

SEC. 6. The credit of the State is hereby pledged to the payment of the interest and principal of the bonds mentioned in this act, as the same may become due.

SEC. 7. The State auditor is hereby authorized and required to levy an annual tax sufficient to raise the sum of twelve thousand dollars (\$12,000) or such sum as may be necessary to pay the annual interest on the said bonds, and also to levy an annual tax sufficient to raise the sum of twenty thousand dollars (\$20,000), and for such time as may be necessary not exceeding ten (10) years, to be paid into the sinking fund for the payment of said bonds, and the proceeds of such taxes shall be applied to the payment of the interest and principal to said bonds and for no other purpose,

Auditor to levy tax.

Provided, That all sums arising from taxes levied for the payment of seed grain as provided in "an act to furnish and distribute seed grain to sufferers from grasshopper ravages," approved February thirteenth (13th), A. D. one thousand eight hundred seventy-eight (1878), shall be paid into the sinking fund, and as often as the accumulations in said fund amount to the sum of five thousand dollars (\$5,000), the same shall be applied to the payment of the interest and principal of said bonds.

Tax collected, how to be used.

SEC. 8. The sum of five hundred dollars (\$500) or so much thereof as may be necessary, is hereby appropriated for the purpose of carrying out the provisions of this act.

Appropriation.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved March 7, 1878.

CHAPTER 94.

AN ACT TO FURNISH AND DISTRIBUTE SEED GRAIN TO SUFFERERS FROM GRASSHOPPER RAVAGES.

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

SECTION 1. It shall be the duty of the county auditor of each county wherein the crop of the year eighteen hundred and seventy-seven (.877), was partially or wholly destroyed by grasshoppers, and before the fifteenth (15) day of February, A. D. one thousand eight hundred and seventy-eight, (1878), to give notice to the respective town clerks in the different towns of said county, to post notices immediately in at least three (3) of the most public places in each town, to all persons wishing to avail themselves of the benefits of this act,

Notice to be given by town clerks.

Procedure to
apply for seed
grain.

to meet at the town clerk's office in the town, or at the county auditor's office in the county in which the applicant resides, and file with said town clerk or county auditor, on or before the first (1) day of March, A. D. one thousand eight hundred and seventy-eight (1878), an application duly subscribed and sworn to before the said town clerk or county auditor, which application shall be attested by at least two (2) witnesses. Said application shall contain a true statement of the number of acres the applicant has plowed and prepared for seeding; how many acres the applicant intends to have plowed and prepared for seeding, before seeding time; how many bushels are necessary, and of what kind of grain, to seed the ground so prepared, or to be prepared as aforesaid; that said applicant's crop was in the year one thousand eight hundred and seventy-seven (1877) entirely destroyed by grasshoppers, or if only partially destroyed, how many bushels the applicant harvested in the year one thousand eight hundred and seventy-seven (1877), of each kind of grain; or that the applicant was deterred from planting his or her ground in the year one thousand eight hundred and seventy-seven (1877), on account of the deposit of grasshopper eggs, also what amount of seed grain and of what kind the applicant desires to borrow from the State; that the applicant has not procured and is unable to procure the necessary seed grain; also that the applicant desires the same for seed grain, and for no other purpose; and that the applicant will not sell or dispose of the same, nor any part thereof. Said application shall also contain a true and full description of all real and personal property owned by the applicant, and whether encumbered or otherwise, and also the government subdivision or subdivisions upon which the party intends to sow said seed grain.

Applications to
be forwarded to
county
auditors.

SEC. 2. The town clerk of each town shall on or before the first day of March, A. D. one thousand eight hundred and seventy-eight, (1878,) forward said applications to the county auditor of the proper county, and said applications shall be filed in the said county auditor's office, and be open to public inspection; and no applicant shall be entitled to, or receive any of the benefits of this act unless on or before the first day of March, A. D. one thousand eight hundred and seventy-eight, (1878,) the applicant shall have made and filed with the town clerk of the town or the county auditor of the county in which the applicant resides, the application as required and in the manner and form mentioned in section one (1) of this act.

County com-
missioners to
act as a board
of examina-
tion.

SEC. 3. The board of county commissioners of each county, so devastated by grasshoppers, shall be and are hereby constituted and appointed a board of examination and adjustment of the applications for seed grain, and it shall be the duty of said board to meet at the county auditor's office on the fifth day of March, A. D. one thousand eight

hundred and seventy-eight (1878), to examine and consider, separately, each application, as provided in section 1 of this act, and to decide who are entitled to the benefits herein mentioned, and the amount thereof, and said board shall on or before the seventh day of March, A. D. one thousand eight hundred and seventy-eight, (1878,) forward to the governor, a statement, giving the number of applicants, the number of acres prepared or to be prepared, and number of bushels of each kind of seed grain needed in the county; and said statement shall contain only such applications as have been approved by said board, and shall be signed by the chairman of said board and certified to by the county auditor.

SEC. 4. The governor upon the receipt of the statements as provided in section (3) three of this act, shall purchase seed grain, with the amount appropriated for such purpose, or such sum thereof as may be necessary to equal the amount of all said statements, and if the amount applied for shall exceed the appropriation for such purpose, then the seed grain shall be distributed pro-rata, said distribution to be based upon the amount and number of applicants as contained in each statement.

Governor to purchase seed grain.

