

CHAPTER XLVI.

[S. B. No. 7.]

DESTRUCTION OF CANADA THISTLES—PENALTY.

AN ACT for protection against the spread of Canada and Russian thistles, and for the destruction of the same, and for the payment of costs for destroying same, and prescribing the punishment for the violation of this act.

Be it enacted by the Legislature of the State of Washington :

Thistles must be cut down.

SECTION 1. It shall be the duty of every owner, possessor or occupier of land in this state to cut down or cause to be cut down all the Canada or Russian thistles growing thereon so often in each and every year as shall be sufficient to prevent them going to seed.

Penalty.

SEC. 2. If any owner, possessor or occupier of land shall knowingly suffer any such Canada or Russian thistles to grow thereon and the seed to ripen he shall be guilty of a misdemeanor, and upon conviction thereof be liable to a fine of not exceeding twenty dollars for each offense and cost of prosecution.

Duty road supervisor.

SEC. 3. It shall be the duty of each road supervisor in each road district in this state to see that the provisions of this act are carried out within their respective districts, and he shall give notice to the owner, possessor or occupier of any land within his district, whereon Canada or Russian thistles are growing, requiring him to cause the same to be cut down within ten days from the service of such notice, and in case such owner, possessor or occupier shall refuse or neglect to cut down the said Canada or Russian thistles within the said ten days, then the said road supervisor shall enter upon the land and cause all of said thistles to be cut down with as little damage to growing crops as may be; and he shall not be liable for trespass therefor: *Provided*, That when such Canada or Russian thistles are growing upon non-resident's land and the the same is unoccupied it shall not be necessary to give such notice before proceeding to cut down Can-

ada or Russian thistles: "*And provided*, That in the case of Canada or Russian thistles growing on the right-of-way of any railroad said notice required in this section shall be served upon the section foreman who has charge of that portion of the right-of-way where said Canada or Russian thistles may be growing."

SEC. 4. Each road supervisor shall keep an accurate account of the expenses incurred by him in carrying out the provisions of this act, with respect to each parcel of land entered upon therefor, and shall offer or send by mail a statement of such expenses, including a description of the premises, verified by oath, to the owner, possessor or occupier of such land, requiring him to pay the amount. In case such owner, possessor or occupier shall fail to pay the same within thirty days after such application said claim shall be presented to the board of county commissioners of the county in which said expenses were incurred, and the same, if found correct, shall be paid the same as other claims against the road district.

Road supervisor to keep account of expenses.

Manner of payment.

SEC. 5. The board of county commissioners to which said claim is presented shall order the said claim to be a tax upon the premises described therein, and the same shall be levied as a tax upon said premises and entered upon the tax rolls for the current year and collected together with penalty and interest as other taxes are collected, and when so collected paid into the road district fund in which the land is situated.

Levied as a tax against property, when.

SEC. 6. This law is applicable to cities and towns and when applied to cities and towns the duties enumerated in this act devolving upon the road supervisor and county commissioners shall devolve upon the city or town council, and the taxes collected on premises situated in cities or towns shall be used for the use and benefit of the streets of the cities therein.

Applicable to cities and towns.

SEC. 7. Each road supervisor of this state shall destroy all Canada or Russian thistles and prevent the same from going to seed in the highways of his dis-

Highways.

trict, and shall be paid therefor in the same manner as in doing other work upon public roads.

Penalty. SEC. 8. Any citizen may notify the road supervisor or county commissioners of the presence of Canadian thistles or Russian thistles who, upon receiving such notice, shall enforce the provisions of this act; and failure upon the part of the road supervisor to act after notice from the county commissioners within ten days of such notice shall subject him to a fine of not more than ten dollars for the first offense and not less than ten dollars or more than twenty dollars for each succeeding offense; and continued refusal or neglect shall subject him to removal from office.

Passed the Senate February 11, 1899.

Passed the House March 1, 1899.

Approved March 8, 1899.

CHAPTER XLVII.

[Senate Bill No. 105.]

SEWER FOR SCHOOL FOR DEFECTIVE YOUTH.

AN ACT providing for the construction of a sewer for the Washington school for defective youth and granting the right to acquire right-of-way therefor, making an appropriation therefor, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. There is hereby appropriated out of the state treasury from any moneys not otherwise appropriated the sum of twenty-five hundred dollars (\$2,500) for the construction of a sewer extending from the building for the feeble-minded to a connection with the existing sewer, for the repair of the existing sewer, and for the necessary right-of-way for the extension.

SEC. 2. The board of trustees of such institution is hereby authorized to expend as much as may be neces-