

SEED GRAIN.

CHAPTER 150.

[H. F. 163.]

PROVIDING FOR LIENS ON CROPS FOR PURCHASE PRICE OF SEED GRAIN.

AN ACT Entitled "An Act to Provide For Liens upon Crops and For the Levy of a Tax to Secure the Payment of the Purchase Price of Seed Grain."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. HOW LIEN MAY BE HAD—PRIORITY OF LIEN.] It shall be lawful for any person desiring to purchase, upon credit, any seed grain, to be sown or planted upon lands within this State, to enter into a contract in manner and form as hereinafter provided, with any person, co-partnership, association or corporation, furnishing such seed grain, that such person, co-partnership, association or corporation, as the case may be, shall have a first lien upon the crop of grain produced from such seed grain to secure the payment of the indebtedness incurred therefor, and that in case such indebtedness be not paid at the time it shall become due and payable according to the terms of the contract, that the amount thereof, with accrued interest, may be levied as a tax upon the real and personal property of the person applying for and receiving such seed grain, as hereinafter provided.

§ 2. APPLICATIONS, WHEN TO BE FILED AND WHAT TO CONTAIN—WHEN INDEBTEDNESS FOR SEED TO BE TAXED AGAINST LAND.] Any person desiring to procure seed grain upon credit, under the provisions of this act, shall file his application therefor on or before the fifteenth day of March in the year in which he desires to procure such seed grain, with the auditor or clerk of the county in which is situated the land he desires to seed. Said applications shall be in writing, or partly in print and partly in writing, shall be subscribed and sworn to before the county auditor or county clerk, or some other officer authorized to administer oaths, and shall contain, among other things, a statement of the number of acres the applicant has plowed and prepared for seeding; how many acres the applicant intends to have plowed and ready for seeding; how many bushels and what kinds of grain he will re-

quire to seed the ground so prepared or to be prepared; a true statement of all the real and personal property owned by the applicant and of the incumbrances thereon; the nature of his title to the realty which is to be sown to crop; that the applicant, by making and filing his said application, intends to agree and does thereby agree to and with any person, co-partnership, association or corporation that may furnish him seed grain pursuant to this said application, that such party shall have a first lien upon the crop produced from said seed grain; that if the indebtedness incurred in the purchase of said seed grain, together with interest thereon at 7 per cent., be not paid on or before the the first day of October next after the furnishing of such seed grain, the amount of said indebtedness and accrued interest shall be taxable against all the real and personal property of said applicant; that the county auditor or county clerk may and shall enter and levy the amount of said indebtedness as a tax upon the tax lists of said county against all the property of the applicant; that the collection thereof may be enforced in manner and form as the collection of State and county taxes are enforced; that at any time on or before October 15th the party furnishing said seed grain may by himself or agent, file with the county auditor or county clerk of the proper county, a verified statement of the amount due from any applicant under the provisions of this act, stating the name of the applicant and the number of his application, and thereupon it shall be the duty of said auditor or clerk to cause the amount of such indebtedness to be entered upon the tax lists of said county for that year as a tax against the real and personal property of said applicant and of the county treasurer of the county to collect the same in manner and form as other taxes are collected; *Provided, however,* That said tax shall be entered in a column separate and distinct from all other taxes, and all monies collected by the county treasurer under the provisions of this act shall be kept separate from all other monies, and shall be paid over by him to the party for whose benefit it is collected or to his order.

§ 3. APPLICATIONS, HOW EXECUTED—ENDORSEMENTS TO BE MADE BY COUNTY AUDITOR.] All applications filed under the provisions of this act shall be executed in duplicate and consecutively numbered by the county auditor or county clerk, for which services he shall receive a fee of ten (10) cents for each application and duplicate thereof, to be paid by the applicant, and when seed grain is furnished pursuant to any application, there shall be indorsed on such application and the duplicate thereof, a statement of the quantity of seed furnished, by whom furnished, the value thereof, and the description of the land upon which the seed grain is to be sown, which indorsement shall be subscribed by the parties or their authorized agents, and shall be conclusive evidence of the facts stated in the indorsement. All indebtedness incurred under the provisions of this act shall bear interest at 7 per cent. and the

principal and interest shall become due and payable on October 1st next ensuing, unless a different time be agreed upon between the parties and is indorsed upon the application and duplicate thereof. But if a date later than October 25th be agreed upon, then the amount of said indebtedness shall not be entered or levied as a tax as herein provided until the succeeding year.

