

insects in any stage of their development, or any living plant pathogens without a permit from the department of agriculture, issued upon compliance with the conditions and regulations which the department is authorized and directed to prescribe, except bees, which are covered under section 94.76. Such permit shall be issued only after the department has determined that the insects or plant pathogens in question are not injurious to plants, animals, or other materials, if not already present in the state, or have not been found to be seriously injurious to warrant their being refused entrance, if known to be already established within the border of the state. Such permit shall be affixed to the outside of every container or shipment thereof.

SECTION 2. This act shall take effect upon passage and publication.

Approved April 1, 1941.

No. 60, A.]

[Published April 3, 1941.

CHAPTER 26.

AN ACT to amend 90.06 of the statutes, relating to removal of fences.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 90.06 of the statutes is amended to read:

90.06 When any owner or occupant of land shall build a fence before the location of the boundary line between such land and any land adjoining the same and the location of such line shall establish the fact that said fence is on such adjoining land, the ownership thereof shall be in the person who built it or his grantee, devisee or heirs, but such fence shall be removed to the boundary line within 30 days after the location thereof and the service of written notice upon the person who built it or who has acquired his rights, by the owner or occupant of the land upon which the fence is situated; such notice shall be served personally or by leaving a copy thereof at the usual place of abode of such person with some member of his family of suitable age and discretion who shall be informed of the contents thereof; if the removal is not made within 30

days thereafter the party who served or caused such notice to be served may remove the fence to the boundary line and set it up there and recover the expense of so doing from the other party; provided, that no such fence shall be removed * * * *by the party giving the notice during a time when annual crops will be damaged* unless by agreement of the owners or occupants of the adjoining lands.

SECTION 2. This act shall take effect upon passage and publication.

Approved April 1, 1941.

No. 91, A.]

[Published April 3, 1941.

CHAPTER 27.

AN ACT to amend 85.141 (7) of the statutes, relating to reporting of automobile accidents and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Subsection (7) of section 85.141 of the statutes is amended to read:

(85.141) (7) Whenever the driver of a vehicle is physically incapable of making a required accident report and there was another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause to be made said report. Any occupant who fails to make such report when required by this subsection shall be subject to the penalty provided by * * * Subsection (5) of section * * * 85.91.

SECTION 2. This act shall take effect upon passage and publication.

Approved April 1, 1941.