

or which shall hereafter be incurred by R. A. Walsh, Ignatius Donnelly, P. B. Winston, H. P. Bjorge, James A. Boggs, Hiler H. Horton, Wm. Lockwood, Frank L. Morse, J. W. Wells, J. Schaffer and Basil Smout in defending any and all actions heretofore or hereafter commenced by J. J. Rhodes, or any other person, company or corporation, against the persons above named, or against any one or more of the same; and to pay and discharge any or all judgments that may be rendered against the said persons or any one or more of the same in such actions.

For prosecution
of persons en-
gaged in un-
lawful combination.

SEC. 2. The state auditor is hereby directed to draw his warrant or warrants upon the state treasurer for such sum or sums in favor of such person or persons as the governor shall in writing indicate and approve, as entitled to the benefits of this act; and the same shall thereupon be payable out of the appropriation hereby made. If the whole or any part of the appropriation provided for in section one of this act is not needed or disbursed for the purposes therein designated, the governor of this state shall have the right to use the same or so much thereof as may be available and necessary in paying the expenses of prosecuting the said John J. Rhodes or his associates, or any other person or persons, or corporation or corporations, in or out of this state, for engaging in an unlawful combination to increase or maintain the price of coal or any other commodity in this state; and the governor shall have the power to fix the compensation of such attorneys as may be engaged to aid the attorney general in the prosecution of such parties or corporations; and the said action or actions shall be commenced and prosecuted in the name and by the authority of the state of Minnesota.

Attorney gen-
eral to appear
on behalf of
committee.

SEC. 3. It is hereby made the duty of the attorney general to appear for and defend the said persons in any or all such actions, and he is hereby authorized to associate with himself in the same such counsel as he may select, by and with the advice of the defendants, in any such action, and the said counsel shall be paid for their services such compensation as the attorney general shall certify to be reasonable, subject to the approval of the governor.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 1, 1893.

H. F. No. 420.

Appropriation.

CHAPTER 225.

An act to appropriate money for seed grain loans to farmers in this state whose crops were destroyed by hail or storms last year.

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

For seed grain
loans to farmers.
Application for
loan.

SECTION 1. That the sum of seventy-five thousand dollars, or as much thereof as may be necessary, be and the same is hereby appropriated out of any money in the

state treasury, not otherwise appropriated, for the purchase of seed grain for sufferers by hail or storms during the year 1892, as hereinafter provided.

SEC. 2. Any person desiring to avail himself of the provisions of this act shall file with the town clerk of the town in which he resides a written application, wherein shall be made to appear the number of acres of land owned or occupied by said applicant, the number of acres he intends to sow with grain and the number of bushels necessary to furnish the requisite amount of seed therefor. The town clerk shall, within three days after the receipt of such application, transmit the same through the mails or otherwise to the county auditor of the county in which he resides, and the county auditor upon receipt thereof shall file the same in his office. It shall be the duty of the county auditor to give public notice by publication in two or more of the newspapers printed and published in his county, by one or more publications therein on or before the twenty-fifth day of March, 1893, that the board of county commissioners of such county will meet at his office at a day to be named by the said auditor for the purpose of considering the allowance of relief to such applicants. The board of county commissioners when convened for such purpose shall, by resolution, fix and determine the amount of money to be allowed to each of such applicants for the purchase of seed grain; and it shall be the duty of the county auditor to furnish a certified copy of such resolution immediately after its adoption by the said board to the state auditor.

Consideration
of application.

It shall be the duty of the governor, together with the state treasurer and state auditor, to meet on or about the fifth day of April, 1893, to consider the applications arising from the several counties of the state for relief under the provisions of this act, and they shall distribute the appropriation hereby made among the several counties of the state by which relief is sought, as equitably as may be; provided that no county shall be awarded a greater sum than the aggregate amount indicated by the several applications transmitted by the county auditor of such county to the state auditor, as hereinbefore provided.

It shall be the duty of the state auditor after such determination by the governor, state treasurer and state auditor to certify to the several counties of the state interested the amount of such proportion allowed to them respectively, and thereupon the county auditor shall, in case the amount so allowed is not sufficient to supply all the applicants in his county with the full relief demanded, set apart to each one separately such proportion of the amount so allowed as his individual demand bears to the total amount demanded by all such applicants in his county. Provided, that any person or persons owning more than 160 acres of land, free from mort-

gage incumbrance, whether the same be cultivated or not, shall be deprived from any of the benefits as set forth in this act.

Tax to be levied
for repayment.

SEC. 3. That it shall be the duty of such board and the county auditor to keep a correct account of the amount granted to each person, and a correct description of the land for which such loan may be granted, and the county auditor shall levy a tax against the land for which such seed grain loan may be granted, and on which such loan is hereby declared to be a lien, which shall take precedence over any and all incumbrances.

Receipts to be
given authorizing
the tax levy.

SEC. 4. That each person receiving such loan, and the owner or owners thereof, if applicant has a lease of such land, shall give a receipt therefor, authorizing the county auditor to levy a tax on such real estate contained in the tract of land on which such seed grain loan may be a lien, for an amount sufficient to pay the principal and interest at five per cent per annum until paid.

Tax to be paid
in three install-
ments.

SEC. 5. That such tax shall be paid in three installments, as nearly equal as may be, and be included in the tax levy for the years 1894, 1895 and 1896.

State auditor to
draw warrants
on certified lists.

SEC. 6. That upon certified lists being received by the state auditor from any county auditor in this state requesting seed grain loans as allowed by the county commissioners of his county, the state auditor shall draw a warrant on the state treasurer for the amount allowed as hereinbefore provided, payable to the treasurer of such county for the amount of such order, and the respective amounts allowed to the persons named in such list shall be paid by the county treasurer upon the warrant of the county auditor.

Taxes collected
to be paid over
to state treas-
urer.

SEC. 7. All moneys collected by the county treasurer on account of this act shall be paid over to the state treasurer with the other taxes, after any and all settlements between county auditors and treasurers.

Delinquent
taxes—how
collected.

SEC. 8. That in case of any tax provided for under the provisions of this act being uncollected at the end of each year in which such taxes became delinquent, such amount shall be ascertained by the board of county commissioners, and an order issued therefor, payable to the state treasurer, out of the revenue fund of such county. Provided, that in case the county commissioners fail to ascertain the amount of delinquent taxes as in this section provided or fail to issue their order therefor when so ascertained, the district court shall, upon the application of the attorney general, appoint a suitable person to ascertain the amount of such delinquent taxes, and, when so ascertained, said court shall order and direct the entry of judgment against the county for the amount of the delinquent taxes so ascertained, together with all costs and interest thereon at the rate of ten per cent from the date such taxes became delinquent.

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

Approved March 9, 1893.