SEC. 5. The governor shall then inform the county auditor in the different counties, of the amount apportioned to each county, and the number of bushels of the different kinds of seed grain, said county under said apportionment will be entitled to, and the cost of each kind of seed grain per bushel and shall transmit the said seed grain to the board of county commissioners of each county, or shall authorize the purchase of the said seed grain in or near the counties where the seed grain is required, in his discretion.

Notice to county auditors of apportionment.

SEC. 6. Immediately upon receiving notice from the governor of the amount apportioned to each county, the board of county commissioners shall meet at the county auditor's office and readjust the applications for seed grain, and apportion the amount that has been allowed said county, among the applicants as provided in section 1 of this act.

Re-apportionment by commissioners.

SEC. 7. The county auditor of each county, shall at the request of the chairman of the board of county commissioners issue to each applicant an order for the number of bushels of each kind of seed grain, which has been allowed to said applicant. Provided, that said order shall not be issued until said applicant has signed a contract in duplicate form to be attested by the county auditor wherein said applicant for and in consideration of _____ bushels of seed grain received from the State promises to pay to the State of Minnesota, the amount of the cost of said seed grain, that said sum shall be taxable against the real and personal property of said applicant, and that said applicant will refund to the State in the form of a tax to be levied by the county auditor of the proper county, the same to be collected as taxes against

Proceedings previous to issue of orders to applicants.

real and personal property are collected by virtue of the laws of this State, and that said sum so levied shall be a first lien upon the crop of grain raised each year by the person receiving said seed grain until the said tax is fully paid.

Tax to be levied against receivers of seed grain.

SEC. 8. It shall be the duty of the county auditor of each county, to cause to be levied against the property of each person receiving said seed grain under the provisions of this act the total sum due the State by each person so receiving said seed grain, one half of the said sum to be levied in each of the two years first following the contract given for said seed grain; and all moneys collected by the county treasurer of each county under the provisions of this act, without compensation, and shall be kept separate from other State taxes, and paid over to the State treasurer.

Contracts, where filed—duties of auditors.

SEC. 9. That the contracts as provided for in Sec. 7 of this act, shall be numbered in consecutive order by the county auditor, one of which shall be transmitted to the State Auditor, and the other filed in his office, and the county auditor shall keep a correct schedule of the same, giving number and name of each applicant and date of contract. The amount of each kind of seed grain, cost of each kind of seed grain, per bushel, and the total sum due the State; also a description of the land occupied by each of such applicants, in a book to be used for that purpose and no other, said book to be open to public inspection, and a true copy of said schedule shall be made and signed by the chairman of the board of county commissioners and certified to by the county auditor and forwarded to the governor. Provided, That after all applicants for seed grain are supplied, should there be a surplus, the same shall be sold by direction of the board of county commissioners and the sum received therefor, shall be paid over to the county treasurer, who shall give his receipt, and said sum shall by him be paid over to the state treasurer.

Contracts when filed, a valid lien on crops.

SEC. 10. Upon the filing of said contract as provided for in section 9 of this act, the state of Minnesota, shall acquire a just and valid lien upon the crops of grain raised each year by the person receiving said seed grain, to the amount of the total sum due the State, as stated in said contract, as against all creditors, purchasers or mortgagees, in good faith or otherwise, and the said filing of said contract shall be held and considered to be full and sufficient notice to all parties of the existence of said lien, which shall continue in force until the tax as provided for in said contract is paid.

When tax is paid, contract to be cancelled.

SEC. 11. Whenever the tax as provided for in each contract filed under the provisions of this act, is fully paid, the county auditor is fully empowered to cancel such contract, and shall write the word "satisfied" with the date opposite the name of such person, in the book, in which said contracts are entered, and shall deliver up said contract to the person entitled thereto.

SEC. 12. Any person or persons who shall sell, transfer, take or carry away, or in any manner dispose of the said seed grain, or any part thereof, furnished by the State for seed grain purposes only, or to use the said seed grain for any other purpose than that of sowing or planting his ground, or who shall sell, transfer, take or carry away, or in any manner dispose of the crop, or any part thereof, procured by the sowing or planting of said seed grain, with the intent to defraud the state, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any justice of the peace, shall pay a fine of not less than ten dollars nor more than one hundred dollars, or be imprisoned in the county jail for a term of not less than ninety days, and shall pay all costs of prosecution, and whoever, under any of the provisions of this act, shall be found guilty of false swearing shall suffer the pains and penalties of perjury.

Misdemeanor if seed grain is used for any other purpose than planting.

SEC. 13. It shall be the duty of the supervisors, constables and town clerks of towns, and the commissioners, sheriff and county attorneys of the counties embraced herein, having knowledge of the violation of the provisions of this act, to make complaint thereof to any justice of the peace of the proper county, and said justice shall issue a warrant for the arrest of the offender, and proceed to hear and determine the matter in issue in the same manner as provided in other cases, and every person convicted under the provision of this act, shall stand committed to the county jail until such fine is paid, provided such imprisonment shall not exceed ninety days.

Town and county officers to make complaints for violation.

SEC. 14. The county auditor shall receive no extra compensation for the services imposed upon him by this act.

No extra compensation to county auditors.

SEC. 15. The county commissioners shall receive as compensation for the services imposed upon them by this act the sum of two dollars per day for each day necessarily occupied not to exceed five days in all to be paid out of the general county fund.

Compensation to commissioners.

SEC. 16. This act shall take effect and be in force from and after its passage.

Approved February 12, 1878.