

CHAPTER 395

AGRICULTURE ASSISTANCE AND DEVELOPMENT

Sec.		Sec.	
395.01	Demonstration farm; assistance	395.12	Rules for handling
395.02	Experiment farm	395.13	Rules for payment
395.03	Superintendent	395.14	Seed and feed loans
395.04	Exhibits at state fair	395.15	Applications to county auditor
395.05	Appointment of person to supervise; compensation	395.16	County board; when to receive applications
395.06	Appropriation, how paid; bond	395.17	County auditor and county attorney to counsel with board
395.07	Statement to board	395.18	Condition of the contract
395.08	Appropriations for certain agricultural developments	395.19	County to have lien upon the crops
395.09	St. Louis county may buy explosives for resale and use in clearing land	395.20	Indebtedness due October 1, rate of interest
395.10	Revolving fund for purchase of explosives	395.21	Marketing of grain
395.11	Board to make regulations	395.22	Penalty for violation
		395.23	Duties of police officers
		395.24	Pro rata distribution

395.01 DEMONSTRATION FARM; ASSISTANCE. The board of county commissioners of any county in the state is hereby authorized and empowered to appropriate out of the general revenue fund of the county, such a sum of money, not exceeding \$200.00 annually, as they may deem advisable for the purpose of assisting to maintain a demonstration farm of the county under the supervision of the department of agriculture of the University of Minnesota. The expenses incurred by the department of agriculture in supervising the farm, and such other expenses as determined upon by the board of county commissioners in operating the farm, are to be paid out of the appropriation.

[1911 c. 69 s. 1] (730)

395.02 EXPERIMENT FARM. Upon application from the board of county commissioners of any county in this state which owns and operates a farm of 80 acres or more, whether as a poor farm or otherwise, such farm may be designated by the board of regents of the state university as a county experiment farm under supervision of the department of agriculture of the University of Minnesota and the county board of such county is hereby authorized to appropriate out of the county revenue fund an amount not exceeding \$1,000 annually for use in conducting experimental work on such farm.

[1911 c. 69 s. 2] (731)

395.03 SUPERINTENDENT. Any county experiment farm designated under sections 395.01 to 395.03 shall be operated and managed by a superintendent appointed by the county board under the direction and supervision of the Minnesota college of agriculture.

[1911 c. 69 s. 3] (732)

395.04 EXHIBITS AT STATE FAIR. The board of county commissioners of any county in the state, for the purpose of assisting to maintain an exhibit of the products of the county at the Minnesota state fair, is hereby authorized and empowered to appropriate out of the general revenue fund of the county such a sum of money as they may deem advisable not exceeding \$500 annually, exclusive of and in addition to such sums of money as may be received by the county as premiums or prizes at the state fair for that year.

All moneys derived from premiums or prizes for such county exhibit at the state fair shall be paid into the treasury of the county.

[1907 c. 99 s. 1; 1909 c. 26 s. 1; 1917 c. 139 s. 1] (733)

395.05 APPOINTMENT OF PERSON TO SUPERVISE; COMPENSATION. The county commissioners of any county appropriating money as provided in section 395.04 shall, at the same meeting, or some subsequent meeting, appoint a suitable person who shall be a resident of the county to supervise and have full charge of the exhibit and of the disbursement of the appropriation. The compensation of the person shall be fixed by the county commissioners at the same meeting at which the person is appointed, such compensation to be paid out of the appropriation made for the exhibit.

[1907 c. 99 s. 2] (734)

395.06 APPROPRIATION, HOW PAID; BOND. The appropriation shall be paid in the county auditor's warrant to the person in charge of the exhibit upon his filing a good and sufficient bond with the auditor in double the amount of the appropriation, conditioned that he shall properly disburse such appropriation for the purpose intended, and make true account thereof to the board of county commissioners as provided in section 395.07. The bond shall have two freehold sureties and be approved by the auditor.

[1907 c. 99 s. 3] (735)

395.07 STATEMENT TO BOARD. The person in charge of the exhibit shall render a detailed statement to the board of county commissioners of all expenditures made by him in maintaining such exhibit, which statement shall be rendered not later than November 1st of the year in which the exhibit is made. If the statement shall show that any part of the appropriation is unexpended, such balance shall be paid into the treasury of the county. Upon the approval of the report by the board of county commissioners, such person shall be relieved and discharged from all liability under the bond provided for in section 395.06.

