

CHAPTER 458—H. F. No. 793.

An act to amend Chapter 359, Laws 1917, relating to the change of boundaries and the establishment of new counties.

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

Section 1. **Changing of boundaries and establishment of new counties.**—That chapter 359, Laws 1917, be amended to read as follows:

The boundaries of counties may be changed by taking territory from a county and attaching the same to an adjoining county, and new counties may be established out of territory out of one or more existing counties, as hereinafter provided; that no such new county shall contain less than four hundred (400) square miles, nor less than two thousand (2000) inhabitants, nor shall it have an assessed valuation of less than four million dollars (\$4,000,000.00) and no existing county shall be reduced in area below four hundred (400) square miles, nor so as to contain less than two thousand (2,000) inhabitants, nor so as to have an assessed valuation of less than four million dollars (\$4,000,000.00);

Provided, however, that in existing counties having an area of more than thirty-five hundred (3,500) and less than six thousand (6,000) square miles, boundaries may be changed and new counties established having an assessed valuation of not less than *two million five hundred thousand dollars (\$2,500,000.00)*;

Provided, further, no change in the boundaries of any county having an area of more than twenty-five hundred square miles, whether by the creation of a new county or otherwise, shall detach from such existing county any territory within twelve miles of the county seat thereof.

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

Approved April 25, 1919.

CHAPTER 459—H. F. No. 807.

An act relating to the establishment of zones for protection against fires around certain cities and villages in this state.

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

Section 1. **Zone for protection against fires.**—A zone not less than one nor more than three miles in width surrounding the corporate limits of any village or city in this state having less than 3,000 inhabitants, to serve as and to be designated as "A zone for protection against fires," may be established as hereinafter provided.

Whenever three or more persons present a petition to a judge of the district court holding a term of court in the county in which such village or city is situated, stating that by reason

of its location or surroundings such village or city is liable to damage or destruction by forest fires and requesting that a zone for protection against fires be established surrounding such city or village, then and in that case said judge shall make an order fixing a time and place for hearing said petition and said order shall be published three consecutive weeks by the petitioners in one legal newspaper published in the county in which such village or city is situated. At said hearing all parties interested shall be heard and if after the hearing said judge finds the statements of the petition to be true and that the establishment of such a zone is reasonably necessary for the protection of life and property in such village or city, he shall make an order establishing a zone for protection against fires not less than one nor more than three miles in width surrounding the corporate limits of such village or city. Printed notices announcing the establishment of such zone shall thereafter be posted in conspicuous places within such zone by the governing body of such city or village.

Sec. 2. Unlawful to permit the growth of certain trees, etc.—It shall be unlawful to suffer or permit to stand or grow in said zone any thickets or balsam trees, dead stubs, slash or slashings, bushes, shrubs, brush or any other combustible vegetation; but any pasture, meadow, grass, potatoes, root vegetables, garden truck and a reasonable number of shade trees and shrubs shall not be deemed combustible vegetation within the meaning hereof.

Sec. 3. Provisions for enforcement.—The mayor or president of the village or city council in each such city or village is hereby authorized and directed to enforce the provisions of this act, and if combustible vegetation is standing or growing upon lands within such zone, he shall cause written notice to be served upon the person permitting the same, directing him to comply with the provisions of this chapter within seven days after such notice.

Sec. 4. Service of notices.—Said notices shall be served as a summons in a civil action, and shall be served upon the occupant, if any, otherwise upon the owner or person in charge of the land. If there be no such person, within the county upon whom service can be made, one week's published notice thereof shall be given in a legal newspaper in the county, and such publication shall constitute due service. Notices shall also be mailed to the persons appearing from the tax lists of the county to be the owners of such land.

Sec. 5. Governing body of municipality to proceed with destruction.—If said notice is not obeyed within seven days, after service thereof, the governing body of such municipality shall provide by resolution or ordinance for the destruction of such combustible vegetation, and if the same has a commercial value,

said governing body shall also provide for the sale thereof at public auction. The cost of removing such vegetation shall be deducted from the proceeds realized from the sale thereof, and shall be paid into the general fund of the city or village, and the surplus if any shall be paid to the owner or person in charge of the land. If the address of such person or owner is unknown, then such surplus shall be retained by the city or village as a special fund in trust for the owner or person entitled thereto, to be paid to him upon his application. If such proceeds are insufficient to reimburse the municipality for the expense of removing such vegetation, then such expenses shall be paid out of the general fund of the municipality, and unless the amount thereof be repaid by the owner or occupant before October 1st next ensuing, the clerk or recorder shall certify the amount thereof with a description of the premises to be taxed to the county auditor, who shall extend the same upon the tax list as an additional tax upon said land. If the land for any reason is exempt from taxation, the amount may be recovered from the owner in a civil action. The amount of such expense, when collected by the county auditor as a tax shall be by him transmitted to the treasury of such municipality to be accredited to its general fund.

Sec. 6. **Inconsistent acts repealed.**—All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 25, 1919.

CHAPTER 460—H. F. No. 930.

An act to amend Section 1453, 1454, 1455 and 1456, General Statutes of Minnesota 1913, relating to pensions for disabled and retired police matrons and to provide such pensions for assistant matrons and other police women.

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

Section 1. **Police pension fund to include retired matrons and police women.**—That section 1453, General Statutes of Minnesota 1913, be and the same is hereby amended so as to read as follows:

Section 1453. In every city of this state now or hereafter having a population of over 50,000 inhabitants, where there is or may be created a police pension fund, governed and managed by a police pension board or relief association in accordance with the provisions of Chapter 159 of the General Laws of Minnesota for the year 1903, as subsequently amended by chapter 109 of the General Laws of Minnesota for the year 1905, such police pension board