

S. F. No. 348.

CHAPTER 340.

Destruction
of noxious
weeds.

An act to amend sections one (1), two (2) and five (5) of chapter two hundred and seventy-two (272) of the General Laws of Minnesota for 1895, relating to the prevention of the spread, and providing for the destruction of thistles and other noxious weeds in public highways.

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

Weeds
considered
noxious.

SECTION 1. That section one (1) of chapter two hundred and seventy-two (272) of the General Laws of Minnesota for 1895, be, and the same is hereby amended so as to read as follows:

Section 1. Every person and corporation shall destroy upon all lands embraced within or constituting part of the public highway opposite or adjoining lands which he or they may own or control or occupy, all weeds known as Russian, Canada or other thistles, burdock, white or ox-eye daisy, wild mustard, snap dragon or toad flax, cockle-burr, sow-thistle, sour dock, yellow dock and all other noxious and ordinary weeds and grasses, at such time and in such manner as shall effectually prevent them from bearing seed; *provided*, that the provisions of this act as far as it refers to ordinary weeds and grasses shall apply only to regularly laid out and publicly traveled roads.

SEC. 2. That section two (2) of chapter two hundred and seventy-two (272) of the General Laws of Minnesota for 1895, be and the same is hereby amended so as to read as follows:

Failure
to destroy
weeds as
directed.

Section 2. If the occupant of any such lands shall fail to so destroy such weeds and grasses as so required after having six days' notice in writing by any road overseer or other proper officer such occupant shall be reported by said overseer or other proper officer as delinquent and a tax be levied against such land as hereinafter provided.

SEC. 3. That section five (5) of chapter two hundred and seventy-two (272) of the General Laws of Minnesota for 1895, be and the same is hereby amended so as to read as follows:

Section 5. The said overseer, commissioner or engineer shall carefully inquire concerning the existence of noxious and ordinary weeds and grasses in his township or precinct, village or city and in case any person, persons

or corporation owning, occupying or controlling any lands adjoining any public highway within this state shall neglect after such notice to destroy any Russian, Canada, or other thistles, burdock, white or ox-eye daisy, wild mustard, snap dragon, or toad flax, cocklebur, sow thistle, sour dock, or yellow dock or any other noxious and ordinary weeds and grasses growing on any lands, constituting any highway, lane or alley adjoining such land, it shall be the duty of such officer to destroy, or cause to be destroyed, all such weeds and grasses growing upon such highway. He shall spend as many days as the chairman of the town board, president of the village or mayor of the city may deem necessary, and for each day so spent shall receive two dollars upon presentation of his account therefor, verified by his oath and specifying by separate items the amount against each piece of land, describing the same, and the several amounts shall be placed in the next tax roll in a separate column headed "For the destruction of weeds and grasses," and extended as a tax against the lands adjoining such highway upon which such weeds and grasses were destroyed, and be collected as other taxes.

Pay for
service.

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

Approved April 21, 1903.

CHAPTER 341.

S. F. No. 401.

An act "to amend section 5204 of the Statutes 1894," relating to the service of summons in civil actions.

Summons in
civil actions.

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

SECTION 1. That the second subdivision of section 5204 of the General Statutes of Minnesota for 1894 be and the same is hereby amended so as to read as follows:

Second—When the defendant, being a resident of this state, has departed therefrom with intent to defraud his creditors, or to avoid the service of a summons, or keeps himself concealed therein with like intent, or when the defendant, being a resident of this state, has departed therefrom or cannot be found therein, and has property or credits therein, upon which the plaintiff has acquired a lien by attachment or garnishment.