

stallments out of the county treasuries of such counties upon warrants of the county auditors thereof, which amount shall be in full for all services of such commissioners, including service upon committees and as members of the board of equalization, and of any other work or duty devolved upon them or either of them by reason of their holding such office of county commissioners, as well as all traveling expenses incurred within said counties while performing such services as county commissioners. And *provided further*, that this act shall not be construed as affecting or repealing any of the provisions of chapter forty-five (45) of the General Laws of one thousand nine hundred and one (1901).

Compensation  
\$1,200 per  
year.

Includes  
traveling  
expenses.

SEC. 2. All acts and parts of acts inconsistent with the provisions hereof are hereby repealed, except as herein otherwise provided.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 30, 1903.

#### CHAPTER 104.

S. F. No. 182.

*An act to amend chapter one hundred and eighty-three (183) of the General Laws of eighteen hundred and ninety-nine (1899), being an act to regulate the sale of binding twine manufactured at the state prison at Stillwater.*

Binding  
twine sales.

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

SECTION 1. That chapter one hundred and eighty-three (183) of the General Laws of eighteen hundred and ninety-nine (1899) be and the same hereby is amended so as to read as follows:

"The price of binding twine manufactured at the state prison at Stillwater shall be fixed by the warden and board of control of state institutions each year as soon as practicable, and not later than March first, and shall be sold only to farmers or actual consumers thereof, in quantities necessary for their own use, up to and including the first day of May of each and every year, and shall be sold only for cash, or on such security as the warden of the state prison may approve.

Price fixed  
by warden.

Sold for  
cash.

SEC. 2. All the twine on hand on the first day of May of any year for which no order has been given by farmers

May be dis-  
posed of in  
bulk.

or actual consumers (except five hundred thousand pounds (500,000) to be kept to fill subsequent direct orders), may, after said date, be disposed of by the warden and board of control of state institutions, in bulk to any citizen of the state applying therefor, at the price fixed by the board of managers, but only on the conditions hereinafter named.

Written  
agreement  
to resell.

Such warden and board of control of state institutions shall require from any such person applying to obtain such twine on [in] a written agreement that he will resell such twine to actual consumers who desire the same for their own actual use, and that he will not resell such twine in bulk to any other dealer, or attempt to evade the provisions of this act. Such person shall further agree that he will so resell such twine to actual consumers at a price not greater than one cent per pound above the price paid therefor, with the cost per pound of transportation from the state's prison to the place of resale added. And, for the purpose of enforcing such contract, the state shall have a contingent interest in the twine so disposed of in bulk until the same is resold as herein provided, and the title to such twine so purchased from the state shall become complete and the purchaser be relieved from further accountability under this act only when he has fully complied with his said contract as to the manner and terms of such resale. Such person shall also be required by said warden and board of control of state institutions to keep such state prison twine separate from any other twine he may have on hand for sale, and to keep a correct record of the date, amount, price and name of the purchaser on all sales thereof made by him, which record shall be open at all times to any state's prison official or the county attorney of the county of his residence. In the sale, distribution and disposition of the twine the board of control of state institutions and warden of the state prison shall apportion and divide the same throughout the several agricultural counties of the state, as near as may be, according to the acreage therein of grain requiring the use of binding twine. If any twine remains on hand unsold after July first in any year, the same may be sold absolutely to the first applicant therefor.

State retains  
contingent  
interest.

Keep twine  
separate.

Apportion  
according  
to acreage.

Penalty of  
violation.

SEC. 3. Any violation of the provisions of this act on the part of any person or persons selling binding twine

manufactured at the Minnesota state prison at Stillwater shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars (\$25) nor more than three hundred dollars (\$300), and costs of prosecution, or in lieu of such fine and costs, be imprisoned in the county jail for a term not less than thirty (30) days nor more than three months, or until such fine and costs are paid, not exceeding three months.

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

Approved March 30, 1903.

### CHAPTER 105.

H. F. N. 71.

*An act to amend chapter three hundred and fifty-three (353) of the General Laws of Minnesota of the year nineteen hundred and one, entitled "An act authorizing appropriations by board of county commissioners to reimburse certain persons for money illegally collected from them as probate fees under and by virtue of chapter 103 of the General Laws of 1885."*

Probating estates, fees.

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

SECTION 1. That chapter three hundred and fifty-three of the General Laws of Minnesota of nineteen hundred and one, be amended so as to read as follows:

SEC. 2. That whereas, the supreme court of this state, in the case of the State of Minnesota ex rel., Edward E. Davidson vs. E. S. Gorman, Judge of Probate, decided that the law of 1885, chapter 103, of the General Laws of Minnesota, requiring payment of an arbitrary fee as a condition precedent to probating an estate, was and is unconstitutional and void; and, whereas, pursuant to said chapter 103 certain executors, administrators, trustees and estates were compelled to pay into the county treasury of certain counties various sums of money for probating estates; and, whereas, it appears by reason of said decision of the supreme court that said chapter 103 was and is invalid, and that said sums of money were unlawfully collected and that the said counties have no right to retain the various sums so paid in; *now therefore*, be it enacted by the legislature of the State of Minnesota:

Reference to supreme court decision, State of Minnesota ex rel., Edward E. Davidson vs. E. S. Gorman, Judge of Probate.