

CHAPTER 86.

AN ACT TO PROVIDE FOR THE DESTRUCTION OF GRASSHOPPERS AND THEIR EGGS.

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

SECTION 1. There shall be paid by this State out of any moneys in the treasury thereof not otherwise appropriated, to any person or persons living within any of the counties in said State affected by grasshoppers, the following bounties for catching and destroying of the same, and the destruction of their eggs:

Grass-hopper bounties by the State.

SEC. 2. The sum of one dollar (\$1) per bushel for grasshoppers caught previous to the twenty-fifth (25th) day of May next. The sum of fifty cents (50 cents) per bushel from the said twenty-fifth (25th) day of May to the tenth (10th) day of June. The sum of twenty-five (25) cents per bushel from the said tenth (10th) day of June to the first (1st) day of July, and twenty cents (20 cents) per bushel from the said first (1st) day of July to the first (1st) day of October next.

Price to be paid for grasshoppers.

SEC. 3. There shall also be paid in the same manner, the sum of fifty cents (50 cents) per gallon for any and all grasshopper eggs taken and destroyed by any person or persons.

SEC. 4. There shall be appointed by the Governor, a competent person in each township in the several counties so afflicted by grasshoppers, who shall be a resident of the township for which he is appointed, to receive, measure and destroy the grasshoppers and their eggs delivered to him by any person or persons catching and taking the same, which said person so appointed shall take and subscribe an oath for the faithful discharge of his duties, which oath, together with the certificate of appointment, shall be filed in the office of the county auditor, and he shall receive as compensation for his services, such sum as the county commissioners may determine, to be paid out of the funds of the county, and in case of necessity, when he cannot perform the duties of his office, said measurer shall have authority and be empowered to appoint a suitable and competent person his assistant, which assistant shall be required to take and subscribe the same oath and be subject to the same penalties as the said measurer.

Measurer of grasshoppers duties.

SEC. 5. The person receiving and measuring the grasshoppers and their eggs as aforesaid, shall measure and immediately and effectually destroy the same, and keep an exact account of all the grasshoppers and their eggs received by him, and

Further duties of measurer.

the names of the persons delivering the same, and shall issue a certificate for the amount of grasshoppers and their eggs to the person delivering the same, and he shall at the end of each week, after commencing to receive and measure the same, and on the second (2d) day of June, on the eleventh (11th) day of said month, on the second (2d) day of July, and on the second (2d) day of October next, make a report to the county auditor of all the grasshoppers and their eggs measured by him, the number of certificates issued, and the names of the persons to whom he issued the same, and the county auditor shall examine the same and file it in his office, which report shall be subject to public inspection. And the county auditor shall, at the end of each week after he shall have received the first of said reports, transmit a copy of the said report to the Governor, who shall, as soon as the sum hereby appropriated shall have been expended in the payment of said bounties, notify all persons interested therein of such fact by a publication of such notice in some newspaper printed and published at the city of St. Paul, in said State of Minnesota, for three successive days.

Failure to perform duties.

SEC. 6. For a failure on the part of said measurer to perform any of his duties under this act, or for any mismeasurement of such grasshoppers and their eggs, he shall be deemed to be guilty of a misdemeanor and be subject to pay a fine of not less than ten dollars (\$10), nor more than one hundred dollars (\$100), or be imprisoned in the county jail for a term of not less than thirty (30), nor more than ninety (90) days, in a suit or proceeding to be prosecuted in the name of the State of Minnesota, in the same manner as is provided by law in other cases of misdemeanor.

Certificates for payment.

SEC. 7. Upon the presentation of such certificate to the county auditor, he shall issue a certificate to the person entitled thereto, for the amount due him, (a form of which certificate shall be furnished by the State Auditor,) and shall make an order upon the State Auditor for the amount thereof, and the State Auditor shall draw his warrant upon the State Treasurer for that amount in favor of the parties holding said certificate, which shall be paid by the State Treasurer upon presentation. *Provided*, that all certificates presented by the county auditor for payment shall be by him filed and preserved in his office, and he shall present such certificate to the board of county commissioners, who shall audit the same in the manner now provided by law for auditing accounts against counties, and no money shall be drawn from the State treasury until such certificates have been audited and allowed in the manner herein provided, and that no money shall be paid under the provisions of this act at any time prior to the fifteenth (15th) day of July, A. D. one thousand eight hundred and seventy-seven (1877), and that the money hereby appropriated shall only apply to certificates duly made and filed with the Auditor of

State on or before said day ; that at the time after the State Auditor shall ascertain the total amount of all claims, and certificates so filed, and if the same shall exceed the amount, the sum of one hundred thousand dollars (\$100,000), then the said claims shall be paid pro rata, and no other or greater amount than said sum of one hundred thousand dollars (\$100,000) shall ever be paid under the provisions of this act. *And provided further*, that if the amount hereby appropriated is not sufficient to pay the certificates in full, the balance shall be paid by the counties respectively according to the amount due on said certificates as issued by such county.

