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serious damage to such crop, a written agreement may be made by the owner or occupant with the officer, providing for the destruction of the weeds upon specified parts of the land, and for the proper treatment of the remainder after the crop has matured. And so long as such agreement is performed by such owner or occupant in good faith, he shall be exempt from the penalties of this chapter. All officials charged with the enforcement of this chapter may go upon lands infested with noxious weeds, or suspected thereof, for any purpose necessary to such enforcement; but any unnecessary damage done thereon shall be paid by the municipality or town. ('95 c. 273; '97 c. 111)

2381. Penalties—County attorney to prosecute—Disposal of fines—Every person who shall violate any provision of this chapter, or refuse to comply with any notice given pursuant thereto, and any officer neglecting to perform any official duty imposed upon him thereby, shall be guilty of a misdemeanor. Upon the request of any taxpayer, the county attorney shall prosecute any such offender. All fines collected under its provisions shall be paid into the treasury of the town or municipality in which the offence was committed. ('95 c. 273 s. 6; '97 c. 111)

CHAPTER 38

INSECTS AND PLANT DISEASES

2382. State entomologist—Powers and duties—The entomologist of the agricultural experiment station of the state university shall be the state entomologist. He shall appoint necessary assistants, who may perform any of the duties of his office, fix their compensation, and may procure the proper instrumentalities for his work. He shall combat chinch bugs, grasshoppers, and other insect pests, and all dangerous contagious plant diseases. He shall prepare the means of destroying insects which are injurious to crops, and, when he deems it proper, may supply the same gratuitously to the farmers. He shall report to the governor on or before December 1 each year concerning his official acts. ('03 c. 237 s. 1; '95 c. 161 ss. 1, 3)

2383. Inspection—Certificate—Treatment or destruction—When requested by the owner, or when he believes it to be necessary, the entomologist shall examine any place within the state where trees or plants are grown for sale. To that end, he shall have authority to enter therein, and may establish quarantine regulations. If it be found free from such insect pests and plant diseases, he shall issue a certificate to that effect when requested, and collect as a fee therefor five dollars for each day spent in such examination, and the expenses thereof. Such certificate shall be good for one year unless revoked by him. If, in his judgment, any such pest or disease can be eradicated, he may direct, in writing, what means shall be employed; and in case any trees, shrubs, or plants are so infested that treatment would be ineffectual, he may order them destroyed. If the order be not obeyed within ten days after service thereof, the entomologist shall cause the work to be done, and render to the owner or person in charge an itemized bill of the cost; and, if such cost be not paid to him within sixty days thereafter, the bill shall be reported to the county attorney, who shall forthwith collect the same in a civil action in the name of the state. ('03 c. 237 ss. 1, 2)

2384. Imported nursery stock—Inspection—No person shall bring into the state any trees, plants, vines, cuttings, or buds, known as "nursery stock," unless it be accompanied by a certificate from the entomologist, or other proper official, of the state from which it came, that it has been inspected and found free from any of the pests or diseases mentioned in this chapter. Such certificate shall be prima facie evidence of the facts therein stated, but the entomologist may nevertheless inspect such stock, and proceed with respect thereto as provided for in § 2383. In such case the owner shall treat or destroy the stock within two days after being ordered so to do, and, if the work be done by the

entomologist, the expense thereof shall be paid to him within ten days after rendition of the bill therefor. If not so paid, he shall certify the amount to the county attorney, who shall proceed, by attachment or otherwise, to collect the same in the name of the state. ('03 c. 237 ss. 3, 4)

2385. Grasshopper infection—Hearing and notice—Whenever written complaint is made to a county board that any tract of land in the county is so infested with grasshopper eggs as to threaten the destruction of grasses or crops in the vicinity thereof, the board shall fix a time and place for a hearing thereon, and cause notice of such hearing to be served upon the owner or person in charge of such infested land at least ten days prior thereto. ('03 c. 47 ss. 1, 2)

2386. Same—Order to plow—Upon the hearing, which may be adjourned from time to time by the board, the certificate of the entomologist, stating that he has examined the tract involved, and giving the result of such examination, shall be prima facie evidence of the facts therein stated. The board shall hear all evidence offered by interested parties, and if, in its opinion, the tract is so infested, it shall make an order, giving the date of the hearing, the substance of the complaint, and the decision of the board thereon, and directing the owner or person in charge to plow any designated part or all of said land before a date therein prescribed. The date shall be so fixed as to allow a reasonable time for such plowing after service of the order. ('03 c. 47 ss. 2, 3)

2387. Same—Service of order—The auditor shall immediately cause the order to be served upon the owner or occupant of the land therein described. If the land be unoccupied, and the owner be a non-resident of the county, service may be made upon any person having charge of such land and residing in the county. If the owner be a non-resident of the state, or his residence be unknown, and he have no known agent in the county, two weeks' published notice of such order shall be given. ('03 c. 47 s. 3)

2388. Same—Failure to obey—If the order be not complied with, the board shall cause the infested land to be plowed at the expense of the county. In case such plowing shall be of value in the raising of a crop during the season immediately following, the person so benefited shall be liable to the county for such value. When the board is of the opinion that such liability exists, it shall determine the amount thereof, and its determination shall be prima facie evidence of such value. It shall direct the auditor to demand payment of the amount, and, if it be not paid upon demand, the county attorney shall bring a civil action therefor in the name of the county. ('03 c. 47 ss. 4, 5)

2389. Fines and penalties—All moneys in excess of costs collected in actions brought under this chapter in the name of the state, and all fines collected thereunder, shall be turned into the state treasury, and added to the sums appropriated for the purposes hereof. Any person who shall violate any of the provisions of this chapter, or hinder the enforcement of any of them, shall be guilty of a misdemeanor. ('03 c. 237 ss. 2, 3, 5, 6)

2390. Standing appropriation—Five thousand dollars, or so much of said sum as may be necessary, is hereby appropriated annually out of the general revenue fund for the carrying out of the provisions of this chapter. ('95 c. 161 s. 4)

CHAPTER 39

BOUNTIES AND REWARDS

2391. For timber growing—Standing appropriation—Every person who shall plant one acre or more of prairie land with forest trees of any kind other than black locust, and shall keep such trees growing in a thrifty condition, and not more than twelve feet apart either way, replacing yearly such as may die, shall receive from the state two dollars and fifty cents per acre therefor for