

credit of each such policy or certificate, the future net premiums or assessments and the accretions thereto, less its equitable contribution to the death claims and other benefits, and that the premiums or assessments upon any such policy or certificate may, upon such credit becoming exhausted, be increased as may be necessary to meet its share of death claims and other benefits, and that the holder of any such policy or certificate may be granted, extended or paid up insurance or the right to convert into any other form of policy or insurance then being issued by such company and to have the credit on such former policy or certificate applied to such new policy or insurance. When making such ascertainment and apportionment account shall be taken of the premiums or assessments theretofore paid and of the death claims and other benefits which should be borne by such policy or certificate, of the interest earnings and other accretions to the accumulated funds, and of other matters which should equitably be taken into consideration for the purposes of such apportionment. Subject to such adjustment as shall be equitable, the experience of the company or any table of mortality recognized for the purpose of insurance in any law of this state, may be used as a basis for the ascertainment and apportionment herein authorized; provided, that any company availing itself of the provisions of this section shall, in its articles or by-laws, specify the table of mortality and rate of interest which is to be the basis for the charges thereafter to be made to the policies or certificates aforesaid; and, provided further that when any table of mortality is specified in any policy the said table shall be followed.

Approved April 23, 1919.

CHAPTER 372—S. F. No. 545.

An act to amend Section 2375, Revised Laws 1905, as amended by Chapter 394, Laws of 1917; Section 2376 and 2377, Revised Laws 1905, as amended by Chapter 229, Laws of 1917 and Section 2377, Revised Laws of 1905, which said sections relate to "noxious weeds."

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

Section 1. Noxious weeds.—That section 2375, Revised Laws 1905, as amended by chapter 394, Laws of 1917, be and the same is hereby amended so as to read as follows:

Section 2375. Each of the plants mentioned in this section is hereby declared to be a noxious weed and a common nuisance. For the purposes of this chapter noxious weeds and grasses are divided into two classes. Class 1 shall include the following, to-wit: Canada thistle (*circium arvense*) perennial sow thistle (*sonchus arvensis*). Class 2 shall include the following, to-wit: Wild mustard (*brassica arvense*), French weed (*thalapsi arvense*), quack grass (*agropyson repens*).

Sec. 2. Determination of ownership responsibility.—That section 2376, Revised Laws of 1905, as amended by chapter 229, Laws of 1917, be and the same is hereby amended so as to read as follows:

Section 2376. For all purposes of this chapter the half of any road, street, or alley lying next to the lands abutting thereon shall be considered a part of such land. No person or corporation owning, occupying or controlling land shall permit any noxious weed or grass specified in class 1 to produce seed upon any land so owned, occupied or controlled by him or it. No person or corporation owning, occupying or controlling land adjoining any road, street or alley shall permit any noxious weed specified in classes 1 and 2 to grow or be upon the half of any road, street or alley adjoining land so owned or controlled by him.

It shall be unlawful for any person or corporation owning, occupying or controlling land to permit or allow any noxious weed specified in class 1 to produce seed upon any land so owned, occupied or controlled by him or it.

Sec. 3. Duties of chairman of town boards, mayors or presidents of council, and county auditor.—That section 2377, Revised Laws 1905, as amended by chapter 229, Laws of 1917, be and the same is hereby amended so as to read as follows:

2377. The chairman of each town board and the mayor, or president of the council of each municipal corporation is hereby empowered and required to give the notices required by this chapter and cause the provisions hereof to be enforced. It shall be the duty of each of said officials to annually inspect or cause to be inspected at the expense of their respective municipalities, between the first day of July and the 20th day of July of each year all roads, streets and alleys and lands within their respective jurisdiction for the purpose of ascertaining whether any of the noxious weeds and grasses specified in classes 1 and 2 aforesaid are growing thereon in violation of law and if he finds any such noxious weeds or grasses growing on any such lands or in any such streets, roads or alleys, he shall give written notice to the person owning, occupying or controlling the same to forthwith destroy the same and to comply with the provisions of this chapter in respect thereto within six days after the service of such notice. It shall be the duty of any such official giving any such notice to mail a duplicate copy thereof to the county auditor. It shall be the duty of the county auditor to lay such duplicate copy of such notice so mailed to him before the board of county commissioners at their next regular or special meeting and it shall be the duty of the county board and its several members to see to it that the chairman of each town and the mayor or president of the council of each municipal corporation within the county performs their duties under the provisions of this chapter and in case of failure of any such official to so perform

his duty, they shall notify the county attorney to prosecute him or other persons who violate the provisions of this act.

It shall be the duty of the county auditor to mail a copy of this section to the chairman of each town board and to the mayor or president of the council of every municipality within his county each year between the first of June and the first day of July.

Sec. 4. Overseers of roads to carry out provisions.—That section 2379, Revised Laws 1905, be and the same is hereby amended so as to read as follows:

2379. If the notice be not obeyed within six days the chairman of the town board or the mayor or president of the council of each municipality, as the case may be, shall direct the overseer of roads or the officials in charge of streets in municipalities, as the case may be, to, and it shall be the duty of such officials to forthwith destroy such weeds or grasses and make report thereof to the town or municipal clerk with an itemized account of his expense in so doing. Such overseer or such official in charge of streets in any municipality shall be allowed not to exceed five dollars per day for the time of his necessary employment, and for men and teams employed he may allow the rates paid for labor upon roads or streets. Such expense shall be paid by the town or municipality out of the road or street funds, and unless the sum be repaid by the owner or occupant before October 1st next ensuing, the clerk shall certify the amount thereof, with a description of the premises to be charged, to the county auditor who shall extend the same upon the tax list, as an additional tax upon said land. But if the land for any reason be exempt from general taxation, the amount of such charge may be recovered of the owner in a civil action, with costs.

Approved April 23, 1919.

CHAPTER 373—S. F. No. 556.

An act validating the appropriation and expenditure of funds for certain purposes by certain political subdivisions of this state.

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

Section 1. Certain appropriations validated.—In all cases where heretofore but subsequent to the sixth day of April, A. D. 1917, the governing body or officials of any county, town, village, city or school district, in this state, have appropriated or expended without authority for so doing, the funds of such county, town, village, city or school district, for the purchase of Liberty bonds or as a donation to the Red Cross, Y. M. C. A., the Knights of Columbus, the Minnesota home guard, Minnesota Motor Corps or any other similar organization, or as a contribution for relief work in communities in this country or in foreign countries, which