

a part of the order, or from an order refusing a new trial, or from an order granting a new trial if the court expressly states therein, or in a memorandum attached thereto, that the order is based exclusively upon errors of law occurring at the trial and upon no other ground the court shall specify such errors in its order or memorandum; but upon appeal, such order granting a new trial may be sustained for errors of law prejudicial to respondent other than those specified by the trial court;

(5) From an order which, in effect, determines the action, and prevents a judgment from which an appeal might be taken;

(6) From an order or judgment made or rendered in proceedings supplementary to execution;

(7) From a final order, affecting a substantial right, made in a special proceeding, or upon a summary application in an action after judgment.

When an appeal is perfected under clause (2) or (7) of this section, and notice and bond on appeal are filed with the clerk of the supreme court, the party appealing, or the respondent, may apply to the supreme court, upon ten days' notice, for an order fixing the time and manner of the hearing of the appeal; and the court may, in its discretion, if it be of opinion that the substantial interests of the parties involved, or of the public, require a speedy hearing, summarily fix the time of hearing, whether the court be then in session or in vacation, and may summarily determine the time for filing paper books and briefs, and the method of submission.

Approved April 21, 1945.

CHAPTER 464—H. F. No. 922

An act relating to the salaries of the president and trustees in villages; repealing Minnesota Statutes 1941, Section 415.04, and Laws 1945, Chapter 125, Section 1.

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

Section 1. **Salaries of president and trustees in villages.** Subdivision 1. The salaries of the president and trustees in villages shall be those fixed in the following subdivisions, but

the council of any village may fix such salaries in a less amount for any year.

Subd. 2. In any village having a population of not less than 5,000 and an assessed valuation of not less than \$10,000,000, the salary of the president is fixed at \$200 per month and the salary of each trustee at \$150 per month.

Subd. 3. In any village not included in the foregoing class and having either (a) a population of not less than 1,500 and an assessed valuation of not less than \$3,000,000, or (b) a population of not less than 1,200 and an assessed valuation of not less than \$6,000,000, the salary of the president is fixed at \$80.00 per month and the salary of each trustee at \$60.00 per month.

Subd. 4. In any village not included in any of the foregoing classes and having a population of not less than 2,000 and an assessed valuation of not less than \$1,500,000, the salary of the president is fixed at \$50.00 per month and the salary of each trustee at \$35.00 per month.

Subd. 5. In villages not included in any of the foregoing classifications, having both a population of not less than 300 and an assessed valuation of not less than \$925,000, or having both a population of not less than 300 and an assessed valuation of not less than \$700,000 of which not less than 30 per cent is iron ore valuation, the salary of the president is fixed at \$35 per month and the salary of each trustee at \$25 per month.

Subd. 6. In any village not included in any of the foregoing classes and having (a) a population of not less than 5,000 and an assessed valuation of less than \$1,000,000, (b) a population of less than 600 and an assessed valuation of not less than \$1,000,000, (c) a population of more than 5,000, or (d) an assessed valuation of more than \$1,500,000, the salary of the president and each trustee is fixed at \$100 per year.

Subd. 7. In any village not included in any of the foregoing classes and having either (a) a population of more than 500 and an assessed valuation of not less than \$100,000 and situated in a county having a population of not less than 500,000 and an assessed valuation, exclusive of money and credits, of not less than \$280,000,000, or (b) a population of more than 1,000 and less than 2,000 and an assessed valuation of more than \$500,000, exclusive of money and credits, more than 70 per cent of which valuation consists of iron ore, the salary of the president is fixed at \$20 per month and the salary of each trustee at \$15 per month.

Subd. 8. In any village not included in any of the foregoing classes, the salary of the president is fixed at \$2.00 per day or meeting for each day's service necessarily rendered or meeting attended, with a maximum of \$30.00 per year, and the salary of each trustee is fixed at \$1.50 per day or meeting for each day's service necessarily rendered or council meeting attended, with a maximum of \$20.00 per year, except that in any village having a population of not less than 2,100, an assessed valuation of not less than \$700,000, and a municipal electric light plant, the salary of the president may be increased to \$100 per year and the salary of each trustee to \$60.00 per year by resolution adopted by unanimous vote of the council.

Subd. 9. The council of any village to which subdivision 8 applies may by resolution fix the salaries of the president and trustee at larger amounts than therein specified but not in excess of \$100 per year. No such resolution shall be effective until approved by a majority of those voting on the proposition at a regular or special village election. Salaries thus approved by the voters shall remain in effect until changed by similar action, unless decreased by the council as authorized in subdivision 1.

Subd. 10. The valuation shall be that fixed by the previous year's assessment.

Sec. 2. **Repeal.** Minnesota Statutes 1941, Section 415.04, and Laws 1945, Chapter 125, Section 1, are repealed.

Approved April 21, 1945.

CHAPTER 465—H. F. No. 929

An act relating to the sale of public property.

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

Section 1. **County auditor may sell property; request of land commissioner.** In any county which has in effect a duly adopted zoning ordinance, the county auditor may offer for sale and sell at public auction for cash at not less than the value appraised by the county board and approved by a land commissioner appointed under the zoning ordinance, any buildings or improvements upon any lands held by the state in trust for the taxing districts, provided such buildings or improvements shall not be offered for sale unless requested by