

and moneys mentioned in the first (1) section of this act. *Provided* that no lien of mortgage or judgment entered before such labor is performed shall be affected or impaired thereby.

SEC. 5. Any verbal or written agreement, express or implied, made by or between any person or persons, or chartered company or companies designed to act as a waiver of any right under this act or any portion thereof shall be wholly null and void.

Waiver of rights to be void.

SEC. 6. All statutes or portions of statutes inconsistent with the provisions of this act are hereby repealed.

Inconsistent acts repealed.

SEC. 7. This act shall take effect, and be in force from and after its passage.

Approved March 7, 1878.

CHAPTER 87.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF COMMISSIONERS TO SETTLE ALL MATTERS OF DIFFERENCE OF THE STATE OF MINNESOTA WITH SEYMOUR, SABIN & CO.

WHEREAS, the State of Minnesota on the first day of July, A. D. one thousand eight hundred and seventy-two (1872), by its duly authorized agents, the warden and inspector of the State prison, and under the advice and instruction of the Attorney General of said State, duly and lawfully entered into a contract with George N. Seymour, Dwight M. Sabin and Jay H. Sabin, co-partners as Seymour, Sabin & Co., for the employment of the convict labor of the said State prison, at Stillwater, Minnesota, and for the rental of ground and shop-room for the profitable and convenient employment of said convicts; and whereas certain questions and differences have arisen between the State and said Seymour, Sabin & Co. as to the interpretations of the provisions of said contract, and as to the rights and duties of the parties under the same, and whereas the parties to said contract are desirous of a full and complete settlement of the differences between them, and to that end the board of inspectors and joint committees of the Senate and House of Representatives on State prisons, have proposed that the whole matter of controversy between the said parties to said contract be referred to a commission of three, one to be nominated and appointed by said Seymour, Sabin & Co., another to be nominated and appointed by the State of Minnesota, and the two so nominated to nominate and appoint the third person to constitute said commission;

Relating to a contract for prison labor.

and whereas the said Seymour, Sabin & Co. have nominated J. W. Johnson, of Minneapolis, as a member of said commission, now therefore,

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

SECTION 1. That H. H. Sibley, of St. Paul, Minnesota; and J. W. Johnson, of Minneapolis, and such other person as the said H. H. Sibley and J. W. Johnson shall appoint, be and the same hereby are appointed as commissioners with full powers to send for witnesses, books and papers, and to examine into, adjust and settle, upon such terms as they shall deem equitable and just, all questions and matters of difference, and all actions and suits at law arising under the said contract of the State of Minnesota with said Seymour, Sabin & Co., dated July the 1st, eighteen hundred and seventy-two (1872), and mentioned and described in the preamble to this act, and the action and determination of said commissioners or a majority of them in the premises shall be final and conclusive upon the parties to said contract, and upon the State of Minnesota, and in the settlement and adjustment of said matters of difference, the said commissioners may and they are hereby authorized and empowered to alter, amend or annul the said contract upon such terms as to them may seem just and equitable and for the best interests of the State of Minnesota. Provided, that said Seymour, Sabin & Co. shall file their written acceptance of this law within twenty days after its approval by the Governor; and provided further that the salaries of the commissioners shall be fixed at ten dollars (\$10) per day for each and every day employed in their duty, the same to be paid one half by the State and one half by Seymour, Sabin & Co.

SEC. 2. In case of death, resignation, or declination to serve of any member of this commission, the vacancy so caused, if on the part of the contractors, may be filled by a new appointment on their part, and if on the part of the State, may be filled by appointment of the Governor, and these two commissioners shall have the authority to fill any vacancy of third party, as provided in this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 11, 1878.

Commissioners
to settle differ-
ences—binding
upon both par-
ties.

Vacancies in
commission.