§ 4. APPLICATIONS, WHERE FILED—WHEN TO BE CONSIDERED LIEN ON CROPS.] One of the said applications shall remain on file in the county auditor or clerk's office, and the duplicate thereof shall be filed in the office of the register of deeds, and from the date of the filing thereof in the office of the register of deeds shall be full and sufficient notice to all persons of the existence of the lien upon the crop as hereinbefore provided.

§ 5. DUTY OF REGISTER OF DEEDS TO FILE—FEE.] It shall be the duty of the register of deeds to file and enter said applications in the manner now required by law for the filing and entry of chattel mortgages, and he shall be entitled to a fee of ten (10) cents for each application so filed.

§ 6. PENALTY FOR FALSE PRETENSES.] Any person obtaining seed grain under the provisions of this act, who shall sell or otherwise dispose of the same, or any part thereof, or shall use the same or any part thereof for any other purpose than that specified in his application, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail not exceeding six months, or by fine not exceeding five hundred (500) dollars, or by both such fine and imprisonment.

§ 7. RIGHT OF POSSESSION OF CROP IN PARTY FURNISHING SEED.] Upon the filing of such application in the office of the register of deeds and the sowing of the seed obtained thereunder, the title and right of possession to the growing crop, and to the grain produced from said seed, shall be in the party who shall have furnished the seed, until the debt incurred for said seed 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 the debt aforesaid, shall be deemed a conversion thereof and treble damages may be recovered against the person so converting the same by the party furnishing the seed or his assign.

§ 8. HOW UNORGANIZED COUNTIES GOVERNED BY PROVISIONS OF THIS ACT.] Where persons desiring to obtain seed grain under the provisions of this act reside in unorganized counties, or the land to be seeded is situated in unorganized counties, applications shall be filed in the county to which such unorganized counties are attached for record or judicial purposes, and such filing shall have the same force and effect as if said counties were organized and the filing made in the proper county.

§ 9. EMERGENCY.] This act shall take effect and be in force from and after its passage and approval, in order that the settlers

of this State who are without means to obtain seed grain for the ensuing crop season may do so in proper time.

Approved February 13, 1890.

CHAPTER 151.

[H. F. 309.]

EXTENDING TIME IN WHICH TO MAKE APPLICATION FOR SEED GRAIN.

(Amendment to Preceding Chapter.)

AN ACT Entitled "An Act to Amend An Act Entitled 'An Act to Provide for Liens upon Crops and for the Levy of a Tax to Secure the Payment of the Purchase Price of Seed Grain,'" Approved February 13, 1890.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] Section 2 of an act entitled "An act to provide for liens upon crops and for the levy of a tax to secure the payment of the purchase price of seed grain, approved February 13, 1890," is hereby amended to read as follows:

"Sec. 2. APPLICATION, WHEN TO BE FILED AND WHAT TO CONTAIN—WHEN INDEBTEDNESS FOR SEED TO BE TAXED AGAINST LAND.] Any person desiring to procure seed grain upon credit, under the provisions of this act, shall file his application therefor on or before the fifteenth day of April in the year in which he desires to procure such seed grain, with the auditor or clerk of the county in which is situated the land he desires to seed. Said application shall be in writing, or partly in print and partly in writing, shall be subscribed and sworn to before the county auditor or county clerk, or some other officer authorized to administer oaths, and shall contain, among other things a statement of the number of acres the applicant has plowed and prepared for seeding; how many acres the applicant intends to have plowed and ready for seeding; how many bushels and what kinds of grain he will require to seed the ground so prepared or to be prepared; a true statement of all the real and personal property owned by the applicant and of the incumbrances thereon; the nature of his title to the realty which is to be sown to crop; that the applicant, by making and filing his said application, intends to agree and does thereby agree to and with, any person, co-partnership, association or corporation that may furnish him seed grain pursuant to his said application, that such party shall have a first lien upon the crop produced from said seed grain; that if the indebtedness incurred

