

pledge, cancel and return any note, and cancel and return any assignment given to the obligor by the debtor.

**Sec. 7. Certain acts a misdemeanor.**—Any person, co-partnership, association or corporation and the several members, officers, directors, agents and employees thereof who shall violate or participate in the violation of any of the provisions of this act shall be guilty of a misdemeanor.

Any contract not invalid for any other reason, in the making or collection of which any act shall have been done which constitutes a misdemeanor under this act, shall be void and the obligor and/or his assigns shall have no right to collect or receive any principal, interest or charges whatsoever.

**Sec. 8. Application of act.**—This act shall not apply to any attorney-at-law duly authorized to practice in this state and resident herein, nor to any person, co-partnership, association or corporation doing business under and as permitted by any law of this state or of the United States relating to banks, savings banks, trust companies, building and loan associations or credit unions, and nothing in this act contained shall permit or be construed as authorizing any person, not otherwise duly admitted to practice law in this state, to engage in the practice of law.

**Sec. 9. Provisions severable.**—If any clause, sentence, section, provision or part of this act shall be adjudged to be unconstitutional or invalid for any reason by any court of competent jurisdiction, such judgment shall not impair, affect or invalidate the remainder of this act, which shall remain in full force and effect thereafter.

Approved April 29, 1935.

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## CHAPTER 348—H. F. No. 1165

*An act to confer upon the commissioner of agriculture, dairy and food certain powers and duties in reference to the eradication of noxious weeds from agricultural lands, and appropriating funds for the purposes of such operations.*

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

**Section 1. Commissioner of Agriculture to enforce act.**—The commissioner of agriculture, dairy and food, hereinafter in this act called the commissioner, is hereby authorized and

it shall be his duty to administer this act and he shall have the authority to make, promulgate and enforce such rules and regulations as he shall deem necessary to so do, and he shall cooperate with the dean of the department of agriculture of the University of Minnesota in the study of the life habits and eradication methods of primary noxious weeds and from time to time shall publish such information upon the subject as may be of public interest and value to the agricultural communities of the state.

**Sec. 2. May engage employees and purchase equipment.**—The commissioner may engage such additional employees and may purchase such equipment and supplies as may be necessary to carry out the provisions of this act.

**Sec. 3. What are noxious weeds.**—The term primary noxious weeds, as used in this act, shall mean and shall refer to Creeping Jennie (*Convolvulus arvensis*), Leafy Spurge (*Euphorbia esula*), Horse Nettle (*Solanum carolinense*), Austrian Field Cress (*Roripa (Radicula) austriaca*), Perennial Pepper Grass (*Lepidium draba*), and other similar weeds propagated by seed and root stalk.

**Sec. 4. Commissioner may destroy weeds.**—When from investigation or otherwise, it shall appear to the commissioner that upon any tract of agricultural land there is an infestation of primary noxious weeds beyond the ability of the land occupant or owner to eradicate, the commissioner, upon request of the owner, or upon his own motion, shall take such steps as may be necessary to prevent further spread of such weed growths and to this end shall quarantine such portion of each such tract of land as may be so infested and put into immediate operation the necessary means for the eradication of such weed growths.

**Sec. 5. Must give written notice.**—The commissioner, upon entering upon any tract of land for the purposes of this act, shall give written notice to the owner of such entry and quarantine, if established, and also shall give the owner written notice of the completion of his operations thereon.

**Sec. 6. Expenses to be paid from fund provided.**—(a) The expenses of field operations, including cost of chemicals and other materials employed in weed eradication except machinery and other equipment, shall be paid from the fund herein provided, which fund shall be reimbursed not later than January first of each year, 20 per cent thereof by the county and ten per cent thereof by the township in which the land so quarantined and improved is situated.

(b) When the infestations of primary noxious weeds, against which the activities of the commissioner are directed, are found located on the sides of public highways, the expenses of eradication shall be paid, 50 per cent by the state from the fund herein provided, 50 per cent from the funds provided for the maintenance of the state highway department if the infestation is on a state highway, 50 per cent by the county if the infestation is on a county or state aid road; and 50 per cent by the township if the infestation is located on a township road or cartway.

**Sec. 7. Appropriation.**—There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of \$50,000.00 for the fiscal year ending June 30, 1936, and a like amount for the fiscal year ending June 30, 1937, and for the purpose of expediting the operations of the commissioner under the provisions hereof, the sum of \$10,000.00 thereof shall become immediately available upon the passage of this act; provided, however, that not to exceed five per cent of the appropriation so made shall be used for experimental purposes.

**Sec. 8. Trespass a misdemeanor.**—Any person who shall intrude upon any lands, placed under quarantine by direction of the commissioner, or who shall interfere with the operation of any machinery or other equipment being employed by and in use by the commissioner or his duly authorized agents in carrying out the provisions of this act, shall be guilty of a misdemeanor.

Approved April 29, 1935.

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#### CHAPTER 349—H. F. No. 1195

*An act relating to the fixing of minimum salaries for county auditors, county treasurers and county commissioners in certain counties.*

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

**Section 1. Salaries of county officers in certain counties.**—The annual salary of the county auditor, county treasurer and county commissioners, in all counties of this state, except as hereinafter provided, shall be the same amount as provided by law for the year 1931, regardless of any decrease in valuation, any change in population or any other factor on which such salary may have been based, provided, however, that where the salary now being paid to any county auditor