

CHAPTER 192.

H. F. No. 202.

An act to prohibit the sale of cigarettes, cigars or tobacco to pupils attending the public schools, or schools supported wholly or in part by money raised by taxation.

Selling tobacco to pupils.

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

SECTION 1. Any person within this state who sells, gives to, or in any way furnishes, any cigarettes, cigars or tobacco in any form, to any minor person who is a pupil or student in any public school or school supported wholly or in part by money raised by taxation in this state shall be punished by a fine of not more than fifty dollars (\$50.00) or imprisonment in the county jail not more than thirty (30) days.

Penalty.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 9th, 1895.

CHAPTER 193.

H. F. No. 337.

An act to furnish grass seed for distribution in certain counties afflicted by forest fires during the season of one thousand eight hundred and ninety-four (1894), and to appropriate money for same.

Grass seed.

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

SECTION 1. That the sum of fifteen thousand (\$15,000) dollars, be, and the same is hereby appropriated out of any moneys in the state treasury not otherwise appropriated for the purpose of this act.

Appropriation.

SEC. 2. It is hereby made the duty of the county auditors of the counties afflicted by forest fires, in the state of Minnesota, wherein the grass and meadows were partially or wholly destroyed by forest fires in the year one thousand eight hundred and ninety-four (1894), to give the notice before the twentieth (20th) day of March, one thousand eight hundred and ninety-five (1895), to the respective town clerks of the several towns in said counties, requiring them to post notices immediately, in at least three of the most public places in each town, notifying all persons wishing to avail themselves of the benefits of this act, to meet at the town clerk's office and file with the said town clerk on or before the fifth (5th) day of April, one thousand eight hundred

Applications—how made.

and ninety-five (1895), an application duly subscribed and sworn to by the applicant beforesaid town clerk or other officer authorized to administer oath;

Provided, that in districts not organized into towns, the said county auditor shall cause such notice to be posted in such unorganized district at such places as he shall deem necessary. And, *provided*, further that the notices herein provided for shall also be published one week prior to the fifth (5th) day of April, one thousand eight hundred and ninety-five (1895), in the official paper of said county.

What to contain.

SEC. 3. The applications provided for in the preceding section shall contain a true statement of the number of acres of meadow owned or controlled by such applicant upon which the grass and grass roots were destroyed by said forest fires during the said season of one thousand eight hundred and ninety-four (1894); and how many acres of said meadow said applicant intends and desires to reseed during the season of one thousand eight hundred and ninety-five (1895). Such application shall further state the amount of hay harvested from said meadow annually, prior to the year one thousand eight hundred and ninety-four (1894), and the amount and kind of grass seed necessary to reseed said meadow and the amount that said applicant desires to obtain from the state under the provisions of this act, and that said applicant has not procured and is not able to procure the necessary grass to reseed said meadows so desired to be reseeded, and that he desires said grass seed for no other purpose whatever, and that he will not sell or otherwise dispose of the same or any part thereof.

Said application shall also contain a full and true description of all real and personal property owned by the applicant and the incumbrances, if any, thereon; and a full description by government sub-divisions of the lands upon which the applicant intends to sow said grass seed.

Town clerk—duties.

SEC. 4. The town clerk of each town shall, on or before the fifth (5th) day of April, one thousand eight hundred and ninety-five (1895), forward all applications made before him to said county auditor of his county, who shall file the same in his office, and all applications by persons residing in any unorganized district shall on or before the fifth (5th) day of April, one thousand eight hundred and ninety-five (1895), file said application in the office of said county auditor.

All applications filed in any county auditor's office, under the provisions of this act, shall be open to public inspection and no application shall be considered by

the board provided for in section five (5) of this act, except such as have been duly made and filed within the time and manner hereinbefore provided for.

SEC. 5. The board of county commissioners of each county where the provisions of this act are applicable shall be and are hereby constituted and appointed a board of examination and adjustment of the applications for grass seed under this act, and it shall be the duty of said board to meet at the county auditor's office on the second (2nd) Thursday in April, one thousand eight hundred and ninety-five (1895), to examine and consider the applications that shall have been filed under the provisions of this act, and to determine who are entitled to the benefits herein provided for and the amount of money to which each applicant is entitled, and said board shall, within ten days (10) thereafter, forward to the governor of the state of Minnesota, a statement giving the number of applicants, the name of each applicant, the number of acres of meadow, upon which the grass and grass roots were destroyed by said forest fires in the said year one thousand eight hundred and ninety-four (1894), the number of acres said applicant desires to reseed, and the amount and kind of grass seed necessary to seed the same, and the amount of money necessary to purchase such seed. Such statement shall comprise and include only such applications as have been approved by said board and shall be signed by the chairman of said board of county commissioners and attested by the auditor of said county; *provided*, no applicant shall be allowed an amount exceeding the sum of fifty (\$50.00) dollars.