in the purchase of said seed grain, together with interest thereon at 7 per cent., be not paid on or before the first day of October next after the furnishing of such seed grain, the amount of said indebtedness and accrued interest, shall be taxable against all the real and personal property of said applicant; that the county auditor or county clerk may, and shall enter and levy the amount of said indebtedness as tax upon the tax lists of said county against all the property of the applicant; that the collection thereof may be enforced in manner and form as the collection of State and county taxes are enforced; that at any time on or before October 15th the party furnishing said seed grain may by himself or agent, file with the county auditor or county clerk of the proper county a verified statement of the amount due from any applicant under the provisions of this act, stating the name of the applicant and the number of his application, and thereupon it shall be the duty of said auditor or clerk to cause the amount of such indebtedness to be entered upon the tax lists of said county for that year as a tax against the real and personal property of said applicant and of the county treasurer of the county to collect the same in manner and form as other taxes are collected; *Provided, however,* That said tax shall be entered in a column separate and distinct from all other taxes, and all monies collected by the county treasurer under the provisions of this act shall be kept separate from all other monies and shall be paid over by him to the party for whose benefit it is collected or to his order; *Provided,* That residents of unorganized counties may apply for relief under the provisions of this act to the county to which said unorganized county is attached for judicial purposes.

§ 3. EMERGENCY.] Whereas, an emergency exists in the fact that it is necessary that this act should take effect immediately in order to carry out and effect the purpose for which it is intended, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 17, 1890.

CHAPTER 152.

[S. F. 115.]

AUTHORIZING COUNTIES TO ISSUE BONDS TO PROCURE SEED
GRAIN.

AN ACT Authorizing Counties to Issue Bonds to Procure Seed Grain for
Needy Farmers Resident Therein.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. BONDS, HOW ISSUED—DENOMINATION, RATE OF INTEREST.]
In any county of the State where the crops for any preceding year have been a total or partial failure by reason of drouth, hail or other cause, it shall be lawful for the board of county commissioners of such county to issue the bonds of the county under and pursuant to the provisions of this act, and with the proceeds derived from the sale thereof, to purchase seed wheat for the inhabitants thereof who are in need of seed grain and are unable to procure the same, whenever said board shall be petitioned in writing so to do by not less than 100 freeholders resident in the county; and said board at a meeting called as hereinafter provided to consider said petition, shall by a majority vote determine that the prayer of the petitioners should be granted; *Provided*, That all such petitions shall be filed with the county auditor, or county clerk, on or before the twenty-eighth day of February; and thereupon it shall be the duty of said officer to forthwith call a meeting of the board of county commissioners of his county to consider said petitions; and, *Provided, further*, That the total amounts of bonds issued by any county under the provisions of this act shall not, with the then existing indebtedness of the county, exceed the limit of indebtedness fixed by the Constitution in such case; that said bonds shall be in denominations of five hundred (500) dollars; shall bear a rate of interest not exceeding 7 per cent. per annum, payable semi-annually at such place and times as shall be determined by the board, and that all bonds issued under the provisions of this act shall become due and payable in not less than five nor more than ten years from the date thereof, the date of maturity to be fixed by the county board at the time of the issuance thereof, within the above limitation.

§ 2. BONDS TO BE ENDORSED.] Such bonds shall be signed by the chairman of the board of county commissioners and be attested by the county auditor, or county clerk, as the case may be, who shall affix the seal of the county thereto, and shall have endorsed thereon a certificate signed by the county auditor or county

clerk, stating that said bonds are issued pursuant to law and are within the debt limit.

§ 3. BONDS, HOW SOLD.] It shall be the duty of said board to receive sealed proposals for the purchase of said bonds after giving notice for ten days in three newspapers of general daily circulation published as follows: One in the city of St. Paul, in the state of Minnesota; one in the city of Bismarck, in the State of North Dakota; and one in the county where the bonds are to be issued, if there be one published in such county, if not, then publication may be made in a weekly paper published in said county, if there be one so published, and said bonds shall be sold to the highest bidder for cash; *Provided*, The same shall not be sold for less than their par value; and, *Provided, further*, That the said board may reject all bids and postpone the sale of said bonds for a time not exceeding fifteen days.

§ 4. PROCEEDS, HOW PAID OUT.] The proceeds arising from the sale of said bonds shall be paid by the purchaser thereof, to the county treasurer of the county, or to his authorized agent, at the time of the delivery thereof, and such proceeds shall be paid out only on the order of the board of county commissioners.

§ 5. ADDITIONAL BOND OF TREASURER.] It shall be the duty of said board to require the county treasurer to give an additional bond with sureties to be approved by the board, in a sum to be determined by said board, before the proceeds of said bonds are paid into the treasury.

