

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 extended as a tax against the lands adjoining such highway, upon which such weeds were destroyed and be collected as other taxes.

Tax.

SEC. 6. All acts and parts of acts inconsistent with this act are hereby repealed, save that nothing herein contained shall be construed as repealing or affecting any of the provisions of any act heretofore or hereafter passed, entitled "An act to provide for the destruction of a weed commonly known as Russian thistle, and to appropriate money therefor."

Repealing clause.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved April 26th 1895.

95 C 273  
97 - 111

## CHAPTER 273.

H. F. No, 636.

*An act to declare certain weeds common nuisances and to provide for their destruction.*

Weeds. C. 273 02-M. 374

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

SECTION 1. The weeds named in this section shall be known as noxious weeds and are hereby declared to be common nuisances, and for convenience are classified into the following groups. First group: Wild mustard (*Brasica Sinapis*), wild oats (*Avena sativa*), cocklebur (*Xanthium Strumarium*), burdock (*Lappa officinati*), tumble mustard (*Sisymbrium sinapistrum*). Second group: Canada thistle (*Cnicus arvensis*), ox-eye daisy (*Lencantheum vulgare*), and quack grass (*Triticum vulgare*). Third group: French weed (*Thalaspia arvensis*).

Declared a nuisance.

SEC. 2. It shall be unlawful for any person or persons or any corporation owning, occupying or having control of any lands within this state, whether within the limits of any town, village or city or otherwise, to knowingly permit or suffer any of the weeds named in the first or second groups mentioned in section one (1) of this act to go to seed upon any lands thus owned, occupied or controlled by such person or persons or corporation. And it shall likewise be unlawful for any such person, persons or corporation to knowingly permit or suffer any of the weeds named in the second group mentioned in section one (1) of this act to grow and reproduce themselves by crowns or underground stems or buds,

Unlawful to allow to grow.

for a longer period than two (2) years on any land thus owned, occupied or controlled by them; and it shall further be unlawful for any such person, persons or corporation to knowingly permit or suffer weeds named in the third group mentioned in section one (1) of this act to produce seeds for a longer period than four (4) years upon any land thus owned, occupied or controlled by them. For the purposes of this act, ownership, occupancy or control of lands shall extend to the center of any highway, street or alley adjoining.

Supervisor's  
duty.

SEC. 3. It shall be the duty of the town supervisors or other person or persons having the control of the public highways, streets or alleys, to enforce the provisions of this act as hereinafter provided. They shall use all reasonable means to educate those interested in lands upon which noxious weeds exist, as to the best means of identifying and the proper method of eradicating the same and when previous knowledge of the existence of said weeds upon any land is admitted by the owner, agent or occupant, or where such knowledge is proven to the satisfaction of the officers charged with the enforcement of the provisions of this act, and no steps have been taken to eradicate said weeds by such owner, agent or occupant, it shall be lawful and it is hereby made the duty of such officers to enter upon such lands and to take such steps as they may deem necessary to eradicate such weeds.

Same.

SEC. 4. The officers charged with the enforcement of this act are required, and it is hereby made their duty to examine all highways, streets and alleys and to investigate all cases where they have from their own knowledge or the report of others reason to suspect the existence of noxious weeds on any lands within their jurisdiction. They shall give the owner, agent or occupant notice of the time in which such weeds shall be destroyed and shall arrange with him or them for the prosecution of effective means to that end. Providing satisfactory arrangements cannot be made, it shall be the duty of the said officers to enter upon said lands and to cause to be taken such steps as in their judgment are deemed necessary to eradicate such weeds. The necessary expenses thus incurred shall be paid out of the fund for the support of highways and the labor paid for shall be at the same rate paid labor on the public highways.

Notice to owner

Expenses.

Notice to super-  
visors.

SEC. 5. Any person having knowledge or having reason to suspect that any of the weeds named in section one (1) of this act are growing or standing upon any lands situated in the town, village or city of which he is a resident, may notify in writing the town supervisors,

or other person or persons having control of the highways, streets or alleys in such town, village or city, designating as nearly as may be the tract or tracts upon which such weeds are supposed to be, whereupon it shall be the duty of said officers to immediately inspect the premises mentioned, and if such weeds are found to exist upon such premises, they shall immediately proceed as provided in section four (4) of this act. In case the owner or agent cannot be found, or in case they fail to destroy the said weeds within the time specified by said officers, it shall be lawful for and it shall be the duty of the officers herein mentioned to enter upon the lands described and destroy or cause to be destroyed the weeds herein mentioned and to pay therefor at the same rate that is paid for road labor, and every supervisor or other person hereinbefore authorized to destroy such weeds shall keep a correct account of all monies paid out for that purpose, and charge the same to the person or persons or corporation owning or controlling the land or lands upon which such weeds were destroyed. And unless the same shall have been paid by the owner or person in control of the land before the first of the following October it shall be returned to the county auditor and the county auditor shall levy the same against the said land to be collected the same as other taxes.

SEC. 6. Any person or persons or the officers of any corporation violating the provisions of section two (2) of this act or who shall fail to comply with the notices specified in section four (4) of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars and not more than one hundred (100) dollars; and any officer failing to perform the duties imposed upon him by the provisions of this act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five (25), dollars and not more than one hundred (100), dollars and upon the petition of any official responsible under this act or of two (2) tax payers, the county attorney shall prosecute such alleged offending person or persons.

Penalty for violation.

SEC. 7. All fines collected under the provisions of this act shall be paid into the fund for the maintenance of roads and bridges in the town or municipal corporation in which the offense is committed.

Proceeds from fines.

SEC 8. Sections ninety-two (92), ninety-three (93), ninety-four (94), ninety-five (95), ninety-six (96) and ninety-seven (97) of chapter ninety-five (95) of the general statutes of one thousand eight hundred seventy-eight (1878) as amended, are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 25th 1895.

95 C 274  
97 - 244

S. F. No 380.

CHAPTER 274.

Weeds.

*A act to provide for the destruction of a weed commonly known as the Russian thistle, and to appropriate money therefor.*

Preamble.

Whereas the Russian thistle has already made its appearance in many of the counties of Minnesota, and unless promptly exterminated will become greatly injurious not only to the agricultural interests, but to every legitimate business in the state, and,

Whereas there must be concerted action through all the infested areas in order to destroy the Russian thistle, therefore,

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

Nuisance.

SECTION 1. The weed commonly known as the Russian thistle is hereby declared a public nuisance, demanding prompt and efficient action on the part of the state for its abatement.

Misdemeanor  
for allowing.

SEC. 2. Any person or persons, company or corporation, owning or occupying any land within this state, whether said land be within the limits of any village or city, or elsewhere, or having the control of any such land, who shall knowingly permit or suffer any Russian thistle to grow or remain thereon after the expiration of the date named in the notice as provided for in section three, shall be deemed guilty of a misdemeanor, and of maintaining a public nuisance, and, on conviction thereof before any court having jurisdiction shall be punished by a fine not exceeding one hundred (\$100) dollars, nor less than ten (\$10) dollars and costs of prosecution.

And the finding of such thistle or thistles standing and growing on any such land after the date named in the notice shall be prima facie evidence that the person or corporation owning or occupying the same or having the control thereof, knew of and permitted the same to grow and remain thereon.

SEC. 3. For the purpose of fixing a time after the expiration of which such thistles may be destroyed by public authority, it is hereby made the duty of the board of county commissioners to fix by resolution a