Hearing on application.

Requisition on the governor.

SEC. 6. The governor upon receipt of the statement from such counties, who shall file them with him within the time specified in this act, if the same shall not exceed in the aggregate the sum hereby appropriated for such purpose, shall apportion and distribute the amounts called for to the several counties from which applications have been received, but if the amounts applied for shall exceed in the aggregate the amount herein appropriated for such purpose, then the governor shall apportion and distribute the sum to the counties applying pro rata in proportion to the amounts called for by said counties, respectively, as shown by said statement of the county auditor thereof, and thereupon the governor shall inform each county auditor of the amount so apportioned to his county, and shall authorize the board of county commissioners to purchase grass seed of the kinds necessary to the amount so apportioned and cause the same to be distributed to

Duty of governor.

the applicants in said county, who are entitled to receive the same under the provisions of this act.

It shall be a misdemeanor for any county commissioner or other officer charged with any duty under this act, to make any gain or profit from any transaction growing out of or connected with the operation of this act.

Duties of
county com-
missioners.

SEC. 7. Immediately upon receiving notice from the governor, of the amount apportioned to their county, the board of county commissioners shall meet at the county auditor's office and re-adjust the application in their county, if necessary, for the grass seed, and apportion the amount that has been allowed to the county, among the applicants approved by the said board pro rata in proportion to the amount required by each, if there shall not be sufficient grass seed to supply all in full, *provided* that after all approved applications for said grass seed in any county are supplied, if there be a surplus the same shall be sold by direction of the board of county commissioners and the sum received therefor shall be turned over to the county treasurer who shall give his receipt therefor and the same shall be placed on file in the office of the county auditor and the said sum so received by said treasurer, shall be by him paid over to the state treasurer who shall receipt for the same to said county treasurer, and said sum so received by the said state treasurer shall be placed to the credit of the general fund of this state.

Duty of county
auditor.

SEC. 8. The county auditor of each county shall, as soon as the board of county commissioners shall have performed the duty prescribed in the preceding section, issue to each applicant an order directed to the person who shall be designated by the board of county commissioners, to distribute such grass seed for the number of bushels and kind of grass seed to which each applicant shall be entitled, and upon presentation of the same to the person so designated to distribute such grass seed, he shall deliver to said applicant the amount and kind of grass seed named in such order. And such county auditor shall keep a record in a book kept for that purpose to be provided at the expense of the county, of the names of the persons to whom such orders have been issued, and the amount and kind of grass seed specified in such order.

Penalty for
bad faith.

SEC. 9. Any person or persons who shall, contrary to the provisions of this act, sell, transfer, take or carry away or in any manner dispose of the grass seed or any part thereof, furnished by the state as provided in this act, or who shall use any of said grass seed for any other purpose than of seeding his meadow, shall be

guilty of a misdemeanor and upon conviction thereof, before any justice of the peace, having jurisdiction, shall pay a fine of not less than ten (10) dollars nor more than one hundred (\$100.00) dollars, or be imprisoned in the county jail for a term of not exceeding ninety (90) days.

SEC. 10. The provisions of this act shall apply only to actual bona fide residents of the county affected thereby.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 19th, 1895.

CHAPTER 194.

S. F. No. 273.

An act to provide for seed grain loans to farmers in this state whose crops were destroyed by drought or storms in the season of 1894, and to set apart the necessary moneys therefor.

Seed grain
loans.

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

SECTION 1. That all moneys remaining unexpended out of the appropriation made by chapter two hundred, twenty-five of the general laws of eighteen hundred, ninety-three, to appropriate money for seed grain loans to farmers of this state who had lost their crops in the season of eighteen hundred, ninety-two, is hereby set apart and made available for the purchase of seed grain for those whose crops were destroyed in whole or in part by drought, hail or other storms in the season of eighteen hundred, ninety-four.

Appropriation.

SEC. 2. Any person desiring to avail himself of the benefits of this act, shall make an application in writing verified by his oath, stating the number of acres of grain he had in crop in the season of eighteen hundred, ninety-four, and the number of acres destroyed by drought, hail or other storm, the number of acres owned or occupied by him, and which he intends to sow to crops in the season of eighteen hundred, ninety-five, and the number of bushels necessary to seed the same, which application he shall file with the auditor of the county in which he resides. It shall be the duty of the county auditor to file all such applications, and on or before March fifteenth he shall give public notice by publication in the official papers in the county at least two weeks before the date of meeting, that the county commissioners of said county will meet at his office at

Application for
aid—how made