

resignation or removal from office, shall neglect to deposit such records and papers in the clerk's office as aforesaid, for the space of three months, shall forfeit and pay a sum not less than fifty (50) dollars, nor more than five hundred (500) dollars; and if any executor or administrator of any deceased notary public shall neglect to lodge such records and papers as aforesaid, which come into his hands, in the clerk's office, for the space of three months after said records and papers shall come into his possession, he shall forfeit and pay a sum of not less than fifty (50) dollars, nor more than five hundred (500) dollars; and if any person shall knowingly destroy, deface or conceal any records or papers of any notary public, he shall forfeit and pay a sum of not less than fifty (50) dollars, nor more than five hundred (500) dollars, and shall moreover be liable to an action by the party injured."

§ 5. REPEAL.] All acts or parts of acts in conflict with this act are hereby repealed.

§ 6. EMERGENCY.] Inasmuch as there is no provision of law for the appointment of notaries public in unorganized counties, hence, an emergency exists, therefore, this act shall be in force and effect from and after its passage and approval.

Approved March 18, 1890.

NOXIOUS WEEDS.

CHAPTER 102.

[H. F. 35.]

MANNER OF DESTROYING NOXIOUS WEEDS.

AN ACT to Amend Section 1, General Laws 1885, Supplement, Relating to Noxious Weeds.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. MANNER OF DESTROYING NOXIOUS WEEDS TO BE PRESCRIBED—NOTICE OF TO BE PUBLISHED—FEES—WHEN EXPENSE ENTERED AS TAX AGAINST PROPERTY.] Every person and every corporation shall destroy upon all lands which he or she shall occupy, all weeds of the kind known as Canada thistles, cockle burr, mustard, wild oats, French weeds (*arena fatua*) and Russian cactus (*solsola colina pall*) at such time and in such manner as shall effectually prevent their bearing seed; such time and manner of destroying such weeds shall be prescribed by township boards of supervisors or

by board of county commissioners in counties which shall not be organized into townships and the same shall be published at least two weeks in some newspaper published in the county, not less than two weeks before the time so prescribed; *Provided*, That if there be no newspaper published in the county then written notices of the same shall be posted the same as election notices are posted, in lieu of such publication. Every overseer of highway of every township or county shall also in like time and manner destroy all such weeds that may grow either on the highway of his road district or on any unoccupied land therein, which the occupant thereof shall refuse or neglect to so destroy. For so doing such overseer shall have such compensation, payable out of the township treasury or county treasury as the township board of supervisors or board of county commissioners, upon presentation of his account thereof, verified by his oath, and specifying by separate items the charges on each piece of land; describing the same, shall deem reasonable; and the respective accounts so paid, except for the destruction of such weeds upon the highways, shall be placed on the next tax roll of the township or county as the case may be, in a separate column, headed, "For Destruction of Weeds" as a tax against the land upon which such weeds were destroyed, and be collected as other taxes, and the entry of such tax on the tax roll shall be conclusive evidence of the liability of the land so taxed to such tax.

Approved February 17, 1890.

OBSCENE LITERATURE.

CHAPTER 103.

[H. F. 79.]

SALE OR EXHIBITION TO MINORS PROHIBITED.

AN ACT to Suppress in this State the Selling, Lending, Giving Away, or Showing to any Minor Child, any Paper or Publication Principally Devoted to Illustrating or Describing Immoral Deeds.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. SELLING OR SHOWING OBSCENE LITERATURE TO MINORS UNLAWFUL.] It shall be unlawful for any person in this State to sell, lend, give away, or show, or have in his possession with intent to sell, or give away, or show, or advertise, or otherwise offer