

CHAPTER 264—S. F. No. 371

An act to amend Mason's 1938 Minn. Supp., Section 2176-30, relating to the purchase of land after forfeiture to the state in certain cases.

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

Section 1. Purchaser of lands after forfeiture to the state.
—Mason's 1938 Minn. Supp., Section 2176-30, is hereby amended to read as follows:

"2176-30. The purchaser shall receive from the county auditor at the time of re-purchase a receipt, in such form as may be prescribed by the Attorney General. When the purchase price of a parcel of land shall be paid in full, the following facts shall be certified by the county auditor to the Minnesota Tax Commission: the descriptions of the land, the date of sale, the name of the purchaser and the date when the final installment of the purchase price is paid. Upon payment in full of the purchase price, *and all taxes becoming due and payable since said re-purchase*, the purchaser shall receive a quitclaim deed from the state, to be executed by the Tax Commission, *and said deed, whether heretofor or hereafter executed, shall, in the event the lands are not actually forfeited to the state, or in the event of the failure of the state's title for any other reason, be an assignment, conveyance and release of all claims of the state, county and other taxing districts for all taxes accrued against said parcel at the time the purchase price of said parcel shall have been paid in full. Acceptance of the purchase money and the issuance of said deed shall be conclusive evidence of such forfeiture by the state.* Failure to pay any of the deferred installments, with interest and current taxes, on any parcel before they become delinquent, shall constitute default and upon such default all the right, title and interest of the purchaser or his heirs or representatives in such parcel shall terminate without the doing by the state of any act or thing whatsoever.

Approved April 15, 1939.

CHAPTER 265—S. F. No. 562

An act to amend Laws of 1937, Chapter 64, Section 1, relating to the exclusion of certain persons from liability for workmen's compensation.

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

Section 1. Exclusion of certain persons from liability of workmen's compensation.—That Laws of 1937, Chapter 64, Section 1, be amended so as to read as follows :

“Section 1. The right of an employer and employe, as it has heretofore existed under section 4271, Mason's Minnesota Statutes, 1927, to elect not to be bound by the Workmen's Compensation Act is hereby abolished as to all contracts made after the effective date of this Act *except professional baseball players under contract for hire which contract gives compensation equal to or greater than that provided by the Workmen's Compensation Act provided the professional baseball club and the professional baseball player file with the Industrial Commission a written consent signed by both parties not to be bound by the Workmen's Compensation Statutes and the same approved by the Industrial Commission.* On and after the effective date of this Act all employers and employes, except those excluded by Section 4 hereof, *and those professional baseball players who have elected not to be bound by this Act as hereinafore set forth,* shall be subject to the provisions of the Workmen's Compensation Law, and every such employer shall be liable for compensation, medical and other benefits according to the schedules of the Workmen's Compensation Law, and all acts amendatory thereof and supplementary thereto, and shall pay compensation in every case of personal injury or death of his employe, caused by accident arising out of and in the course of the employe's employment, without regard to the question of negligence, *except injury or death which is intentionally self-inflicted or when the intoxication of such employe is the natural or proximate cause of the injury, and the burden of proof of such fact shall be upon the employer.* The liability herein imposed upon the employer shall extend to and bind those conducting the employer's business during bankruptcy, insolvency or assignment for the benefit of creditors. It is hereby made the duty of all employers to commence payment of compensation at the time and in the manner prescribed by the Workmen's Compensation Law without the necessity of any agreement or order of the Industrial Commission, payments to be made at the intervals when the wage was payable as nearly as may be. No agreement by any employe or dependent whether made before or after the injury or death to take as compensation an amount less than that prescribed by law shall be valid.”

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

Approved April 15, 1939.

CHAPTER 266—S. F. No. 706

An act to amend Mason's Minnesota Statutes of 1927, Section 6145-2, relating to diseased or infested trees, shrubs or plants, destruction orders for, notices and appraisals.

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

Section 1. **Diseased or infested trees, shrubs or plants—Destruction—Orders for—Notices—Appraisals—Failure to destroy a felony—Quarantines—Prohibition of importations—Publications—Duties of carriers, etc., transporting—Penalties—Rules and Regulations—When.**—That Section 6145-2, Mason's Minnesota Statutes of 1927, be amended to read as follows:

“Section 6145-2. When any tree, shrub or plant, not itself diseased or infested, which is a host for any organism inducing a plant disease, new to or not heretofore widely prevalent or distributed within or throughout this state, or host for any destructive insect, new to or not heretofore widely prevalent or widely distributed throughout this state is situate within three thousand feet of any tree, plant or shrub which is infested with any such organism or insects, the state inspector of nurseries may for the purpose of preventing the spreading of such organism or insect cause such tree, plant or shrub not itself so diseased or infested, to be destroyed as hereinafter provided:

(a) *If the state inspector of nurseries shall find on examination, any orchard, small fruit planting, park, cemetery, or any private, public or quasi-public property which contains any tree, shrub, or plant, not itself infested or diseased, which is a host for any insect pest or for any organism inducing a plant disease, and which if infested or infected may spread such insect or disease to any plants in adjoining or nearby premises the state inspector of nurseries may for the purpose of preventing such damage, cause such tree, plant or shrub, even though itself not infested or infected, to be destroyed or treated as hereinafter provided.*

(b) *The state inspector of nurseries shall notify, in writing the owner or person having charge of such premises, or*