[1907 c. 99 s. 4] (736)

395.08 APPROPRIATIONS FOR CERTAIN AGRICULTURAL DEVELOPMENTS. The board of county commissioners of any county in this state having less than 225,000 inhabitants, may appropriate annually out of the general revenue fund of such county, a sum of money not exceeding a sum equal to five cents per capita of the population of such county according to the latest census, either federal or state, of such county. Such sum so appropriated shall be paid to any incorporated development society or organization of this state which, in the opinion of the board, will use such money for the best interests of the county in advertising, improving, or developing the agricultural resources of the county, and such other matter as may tend to a development of the county. In any such county having an assessed valuation of over \$150,000,000, the county board may appropriate a sum not exceeding a sum equal to ten cents per capita of the population of such county for the carrying on of such work in the county.

[1913 c. 77 s. 1; 1919 c. 205; 1921 c. 128; 1929 c. 295; 1933 c. 174; 1945 c. 136] (739)

395.09 ST. LOUIS COUNTY MAY BUY EXPLOSIVES FOR RE-SALE AND USE IN CLEARING LAND. The county board in any county in this state now or hereafter having an area of over 5,000 square miles and an assessed valuation of over \$200,000,000, exclusive of money and credits, and having not less than 35 per cent of its area consisting of vacant and uncultivated lands, may appropriate from the revenue fund of the county the sum of not more than \$25,000 and advance such sum to any county club and farm bureau association of the county for the purpose of enabling the county club and farm bureau association to purchase excess war explosives from the United States government, at the best prices obtainable, for re-sale for cash to land owners in the county for use in clearing and improving cutover, uncleared lands, therein, upon such terms and conditions as shall be prescribed by the county board, such funds so advanced to be repaid to the county on the completion of the purposes and objects for which the funds shall be so advanced.

[1927 c. 153 s. 1; 1933 c. 153] (750-1)

395.10 REVOLVING FUND FOR PURCHASE OF EXPLOSIVES. The board of county commissioners of any county in this state now or hereafter having a land area of over 5,000 square miles, and an assessed valuation of all taxable real and personal property of over \$200,000,000, exclusive of money and credits, and having not less than 35 per cent of its land area consisting of vacant and unimproved land, to appropriate and expend from the road and bridge fund of the county not more than \$25,000, and establish with the funds a revolving fund, for the purpose of enabling the county board to purchase dynamite or other explosives for re-sale for cash or on time, to land owners, farmers, or towns in the county, for use by them in clearing and improving lands in the towns, the sales of and payment for such explosives to be made under such rules and regulations as shall be prescribed by the county board.

[1927 c. 153 s. 2; 1935 c. 177 s. 1; 1937 c. 170 s. 1] (750-2)

395.11 BOARD TO MAKE REGULATIONS. The county board, before purchasing or selling any such explosives, shall adopt such rules and regulations for the handling, selling, and collecting the purchase price for such explosives as they shall deem advisable and adequate to protect the best interests of the county and

avoid financial loss. Such county board shall not have legal authority to sell more than 100 pounds of any such explosive to any single land owner or over 2,000 pounds to any single town, until any and all explosives previously bought by such land owner or town have been paid for in full, with interest on such purchase price at five per cent per annum.

[1927 c. 153 s. 3; 1935 c. 177 s. 2] (750-3)

395.12 RULES FOR HANDLING. The county board and the board of supervisors of any such county or town, respectively, shall have authority to employ the services of the county agricultural agent or agents of any such county or town in cooperating with any such municipality in the preparation of such rules and regulations for the handling, selling, and use of such explosives and the collection of the purchase price thereof as they shall deem necessary, in order to facilitate the carrying out of the objects and purposes of sections 395.10 to 395.13. Any county board or town board shall have authority to enter into contracts with any such land owners or farmers for the repayment of the purchase price of such explosives by labor by man and team or by motor equipment on county or town road work, respectively, or to otherwise secure the repayment of the purchase price of such explosives where not paid for in cash.

[1935 c. 177 s. 3] (750-4)

395.13 RULES FOR PAYMENT. Neither the county board nor the town board shall have authority to sell, or otherwise dispose of, any such explosives to any town, land owner, or farmer, after making such sales of 2,000 pounds and 100 pounds, respectively, until the purchase price of all of such prior sales shall have been paid for in cash or labor. On the collection of such purchase price in money or labor on county or town roads, the same shall be credited to the revolving fund for use in continuing such purchase and sale of such explosives to land owners, farmers, or towns, respectively.

