

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.