§ 6. TAX—BOND REGISTRY—BOARD MAY ISSUE WARRANTS INSTEAD OF BONDS, WHEN.] For the purpose of securing prompt payment of the principal and interest of the said bonds, there shall be levied by the board of county commissioners at the time and in the manner other taxes are levied, such sums as shall be sufficient to pay such interest, and in addition thereto a sinking fund tax shall be annually levied, sufficient to pay and retire said bonds at their maturity, and it shall be the duty of the county treasurer to pay promptly the interest upon said bonds as the same shall fall due. No tax or fund provided for the payment of such bonds, either principal or interest, shall at any time be used for any other purpose; *Provided, however*, That the board of county commissioners may deposit any part or portion of the sinking fund herein provided for, in any bank furnishing satisfactory security of the State of North Dakota, which shall furnish to the county a bond of indemnity to be approved by the board, and receive interest on the same, which shall be credited to the sinking fund. It shall be the duty of the treasurer when said bonds or any coupons attached thereto are paid, to cancel the same by writing upon the face thereof the word "paid" and the date of payment. Before the bonds are delivered to the purchaser the treasurer of the county shall register them in a book to be provided for that purpose, known as the bond register, in which register he shall enter the number of each bond, its date, date of maturity, amount, rate

of interest, to whom, and where payable; *Provided*, That said treasurer shall receive a per centum, at the discretion of the board of county commissioners, not to exceed 1 per cent., for the receiving and disbursing of the amount received from the sale of said bonds, said per centum to be covered into the treasury as a part of the salary fund. The board of county commissioners may issue warrants instead of bonds, if in their judgment the best interests of the county are thereby served; *Provided*, That such warrants shall not be issued in any amount to exceed \$3,000.

§ 7. FUNDS, HOW TO BE USED.] The fund arising from the sale of said bonds shall be applied exclusively by the said board for the purchase of seed grain for residents of the county who are poor and unable to procure the same; *Provided*, That not more than 150 bushels of wheat or its equivalent in any grain shall be furnished to any one person.

§ 8. WHO MAY HAVE BENEFIT OF ACT.] All persons entitled to, and wishing to avail themselves of the benefit of this act, shall file with the county auditor, or county clerk, of the county where said applicant resides, on or before the first day of March, an application duly sworn to before said county auditor, or county clerk, or some other officer authorized to administer oaths. Said application shall contain a true statement of the number of acres the applicant has plowed or prepared for seeding; how many acres the applicant intends to have plowed and prepared for seeding; how many bushels and what kind of grain he will require to seed the ground so prepared as aforesaid; how many bushels of grain the applicant harvested in the preceding year; that the applicant has not procured and is not able to procure the necessary seed grain for the current year; that he desires the same for seed and no other purpose and that he will not sell or dispose of the same or any part thereof, but will use the same and the whole thereof in seeding the land so prepared or to be prepared for crop. Said application shall also contain a true and full description of all the real and personal property owned by the applicant, and the incumbrances thereon; and a true description by government subdivisions of the land upon which the applicant intends to sow said seed grain. All applications filed under the provisions of this act shall be consecutively numbered and shall be open to public inspection, and no application shall be considered by the board of county commissioners except such as have been made and filed in the manner prescribed in this section; *Provided*, That the board of commssioners may in their discretion consider any application although made after the time so specified.

§ 9. BOARD OF EXAMINATION AND ADJUSTMENT.] The board of county commissioners of each county issuing bonds under the provisions of this act are hereby appointed and constituted a board of examination and adjustment of the applications for seed grain filed under the preceding section, and it shall be the duty of said board to meet at the county auditor or clerk's office

on the first Tuesday in March, or as soon thereafter as possible, to examine and consider separately each application filed under the provisions of this act, and to determine who are entitled to the benefits thereof, and the amount to which each applicant is entitled, and said board shall on or before the tenth day of March, deliver to and file with the county auditor, or county clerk, its adjustment of the said applications, which shall be signed by the chairman of the board.

