

December, A. D. eighteen hundred eighty-one; but if said claimants shall fail to establish their said claim as aforesaid, then their said application shall be dismissed with costs and disbursements to said respondents, as in any ordinary civil action.

Either party claiming to be aggrieved by the judgment in said court may appeal to the supreme court of said state as in an ordinary civil action.

SEC. 3. That the judgment, if any, rendered in said proceeding, in favor of said claimant or his legal representative, shall draw no interest; but upon filing a duly certified copy thereof with the auditor of state, he shall issue to said claimant or his legal representative, as the case may be, his warrant on the state treasury for the same percentage thereof as paid under said act upon claims of the class, character and description to which said claim of Eugene Guilbault belonged, and such warrant shall be paid by the state treasurer out of any moneys now or hereafter in the state treasury not otherwise appropriated.

*Provided*, that before issuance of said warrant, said claimants or their legal representatives shall make, acknowledge and file with said state auditor, duplicate satisfaction pieces of said judgment one of which shall be filed in the district court wherein said judgment was rendered, and the other shall remain on file in the office of said state auditor.

If the judgment rendered in said court shall be in favor of the respondent, the same shall operate to determine and relinquish said alleged claim forever.

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

Approved April 9th, 1895.

*An act for the relief of Virtue Smith.*

Special appro-  
priation.

Whereas, David M. Smith, a member of Captain Joseph Anderson's company of mounted men, the "Cullen Guards," in service from August twenty-second (22), eighteen hundred and sixty-two (1862), to September twenty-eighth (28), eighteen hundred and sixty-two (1862), acting under orders, was in the battle of Birch Coulee, state of Minnesota, September second (2) and third (3), eighteen hundred and sixty-two (1862), and was shot through the right forearm and right thigh, from the effect of which wounds he never recovered. And,

Whereas, said David M. Smith departed this life January twenty-second (22), eighteen hundred and eighty (1880), leaving widow Virtue Smith, who has never since married, and now resides in Washington, D. C., and who is aged seventy-two (72) years. And,

Whereas, said David M. Smith, nor any one in his or their behalf, has ever received from the state of Minnesota any remuneration for his services in suppressing the "Indian outbreak" or as compensation for the injuries then received, therefore

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

SECTION 1. That the sum of four hundred (400) dollars shall be and the same is hereby appropriated out of any money in the state treasury not otherwise appropriated for the relief of Virtue Smith, widow of David M. Smith for personal injuries sustained by said David M. Smith while in performance of his duty as a member of Cullen guards during the Indian outbreak of eighteen hundred and sixty-two (1862).

Virtue Smith,  
wife of David  
M. Smith.

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

Approved April 2nd, 1895.

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## CHAPTER 410.

S. F. No. 730.

*An act to authorize the city of Saint Paul to appropriate and expend from its public treasury a sum not exceeding three thousand dollars, in conjunction with such sums as may be contributed by private citizens to purchase and furnish to the steamship "St. Paul" a library, and such other items of furniture as the proper officers of said city may designate.*

Steam Ship St.  
Paul Library.

Whereas, the city of Saint Paul, has been distinguished and honored by having one of the finest and largest ocean steamers yet constructed named the "St. Paul" in her honor, and is desirous of reciprocating the honor thus conferred by a small expenditure for a public library and other items of furniture to be placed upon said steamship, therefore

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

SECTION 1. That the proper authorities of the city of St. Paul are hereby authorized and empowered to appropriate from the public treasury of said city, a sum

Authority to  
appropriate.