

provided further that all soldiers of the Minnesota National Guard who heretofore or hereafter may lose an arm or leg or his sight or may become permanently disabled from any cause while in the line and discharge of duty and are not able to support themselves, may be admitted to the home under such rules and regulations as the board of trustees may adopt, and any soldier of the Minnesota National Guard suffering from illness or injury sustained from any cause in the line and discharge of military duty shall be admitted to the soldiers' home hospital for medical treatment and hospital service until recovery from such illness or injury under such rules and regulations as the board of trustees may adopt.

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

Approved March 19, 1919.

CHAPTER 80—H. F. No. 155.

An act fixing the fees to be charged and received by county abstract clerks.

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

Section 1. **Fees of abstract clerks in certain counties.**—Each abstract clerk of each county in the state of Minnesota, having a population of two hundred thousand inhabitants, or over, is authorized to charge and receive and keep, for making abstracts of title, a sum not exceeding twenty-five cents for each transfer, or other proper entry thereon, and not exceeding fifty cents for his certificate.

Sec. 2. **Inconsistent acts repealed.**—All acts and parts of acts, whether general or special, inconsistent herewith are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved March 19, 1919.

CHAPTER 81—S. F. No. 120.

An act requiring the owner or occupant of premises within this state, on which Mahonia bushes and barberry bushes of the rust-producing varieties may be grown, to destroy the same, declaring the same to be a public nuisance; imposing certain powers and duties with reference to the same on the state entomologist; and providing penalties for the violation thereof.

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

Section 1. **Certain bushes declared nuisances and maintenance forbidden.**—All barberry (*Berberis* Sp.) bushes and all Mahonia (*Mahonia* Sp.) bushes except the species and variety known as Japanese barberry (*Berberis thunbergii*) are rust-produc-

ing species and are hereby declared to be, and the same are, a public nuisance and a menace to the public welfare, and their maintenance, propagation, sale or introduction into the state is forbidden. It shall be the duty of every person owning, occupying or having charge of any premises on which such bushes of the rust-producing varieties are grown, or at any time found growing, to forthwith destroy such bushes.

Sec. 2. Authority of state entomologist.—The state entomologist is authorized, and it is hereby made his duty to cause all such rust-producing Mahonia bushes or barberry bushes within the state of Minnesota to be eradicated. The state entomologist shall make rules and regulations relating to the most convenient and expedient method of eradicating and destroying such rust-producing Mahonia bushes or barberry bushes; he shall have the power to appoint one or more agents to enforce the provisions of this act, and he, or his agents, shall have free access at all reasonable hours to any premises to determine whether such rust-producing Mahonia bushes or barberry bushes are growing thereon, and to require reports from the owners or occupants of any premises as to the presence of such bushes thereon.

Sec. 3. Destruction of bushes.—In pursuance of his powers hereby granted, whenever the state entomologist, or his agents, shall have found Mahonia bushes or barberry bushes of such rust-producing varieties on any premises, it shall be the duty of the state entomologist, or his agents, as the case may be, to immediately notify or cause to be notified, the owner or occupant of the premises on which such bushes are growing; such notice shall be sent to such owner or occupant in such form as the state entomologist shall prescribe, and if such Mahonia bushes or barberry bushes are not destroyed within ten (10) days after the mailing of such notice, if sent by registered mail, or within eight days after the delivery of such notice, if delivered by messenger, the state entomologist, or his agents, shall destroy or cause to be destroyed such Mahonia bushes or barberry bushes. The expense of such destruction shall be paid to the state entomologist by the owner of the premises within ten (10) days after the rendition of a bill therefor, and if such cost shall not be paid within said time the bill shall be reported to the county attorney, who shall forthwith collect the same in the name of the state and shall turn the amount collected over to the state treasurer to be credited to the road and bridge fund of the county.

Sec. 4. Certificate of entomologist.—The state entomologist, or his agent, may, or whenever requested by any resident of the state, shall determine, or cause to be determined, whether or not the Mahonia bushes or barberry bushes grown on certain premises are of the rust-producing varieties. The said entomologist shall make a certificate of his findings and determination in the premises, which certificate shall be prima facie evidence of the facts therein

recited. Such certificate may be received in evidence in any civil action arising under the provisions of this act.

Sec. 5. Violation a misdemeanor.—Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved March 21, 1919.

CHAPTER 82—H. F. No. 172.

An act to amend Section 6487 of Chapter 58 of the General Statutes of Minnesota, 1913, relating to the formation and validating the acts of co-operative associations.

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

Section 1. Extension of powers of co-operative associations.—That section 6487 of chapter 58 of the General Statutes of Minnesota, 1913, be, and the same is hereby amended so as to read as follows:

6487. A co-operative association may be formed for the purpose of selling and otherwise disposing of any of its products or the products of its members or of any manufacturing or agricultural co-operative association, organized under the laws of this state. Its certificates of incorporation shall be filed for record with the secretary of state and thereupon it shall become a corporation. A majority of the incorporators thereof shall be residents of this state, and its duration, without renewal, shall not exceed twenty (20) years. *It shall be lawful for such association or associations to sell its own products as well as the products of its members for them, either individually or collectively, and to negotiate the price at which such products may be sold either for itself or for its members, individually or collectively, as the case may be. Co-operative associations, heretofore formed under this act, and their action in relation to any of the things now, or by this amendment authorized, are hereby validated and declared lawful.*

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

Approved March 21, 1919.

CHAPTER 83—H. F. No. 328.

An act to amend Section 3958, General Statutes of Minnesota for 1913, relating to secretary and other officers of soldiers' home and compensation paid therefor.

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

Section 1. Salary of secretary of board of trustees of soldiers' home to be fixed by board.—That section 3958, General Statutes of Minnesota for 1913, be and the same is hereby amended to read as follows: