

Weeds.

CHAPTER 44.

TO PREVENT THE SPREAD OF WEEDS.

AN ACT to Prevent the Spread of Noxious Weeds in the Counties of Union, Clay, Lincoln and Cass.

Be it Enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. DUTY OF OWNER OF LAND TO DESTROY CERTAIN NOXIOUS WEEDS.] Every person and every corporation shall destroy upon all lands which he or she shall occupy all weeds of the kinds known as Canada thistle and cuckle burr, 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 boards 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 highways or 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 or on any occupied lands 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 the presentation of his account therefor, 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 lands 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.

§ 2. PENALTY OF FAILURE.] If the occupant of any such lands or any such overseer shall fail to destroy such weeds as so required such occupant or overseer shall forfeit not less than five dollars nor more than fifty dollars. The chairman and each supervisor of every township or the chairman and each commissioner of counties not organized into townships, shall prosecute promptly for every such forfeiture which he shall have reason to believe to have been incurred.

§ 3. This act shall be in force and effect from and after its passage and approval by the Governor.

Approved, March 9, 1883.