

94.01-94.04 Repealed, 1949 c 454 s 1.

94.05 Renumbered Section 92.12, Subdivision 3.

94.06-94.08 Obsolete.

94.09 CERTAIN OTHER LANDS; HOW SOLD; APPRAISAL

Section 94.09 pertains specifically to the sale of real estate that escheats to the state and was first enacted in 1909. Section 11.08, enacted in 1941, applies to escheated property other than money and was not enacted to repeal section 94.09. The purpose of section 11.08 was to authorize the sale of escheated assets consisting of securities, bonds, mortgages, and property other than real property or money. OAG April 29, 1948 (700-D-28).

Where, after advertising a sale of escheated lands no bidders appear, the land should be reappraised and readvertised for bids. OAG May 25, 1948 (700-D-28).

The division of public institutions has no right to sell Fairview Cottages now under the control of the Home School for Girls at Sauk Centre, but the same may be sold under the supervision of the governor, the attorney general, and the state auditor in accordance with the provisions of sections 94.09 to 94.16. OAG Sept. 29, 1948 (89).

Conveyance of land by state, title to which was acquired by escheat, carries with it no obligation on the part of the state to furnish abstract of title. OAG Aug. 12, 1949 (700-D-28).

94.12 CERTIFICATE OF SALE

When the state acquires title to property by escheat it not only is invested with all the rights of the former owner, but takes the property subject to all debts, encumbrances, and liens against him, including taxes. Upon sale of the escheated property and delivery by the county auditor of the certificate, the purchaser has conclusive evidence of title for all purposes and against all persons except the state in case of forfeiture. The interest of the purchaser as of the date of the delivery of the certificate becomes taxable and should be placed upon the tax rolls on the next succeeding May 1. Although there is no specific statutory requirement that the certificate shall provide for the payment when due, of the current tax, the state auditor has authority to include such a provision in the certificate. One compelling purpose of selling escheated property is to get it back on the tax rolls. Insofar as delinquent taxes assessed prior to the escheat are concerned, the state auditor has authority to make payment at the time of the sale of those taxes plus accumulated penalties and interest as one of the terms of sale. OAG Oct. 4, 1948 (414-C-3).

94.14 RESERVATION OF MINERALS

Unless the rural credit mortgage through which the state obtained title contained a mineral reservation clause, the conservator may convey rural credit lands without reservation of mineral rights. OAG Oct. 28, 1947 (311-F).

94.16 FUNDS, HOW DISPOSED OF

The division of public institutions has no right to sell Fairview Cottages now under the control of the Home School for Girls at Sauk Centre, but the same may

MINNESOTA STATUTES 1953 ANNOTATIONS

207

LANDS, STATE FORESTS 94.346

be sold under the supervision of the governor, the attorney general, and the state auditor in accordance with the provisions of sections 94.09 to 94.16. OAG Sept. 29, 1948 (89).

94.20 Renumbered 84A.20.

94.21 Renumbered 84A.21.

94.22 Renumbered 84A.22.

94.23 Renumbered 84A.23.

94.24 Renumbered 84A.24.

94.25 Renumbered 84A.25.

94.26 Renumbered 84A.26.

94.27 Renumbered 84A.27.

94.28 Renumbered 84A.28.

94.29 Renumbered 84A.29.

94.30 Renumbered 84A.30.

94.34 Renumbered Section 92.461, Subdivision 1.

94.341 MINNESOTA LAND EXCHANGE COMMISSION

HISTORY. 1941 c 393 s 1.

NOTE: See Constitution of the State of Minnesota, Article VIII, Section 8.

Federal government; state governments; natural resources. 37 MLR 569.

94.342 CLASSES OF LAND

HISTORY. 1941 c 393 s 2; 1949 c 373 s 1.

94.343 CLASS A LAND EXCHANGED; CONDITIONS

HISTORY. 1941 c 393 s 3; 1949 c 373 s 2.

Whether the land to be exchanged is under Class B or Class A, the title must be good and, if necessary, the county attorney in dealing with Class B exchanges, or the attorney general in dealing with Class A exchanges, may bring an action to perfect the title to land owned by the state and subject to exchange. OAG June 26, 1952 (700-D-13).

94.344 CLASS B LAND EXCHANGED; CONDITIONS

HISTORY. 1941 c 393 s 4; 1949 c 437 s 1.

94.345 FORMS PRESCRIBED BY ATTORNEY GENERAL

HISTORY. 1941 c 393 s 5.

94.346 TITLES

HISTORY. 1941 c 393 s 6, 7.

MINNESOTA STATUTES 1953 ANNOTATIONS

94.347 LANDS, STATE FORESTS

208

94.347 CERTAIN LANDS SUBJECTED TO LIKE TRUSTS

HISTORY. 1941 c 393 s 8.

94.35 Renumbered 92.461, Subdivision 2.

94.351 ESCHEAT SUBJECT TO ENCUMBRANCE

HISTORY. 1903 c 192 s 1.

94.45 UNITED STATES SURVEY; DAMAGES

Federal government; state governments; natural resources. 37 MLR 569.

94.521 DISTRIBUTION OF MONEYS RECEIVED FROM FEDERAL GOVERNMENT

HISTORY. 1947 c 336 s 1.

NOTE: The acts of Congress referred to in section 94.521 are generally referred to as the Taylor Grazing Act of 1934 and the Flood Control Act of 1938.

94.522 TRANSMISSION OF WARRANTS TO COUNTY TREASURERS; USE OF PROCEEDS

HISTORY. 1947 c 336 s 2.

94.53 WARRANT TO COUNTY TREASURERS; FEDERAL LOANS TO COUNTIES

Where the federal government under Public Law 733 paid \$43,547.71, which was deposited in the state treasury, and where the "fair appraised value" of lands involved in the counties of Cook, Lake, and St. Louis had been obtained, the state auditor has the authority to draw his warrants on the state treasury payable to the several counties in the amounts to which they respectively are entitled. OAG May 24, 1950 (24-A).

GAME AND FISH

CHAPTER 97

DIVISION OF GAME AND FISH

97.01-97.39 Repealed, 1945 c 248 s 7.

97.40 DEFINITIONS

HISTORY. 1945 c 248 s 1; 1947 c 300 s 1; 1947 c 609 s 1; 1949 c 150 s 1; 1949 c 388 s 1-3; 1951 c 155 s 1.

97.41 CONSTRUCTION

HISTORY. 1945 c 248 s 1; 1949 c 150 s 2.

97.42 OWNERSHIP OF WILD ANIMALS, AQUATIC VEGETATION

HISTORY. 1945 c 248 s 1; 1949 c 150 s 3.