[1935 c. 177 s. 4] (750-5)

395.14 SEED AND FEED LOANS. Authority is hereby granted to any county in the state to lend money to residents of the county who are citizens of the United States or who have declared their intention of becoming citizens of the United States, for the purpose of purchasing seed and feed for teams whenever there has been a total or partial failure of crops in such county, by reason of hail, flood, drought, fire, or other cause, where such residents own, or hold under contract for deed, land previously under cultivation and cropped and in condition capable of being cropped during the ensuing year, but who are unable to procure seed for planting such land and feed for their teams while doing such work and who are in imminent danger of losing their property. In such case, if not less than 25 resident freeholders of the county, before March first next following such crop failure, shall present to the auditor of such county a petition signed by them asking that such county lend money to residents thereof suffering by reason of such crop failure, for the purpose of purchasing seed and feed, the auditor shall receive and file the petition and at once call a meeting of the county board to consider such petition and the county board shall, on or before the second Monday in March, next following, meet and consider the petition and may grant the prayer thereof and enter an order that the county lend, from its general fund, such sums as it deems necessary for the purpose; provided, that the amount shall not, with the existing indebtedness of the county, exceed the amount of indebtedness fixed by the laws of this state.

[1917 c. 21 s. 1; 1919 c. 49 s. 1] (740)

395.15 APPLICATIONS TO COUNTY AUDITOR. Any resident freeholder of such county may apply for seed and feed or either of them, for himself as follows: He shall file with the county auditor, on or before the second Monday in March, a written application therefor verified by him showing the following facts:

- (1) His name, residence, and the places where he has resided during the past five years;
- (2) All lands owned or occupied by him and his interest therein and the encumbrances, if any, thereon;
- (3) All personal property owned by him and the encumbrances, if any, thereon;
- (4) The number of acres he seeded and harvested last year and the number of bushels of grain threshed by him therefrom;
- (5) The description of land he desires to prepare for crop and seed, its condition and number of acres plowed and unplowed;

MINNESOTA STATUTES 1945

2947

AGRICULTURAL ASSISTANCE AND DEVELOPMENT 395.20

(6) The number of horses and oxen owned by him and the encumbrances, if any, thereon;

(7) The number of bushels and kind of seed desired and the number of bushels of feed required; and

(8) That he is poor and unable to procure seed or feed from any other source.
[1917 c. 21 s. 2; 1919 c. 49 s. 2] (741)

395.16 COUNTY BOARD; WHEN TO RECEIVE APPLICATIONS. The county auditor shall file and number the applications in the order received by him and call the county board to meet on the second Tuesday in March next following; and the board shall meet and consider these applications separately and in the order of their filing, and may grant such applications, in whole or in part, as appears to it just and proper. Not more than 200 bushels of wheat, or its equivalent in other seed, shall be furnished to any one person.

The county board is hereby granted authority, in its discretion, to direct the filing by the auditor of the petition provided for in section 395.14 after March 1st, and to receive applications for grain after the second Monday in March and to act upon such petition and application the same as if received prior to the respective dates provided in section 395.15.

The county board shall make an order specifying the names of persons and amounts allowed with the kind and quantities of seed and feed granted, and the county auditor shall issue and deliver to the applicant a warrant showing such allowance. Such warrant shall be for the purchase of such seed and feed and for no other purpose whatever, and shall be paid by the county treasurer only when there is endorsed on the back thereof a receipt signed by the applicant, acknowledging receipt by him from some reputable person, of the seed and feed therein specified.

[1917 c. 21 s. 3; 1917 c. 154] (742)

395.17 COUNTY AUDITOR AND COUNTY ATTORNEY TO COUNSEL WITH BOARD. The county auditor and county attorney are hereby required to attend all meetings of the county board provided in sections 395.14 to 395.24 and to carefully examine all applications filed under the provisions of sections 395.14 to 395.24 and shall give the board the benefit of all information they may have relative to the applicants, and shall counsel, advise, and assist the county board in the discharge of its duties under sections 395.14 to 395.24.

[1917 c. 21 s. 4] (743)

395.18 CONDITION OF THE CONTRACT. The warrant provided for in section 395.16 shall not be delivered until the applicant shall have signed a contract in duplicate, attested by the county auditor, to the effect that the applicant, for and in consideration of the seed and feed specified received from the county, promises to pay to the county the amount allowed for the same, on or before the first day of October following, with interest at the rate of six per cent per annum, that such amount shall be a first lien upon the crop raised from the seed and, in addition thereto, shall be taxable against the real property of the applicant for which seed and feed was furnished. The contract shall also contain a true description of the land upon which the applicant intends to and will sow and plant such seed, in due season next following, and shall specify that his written application shall be a part of this contract. The auditor shall forthwith file one of such duplicate contracts with the register of deeds of the county, for which the applicant shall pay the required filing fee and file the other duplicate in his own office.

