

ship thirty-three (33), range ten, (10) or to prevent the using and operating of said dam and the gates therein for hydraulic and log driving purposes.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 16, 1889.

[No. 754, A.]

[Published April 24, 1889.]

## CHAPTER 432.

AN ACT relating to the destruction of noxious weeds, and amendatory of chapter 313, of the laws of 1887.

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

SECTION 1. Section 1, of chapter 313, of the laws of 1887, is hereby amended by adding after the words, "arvensis" in the eighth line of said section the words, "and yellow dock," so that said section, when amended, shall read as follows: Section 1. Every person and corporation shall destroy upon all lands which he or they shall own, occupy or control, all weeds known as Canada thistles (*cirsium arvense*), burdock (*lappa officinalis*), white or ox-eye daisy (*leucanthemum vulgare*), snap dragon or toad flax (*linaria vulgaris*), cockle burr (*zanthium strumarium*), sow thistle (*souchus arvensis*), sour dock and yellow dock (*rumex crispus*), at such time and in such manner as shall effectually prevent them bearing seed. In like manner shall he, or they, also destroy any of the above mentioned weeds standing or growing as far as the center of the public highway, lanes or alleys adjoining the lands owned or controlled by him or them.

Amending ch. 313, laws 1887, destruction of noxious weeds, yellow dock included.

SECTION 2. Section 2, of said chapter 313, is hereby amended by striking out the word, "the" where it occurs in the third line of said section, and inserting in lieu thereof, the word, "any," so that said section when amended, shall read as follows: Section 2. If the occupant of any such

Amending sec. 2—any commissioner may notify.

lands shall fail to so destroy such weeds as so required after having six days' notice in writing by any commissioner of noxious weeds, such occupant shall be fined five dollars for the first offense and ten dollars for each offense thereafter.

Commissioners of noxious weeds, how appointed—duties.

SECTION 3. Said chapter 313, is hereby further amended by striking out all of section 4, of said chapter and insert in lieu thereof a new section, as follows: Section 4. It shall be the duty of the chairman of the board of supervisors of each town, the president of the village board of any village, and the mayor of any city, to appoint some competent person or persons, in their town, village or city, to be styled commissioner of noxious weeds, who shall be required to take the same oath as town officers, and shall hold his or their office for one year, and until his or their successors are appointed and qualified. Where more than one commissioner is appointed in any town, city or village, they shall be assigned separate and distinct districts or territories. For any good cause any such commissioner may be removed by the officer appointing him and a successor appointed to serve the unexpired term.

Amending sec. 5, white ox eye daisy, cockle bur, sow thistle, sour dock and yellow dock, included.

SECTION 4. Section 5, of said chapter 313, is hereby amended by inserting after the word, "snapdragon," where it occurs in the seventh line of said section, the words, "white or ox-eye daisy, cockle burr, sow thistle, sour dock and yellow dock," and by striking cut from the twelfth line of said section 5, the words, "supervisors or city council," and by inserting in lieu thereof, the words, "chairman of the town board, president of the village board or mayor of the city," so that said section, as amended shall read as follows: Section 5. The commissioner shall carefully inquire concerning the existence of noxious weeds in his township or precinct, and in case any person, persons or corporation occupying or controlling any lands within this state shall neglect to destroy any Canada thistle, burdock, snapdragon, white or ox-eye daisy, cockle burr, sow thistle, sour dock and yellow dock, growing on any lands owned or controlled by him or them, or any highway, lane or alley adjoining such lands, it shall be the duty of the commissioner to destroy or cause to be destroyed all such weeds. He shall spend as many days as the chairman of

the town board, president of the village or mayor of the city may deem necessary, and for each day so spent shall receive two dollars, upon presentation of his account therefor, verified by his oath and specifying by separate items 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 destruction of weeds," as a tax against the lands upon which such weeds were destroyed and be collected as other taxes.

SECTION 5. Said chapter 313, is hereby further amended by inserting after section 6, a new section, to be designated as section 6a, as follows: Section 6a. Any chairman of a town board, or any president of a village board, or the mayor of any city, who shall refuse or neglect to appoint one or more thistle commissioners, as provided in section 4, of said chapter, within thirty days next following their election, shall be fined not less than fifty dollars nor more than one hundred dollars and costs, on complaint made in writing by any resident of the county to a justice of the peace, or magistrate in such county. Any weed commissioner, after taking his oath of office, who shall refuse or neglect to perform the duties as prescribed in this chapter, shall be fined not less than ten nor more than twenty-five dollars and costs, on complaint stated as above, for each and every such offense.

Neglect of president of village or mayor to appoint commissioners as required by section 4—penalty.

Neglect of commissioner to perform duties—penalty.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.  
Approved April 13, 1889.