

note broker or other such agent, for the purpose of sale, pledge or negotiation, on the faith of any such statement, any note, bill or other instrument for the payment of money made, endorsed, accepted or owned in whole or in part, either by himself or by any person, firm or corporation, knowing at the time that such previously delivered statement is in any material particular false as to the present financial condition of himself, or any person, firm or corporation, shall be guilty of a gross misdemeanor and punishable by fine not exceeding one thousand dollars (\$1,000.00) or imprisonment not exceeding five (5) years, or both.

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

Approved April 22, 1909.

CHAPTER 432—S. F. No. 337.

An Act authorizing town boards of supervisors to cause trees or hedges within road limits to be cut down when the same are detrimental to said roads.

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

Town board may cut down hedges and trees within road limits.—Section 1. That in addition to all powers granted to town boards of supervisors by the Revised Laws of 1905, and amendments thereof, such supervisors are hereby given the right and power to determine upon and order the cutting down of hedges and trees within road limits when the center of such trees or hedges is more than six feet from the side of any road as established by statutory proceeding or dedicated specifically to public use; *provided*, such trees or hedges, or either of them, interfere with keeping the surface of the road in good order, or cause the snow to drift on to or accumulate upon said road in quantities that materially obstruct travel.

Owner to be notified.—Sec. 2. When the town board of any town in this state determine that such cutting down of hedges or trees within the limits of such roads is necessary, or that the same would aid materially in keeping such roads in repair or free from snow, they shall notify the owner or owners of the abutting lands of such decision and order the trees or hedges cut down within ninety days after such notice and order. If the said owner or owners fail or refuse to comply with such notice and order, the town board of supervisors shall have the power to cause such trees or hedges to be cut down at the expense of the town. The timber and wood of such trees shall belong to the said owner or owners of the abutting land, provided they remove the same from

the roadside within sixty days. If such timber or wood is not removed within said time the town board shall sell the same as of value, and destroy the same if it cannot be sold at a profit. If sold by the board, the proceeds shall be applied so far as necessary in defraying the expense of cutting said trees or hedges, and the balance, if any, be paid to the owner or owners of the abutting land.

Expenses to be paid out of road and bridge fund.—Sec. 3. The town boards of supervisors are hereby granted the farther right and power to appropriate and pay out of the road and bridge fund of their town, or from any other fund available, the cost of cutting down such trees and hedges and the removal or destruction of the same, if done at public expense. The slashings caused by cutting such trees and hedges shall be burned as soon as dry enough to burn.

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

Approved April 22, 1909.

CHAPTER 433—S. F. No. 394.

An Act to amend Section 4124, Revised Laws 1905, relating to motions in the District Court.

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

Motions in actions to be made in county where two special terms of court are held monthly.—Section 1. That section 4124, Revised Laws 1905, be and the same is hereby amended so as to read as follows:

“4124. Demurrers and motions for judgment on the pleadings may be heard and determined at the regular or special term of the court held in any county of the district, or at any time and place within the district which a judge thereof shall fix. All motions of which notice is required to be given shall be made within the judicial district, or at some place in an adjoining district which is nearer, by railway, to the county seat of the county in which the action is pending than is the residence of the nearest qualified judge of the district of which such county is a part. Orders so made by the judge of another district shall be filed in the county of the venue, with like effect as though made by a judge of the local district. *Provided*, that in any county having two special terms of court each month, all motions in actions pending therein shall be made in such county.”

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

Approved April 22, 1909.