§ 10. HOW GRAIN TO BE ISSUED TO APPLICANT—VALUE TAXED AGAINST LAND, WHEN.] The county auditor or county clerk of each county shall as soon as the county commissioners shall have performed the duty prescribed in the preceding section, issue to each applicant demanding it, an order for the number of bushels of each kind of seed grain which has been allowed to said applicant, unless otherwise directed by the board, or the chairman thereof; *Provided, however,* That said order shall not be delivered until said applicant shall have signed a contract in duplicate, attested by the county auditor or county clerk, to the effect that said applicant for and in consideration of . . . bushels of seed grain received from . . . county, promises to pay to said county . . . dollars, the amount of the cost of said seed grain; that said sum shall be taxable against all the real and personal property of said applicant; that such tax shall be levied by the county auditor, or county clerk, of his county, and collected as other taxes are collected under the laws of this State; that the amount of such indebtedness shall become due and payable on the first day of October in the year in which said seed grain is furnished, together with interest on such amount from the first day of April of that year, at the rate of 7 per cent. per annum, and if said indebtedness be not paid on or before the twentieth day of October of that year, it shall then be the duty of the county auditor, or county clerk, of the said county, to cause the amount of said indebtedness to be entered upon the tax lists of said county for that year, as a tax on the land on which said seed wheat was sown, and upon any other land owned by the applicant, to be collected as other taxes are, and the sum so entered and levied shall be a lien upon the real estate owned by such person until said indebtedness is fully paid, when it shall be the duty of the proper officer to cancel the same.

§ 11. LIEN ON CROP.] Upon the filing of the contracts provided for in Section 10, the county shall acquire a just and valid lien upon the crops of grain raised each year by the person receiving seed grain to the amount of the sum then due to the county upon said contract, as against all creditors, purchasers, or mortgagees, whether in good faith or otherwise, and the filing of said contract shall be held and considered to be full and sufficient notice to all parties of the existence and extent of said lien, which shall continue in force until the amount covered by said contract is fully paid.

§ 12. PAYMENT, WHEN TO BE MADE.] Each and every person who has received seed grain under the provisions of this act, 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 treasurer of his county.

§ 13. PENALTY.] 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 seed grain, or any part thereof, furnished by the county under this act, or shall use or dispose of said seed grain or any part thereof, for any other purpose than that of planting or sowing the same as stated in his application, 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 said seed grain, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than ten (10) dollars nor more than one hundred (100) dollars, or may be imprisoned in the county jail for a term of not less than ninety days, and shall pay all the costs of prosecution, and whoever under any of the provisions herein 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 said application in the office of the register of deeds, and the sowing of the seed obtained thereunder, the title and right of possession to the growing crop and to the grain produced from said seed shall be in the county which shall have furnished the seed until the debt incurred for said seed 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 the debt aforesaid, shall be deemed a conversion thereof, and treble damages may be recovered against the person so converting the same by the county furnishing said seed.

§ 14. INFORMATION, WHO TO GIVE.] It shall be the duty of the constables and town clerks of the towns, and the county commissioners, sheriffs, and state's attorneys of the counties furnishing seed grain under the provisions of this act, having any knowledge of the violation of its provisions, to make complaint thereof to a justice of the peace, and said 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.

§ 15. GRAIN, HOW DISTRIBUTED—APPLICATION, HOW RECEIVED.] The county commissioners of every county proposing to distribute seed grain under the provisions of this act shall advertise such intention in such manner and for such length of time prior to the first day of March as is possible for them to do, giving notice that all applications must be filed with the county auditor, or county clerk, by the first day of March; *Provided*, That no distribution

of seed grain under the provisions of this act shall take place prior to the tenth day of March. If more seed grain is applied for than can be supplied by the commissioners under the provisions of this act, a *pro rata* distribution shall be made by them among those who shall have been found entitled to the benefits of this act. The commissioners shall have the right to refuse any application which they may deem improper to grant, and they may revise their adjustment of applications at any time before final distribution.

§ 16. DUTIES OF COMMISSIONERS IN RELATION TO DISTRIBUTION OF GRAIN.] It shall be the duty of the commissioners providing seed grain under the provisions of this act, to purchase the same at the lowest price at which suitable grain can be obtained, and to furnish the same to applicants at the actual cost thereof to the commissioners, with transportation and handling charges added, if any there be, and any person requiring or extorting from any applicant a greater price shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, as the court may determine.

§ 17. SINKING FUND TO PAY BONDS.] All money received by the county treasurer in payment of debts incurred under the provisions of this act, shall be paid into, and become a part of the sinking fund herein provided for, and be used exclusively in the purchase or payment of bonds issued hereunder.

§ 18. OPTION.] Said board may at any time, with the concurrence of the owners thereof, pay and retire any of the bonds issued under the provisions of this act out of the funds provided for that purpose, at not more than the par value thereof with accrued interest.