[1917 c. 21 s. 5] (744)

395.19 COUNTY TO HAVE LIEN UPON THE CROPS. Upon the filing of the contracts provided for in section 395.18, the county shall acquire a just and valid lien upon the crops of grain raised each year by the person receiving the seed or feed, for the amount owing to the county upon the contract, as against all creditors, purchasers, or mortgagees, whether in good faith, or otherwise, and the filing of the contract shall be held and considered to be full and sufficient notice to all parties of the existence and extent of the lien, which shall continue in force until the amount covered by the contract is fully paid.

[1917 c. 21 s. 6] (745)

395.20 INDEBTEDNESS DUE OCTOBER 1, RATE OF INTEREST. The amount of such indebtedness upon such contracts shall become due and payable on the first day of October in the year in which the seed or feed, or both, is furnished, together with interest on such amount from the date of the warrants issued therefor, at the rate of six per cent per annum; and, if the indebtedness be not paid on or

MINNESOTA STATUTES 1945

395.21 AGRICULTURAL ASSISTANCE AND DEVELOPMENT

2948

before the first day of November of that year it shall then be the duty of the auditor of the county to cause the amount of the indebtedness to be entered upon the tax list of the county, as a tax against the land owned by the applicant for whom the aid was furnished, to be collected as other taxes are collected under the laws of this state.

[1917 c. 21 s. 7] (746)

395.21 MARKETING OF GRAIN. Each and every person who has received seed or feed, or both, under the provisions of sections 395.14 to 395.24, shall, as soon as his crops for the year wherein payment is to be made are harvested and threshed, market a sufficient amount of grain to pay the amount then due on his contract and pay the same over to the auditor of the county.

[1917 c. 21 s. 8] (747)

395.22 PENALTY FOR VIOLATION. Any person who shall, contrary to the provisions of sections 395.14 to 395.24, sell, transfer, take, or carry away, or in any manner dispose of, the seed or feed, or any part thereof, furnished by the county under sections 395.14 to 395.24 or shall use or dispose of such seed or feed, or any part thereof, for any other purpose than that of planting or sowing with same as stated in his application and contract, or shall sell, transfer, take, or carry away, or in any manner dispose of, the crop or any part thereof, produced from the sowing or planting of such seed, before the same is paid for, shall be guilty of a misdemeanor; and, upon conviction thereof, shall pay a fine of not less than \$50.00, nor more than \$100.00, or may be imprisoned in the county jail for a term of not less than 30, nor more than 90, days, and shall pay all the costs of prosecution, and whoever, under any of the provisions of sections 395.14 to 395.24 shall be found guilty of false swearing shall be deemed to have committed perjury and shall, upon conviction, suffer the pains and penalties of that crime. Upon the filing of the contract in the office of the register of deeds, and the sowing of the seed obtained therefor, the title and right of possession to the growing crop and to the grain produced from the seed shall be in the county which shall have furnished the seed until the debt incurred for such seed or feed, shall have been paid, and any seizure thereof or interference therewith except by the applicant and those in his employ, for the purpose of harvesting, threshing, and marketing the same to pay such debt, shall be deemed a conversion thereof and treble damages may be recovered against the person so converting the same by the county furnishing such seed and feed.

[1917 c. 21 s. 9] (748)

395.23 DUTIES OF POLICE OFFICERS. It shall be the duty of the constable and town clerk of such town and the members of the county board, sheriff, and county attorneys of any county furnishing seed or feed, having any knowledge of the violation of the provisions of sections 395.14 to 395.24, to make complaint thereof to a justice of the peace, and such justice shall thereupon issue a warrant for the arrest of the offender, and proceed to hear and determine the matter or to bind the offender over to appear before the grand jury, as the case may be.

[1917 c. 21 s. 10] (749)

395.24 PRO RATA DISTRIBUTION. If more seed grain is applied for than can be supplied by the county board, a pro rata distribution shall be made by it among those who shall have been found entitled to the benefits of sections 395.14 to 395.24. The board shall have the right to refuse any application which it may deem improper to grant, and may revise their adjustment of applications at any time before final distribution.

[1917 c. 21 s. 11] (750)