Pro rata payment if appropriation is exceeded.

SEC. 8. Every male inhabitant of the several townships in the said afflicted counties, being above the age of twenty-one (21) years and under the age of sixty (60) years, excepting paupers, idiots, and lunatics, shall be assessed by the board of supervisors of said township, to work one (1) day in each week in said township during the period hereinbefore mentioned for the paying of bounties for the purpose of catching and destroying grasshoppers and their eggs, for five weeks from the time said grasshoppers shall become large enough to be taken, and the amount of work to be so assessed shall not exceed five (5) days in all.

Five days' work assessed on each male person in the infected districts.

SEC. 9. The supervisors aforesaid shall make a list of the names of all persons against whom said tax shall have been assessed, and place in a column opposite each name on said list, the amount of labor assessed against such person, and shall direct the town clerk to make a certified copy of each list, after which the town clerk shall deliver the several copies to the respective overseers of the highways of said township.

List of persons assessed.

SEC. 10. The overseers of highways shall give at least two (2) days' notice to all persons assessed to work as aforesaid, living within the limits of their respective districts, of the time and places, where and when they are to appear for that purpose, and with what implements.

Notice when to work.

SEC. 11. Every person liable to work, as provided for in this act, may commute for the same at the rate of one dollar (\$1) per day, in which case such commutation money shall be paid to the chairman of the board of supervisors, to be applied and expended by him for the destruction of grasshoppers and their eggs. And he shall be authorized and required to hire and engage some suitable and efficient person to work in the place of said person so commuting, and to pay them the sum of one dollar (\$1) per day for his services, and every person intending to commute for his assessment, shall, within five (5) days after he is notified to appear and work as aforesaid, pay the commutation money for the work required of him by said notice, and the commutation shall not be considered as made until such money is paid.

Commutation of work.

SEC. 12. Every person so assessed and notified, who shall wilfully neglect or refuse to commute or work as provided by

Penalty.

this act, shall be guilty of a misdemeanor, and shall, on conviction thereof, be liable to pay a fine of not less than two dollars (\$2), nor more than ten dollars (\$10), or by imprisonment in the county jail not more than ten (10) days, or both, in the discretion of the court, in a suit to be prosecuted in the name of the State of Minnesota, in the same manner as is provided by law for prosecutions of misdemeanors.

Appropriation.

SEC. 13. There shall be appropriated out of any moneys in the treasury of this State, not otherwise appropriated, for the purpose of carrying out the provisions of this act, the sum of one hundred thousand dollars (\$100,000).

Mechanical contrivances.

SEC. 14. The board of county commissioners of any county in this State afflicted by grasshoppers, shall have the right, if in their judgment they see fit, to employ one (1) or more persons in each township in said county with such implements or mechanical contrivance as may prove most efficient to destroy the grasshoppers, from the first (1st) day of April to the first (1st) day of August in each year, paying such persons either by the day or a specified sum for the amount captured and destroyed. The compensation of such person shall be paid out of the general revenue fund of the county. *Provided further*, that parties employed and paid by the county commissioners shall not receive any other or further compensation under the provisions of this act.

When act to take effect.

SEC. 15. This act shall take effect and be in force from and after its passage.

Approved March 1, 1877.

CHAPTER 87.

AN ACT TO PROVIDE FOR THE BORROWING OF MONEY TO PAY BOUNTIES FOR THE DESTRUCTION OF GRASSHOPPERS.

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

State bonds may be negotiated for \$100,000.

SECTION 1. That the Governor, State Auditor, and State Treasurer be, and they hereby are authorized to borrow on the credit of the State, at any time after the first (1st) day of July, A. D. one thousand eight hundred and seventy-seven (1877), the sum of one hundred thousand dollars (\$100,000), in such sums as may be required under appropriations, at a rate of interest not exceeding six (6) per cent. per annum.