§ 19. TAX, WHEN NOT BE LEVIED.] In case a sufficient fund has been paid into the county treasury in any one year, as provided in Section 10 of this act, or on or before November 1st, to meet the interest and sinking fund provided for in this act, then there shall be no tax assessed for such purposes in that year, and in no year shall there be a greater sum assessed than will, together with the balance at that date in the treasury belonging to the said seed grain fund, be sufficient to meet said interest and sinking fund promptly for that year.

§ 20. EMERGENCY.] As there are settlers who are unable to procure seeds for their farms for the coming spring, and an emergency exists, this act shall take effect and be in force immediately after its passage and approval by the governor.

Approved February 14, 1890.

CHAPTER 153.

[H. F. 355.]

EXTENDING TIME FOR APPLICATION FOR SEED GRAIN.

(Amendment to Preceding Chapter.)

AN ACT Entitled "An Act to Amend an Act Entitled 'An Act Authorizing Counties to Issue Bonds to Procure Seed Grain for Needy Farmers Resident Therein,'" Approved February 14, 1890.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 1 "of an act authorizing counties to issue bonds to procure seed grain for needy farmers resident therein, approved February 14, 1890," be amended to read as follows:

"In any county of the State where the crops for any preceding year have been a total or partial failure by reason of a drouth, hail or other cause, it shall be lawful for the board of county commissioners of such county to issue the bonds of the county under and pursuant to the provisions of this act, and with the proceeds derived from the sale thereof, to purchase seed wheat for the inhabitants thereof who are in need of seed grain and are unable to procure the same. Whenever said board shall be petitioned in writing so to do by not less than 100 freeholders resident in the county, and said board at a meeting called as hereinafter provided, to consider said petition shall, by a majority vote determine that the prayer of the petitioners should be granted; *Provided*, That all such petitions shall be filed with the county auditor, or county clerk, on or before the fifteenth day of April; and thereupon it shall be the duty of said officers to forthwith call a meeting of the board of county commissioners of his county to consider said petitions; and, *Provided further*, That the total amounts of bonds issued by any county under the provisions of this act, shall not with the then existing indebtedness of the county exceed the limit of indebtedness fixed by the Constitution in such case; that said bonds shall be in denominations of five hundred (500) dollars; shall bear a rate of interest not exceeding 7 per cent. per annum, payable semi-annually, at such place and times as shall be determined by the board, and that all bonds issued under the provisions of this act shall become due and payable in not less than five nor more than ten years from the date thereof, the date of maturity to be fixed by the county board at the time of the issuance thereof within the above limitation.

§ 2. EMERGENCY.] As there are settlers who are unable to procure seed for their farms for the coming spring, unless the time for petitions is extended, therefore, an emergency exists, and this act shall take effect and be in force immediately after its passage and approval.

Approved March 20, 1890.

CHAPTER 154.

[H. F. 306.]

PROVIDING FOR LIEN FOR FEED FURNISHED NEEDY FARMERS.

(Amendment to Chapter No. 152.)

AN ACT to Amend an Act Entitled "An Act Authorizing Counties to Issue Bonds to Procure Seed Grain for Needy Farmers Resident Therein," Approved February 14, 1890.

Be it Enacted by the Legislative Assembly of the State of North Dakota :

§ 1. AMENDMENT.] That Section 7 be amended to read as follows:

"The fund arising from the sale of said bonds shall be applied exclusively by the said board for the purchase of seed grain for residents of the county who are unable to procure the same; *Provided*, That not more than 150 bushels of wheat, or its equivalent in other grain, shall be furnished to any one person; *Provided, further*, That in any county in which it is necessary to procure seed grain, under the provisions of this act, and the parties taking advantage of the same are unable to obtain feed for their stock for the putting in of said seed grain, the county commissioners may, in their discretion, purchase and deliver to such parties, who are unable to procure in any other way such amount of feed, as will, in their judgment, enable said parties to put in their seed; such feed to be furnished at actual cost; the amount to be paid for such feed to become a part of the seed lien on the crop raised from the seed furnished to such party under the provisions of this act."

§ 2. EMERGENCY.] Whereas, an emergency exists in that there are persons who are unable to procure feed for their stock for the putting in of their seed the coming spring, this act shall take effect and be in force immediately after its passage and approval by the governor.

Approved March 7, 1890.