

SEC. 13. Not applicable—when. The provisions of this act shall not be applicable, nor shall any levy be made hereunder by the board of supervisors if the levy provided for in section fifteen hundred thirty (1530) of the supplement to the code, 1907, is made by the board of supervisors as therein provided.

Approved April 1, A. D. 1909.

CHAPTER 96.

DESTRUCTION OF WEEDS.

S. F. 71.

AN ACT providing for the destruction of weeds and noxious weeds on the public highways and lands adjacent thereto; and the destruction of noxious weeds on railway right-of-ways and grounds and making it the duty of the township trustees and county supervisors to enforce the provisions of this act; amending the law as it appears in sections one thousand five hundred and twenty-eight (1528) of the supplement to the code, 1907, and repealing the law as it appears in sections one thousand five hundred and sixty-two (1562) and one thousand five hundred and sixty-two-a (1562-a) of the supplement to the code, 1907, and sections one thousand five hundred and sixty-four (1564), one thousand five hundred and sixty-five (1565) and five thousand and twenty-four (5024) of the code.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Land owners or tenants to destroy weeds—when. It shall be the duty of every person, firm or corporation owning, occupying or controlling lands, town and city lots, land used as right of way, depot grounds or for other purposes to cut, burn or otherwise entirely destroy all weeds of the kinds mentioned in section two (2) hereof at such times in each year and in such manner as shall prevent the said weeds from blooming or coming to maturity.

SEC. 2. Noxious weeds. The following weeds are hereby declared to be noxious weeds, namely, quack grass (*agropyron repens*), Canada thistle (*cirsium arvense*), cocklebur (*xanthium canadense*), wild mustard (*brassica arvensis*), sour or curled dock (*rumex crispus*), smooth dock (*rumex altissimus*), buckhorn or ribbed plantain (*plantago lanceolata*), and wild parsnip (*pastinaca sativa*), horse nettle (*solanum carolinense*), and velvet weed or button weed (*abutilon theophrasti*) and burdock (*arctium lappa*).

SEC. 3. Destruction on highways—neglect or refusal to destroy. It shall be the duty of the township trustees or other officers responsible for the care of public highways in each township or county in this state to destroy or cause to be destroyed all noxious weeds mentioned in section two (2) hereof or unnecessary brush on the highways in such a manner as to effectually prevent the production of their seeds or their propagation in any other manner, to warn out labor or to employ labor for this purpose in the same manner as for repairs to the highways, and for neglect or failure to perform this work they shall be subjected to the penalties in this act. If any occupant of lands adjacent to the public highways neglect or refuse to destroy the noxious weeds upon his land, or shall fail to prevent the said noxious weeds from blooming or coming to maturity, when such weeds are likely to be the means of infesting the public highway, or upon complaint of any land owner to the township trustees that his lands have been or are likely to be infested by weeds from the lands of another including railway right of way, the trustees shall make investigation of such condition or complaint and if the same appears to be well founded they shall make an order fixing the time within which the weeds shall be prevented from maturing seed, and an order that

within one year such noxious weeds shall be permanently destroyed, and prescribing the manner of their destruction and shall forthwith give notice to the occupant of the lands where the noxious weeds exist, and if he shall neglect to obey such order within the time so ordered the trustees may cause such noxious weeds to be prevented from maturing seeds or may cause such noxious weeds to be permanently destroyed and the cost of the work shall be recovered from the owner by a special tax to be certified by the township clerk in the same manner as other road tax not paid.

SEC. 4. Road funds may be expended. The destruction of noxious weeds in the public highway and other public places is hereby made a part of the road work of the township trustees and the county supervisors and they shall have authority to expend road funds for the destruction of weeds.

SEC. 5. Property tax. The law as it appears in section fifteen hundred and twenty-eight (1528) of the supplement to the code, 1907, is hereby amended as follows, namely: By inserting after the comma in the eighth line thereof the following words: "and for the destruction of noxious weeds in public highways and other public places", and by striking out the word "four" in the tenth line of said section and inserting the word "six" in lieu thereof.

SEC. 6. School of instruction. Between November and the succeeding April of each year the county supervisors shall call a meeting of the township trustees and the road supervisors of the county to consider the best methods of road work and weed destruction, and in the public interest may secure the services of experts to give instruction in road building and weed destruction. For such attendance the same compensation shall be allowed to the trustees and road supervisors and the county supervisors as is allowed by law for other services, to be paid as other expenses. The expenses of experts herein provided for may be paid from the county road fund.

SEC. 7. Cutting of weeds on highways. It shall be the duty of township trustees and other officers directly responsible for the care of public highways to cause to be cut near the surface all weeds on the public highways in their respective districts at such times and in such manner as to prevent seeds from maturing.

SEC. 8. Penalty. Any person, firm or corporation violating any of the provisions of this act, or any township trustees, inspector or other officer who neglects or fails to perform the duties incumbent on him under the provisions of this act, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars (\$100.00).

SEC. 9. Repeal. The law as it appears in sections fifteen hundred and sixty-two (1562), fifteen hundred sixty-two-a (1562-a) and fifteen hundred sixty-three (1563) of the supplement to the code, 1907, and sections fifteen hundred and sixty-four (1564) and fifteen hundred and sixty-five (1565) and section five thousand and twenty-four (5024) of the code are hereby repealed.

Approved April 21, A. D. 1909.

CHAPTER 97.

COUNTY ROAD AND DRAINAGE FUNDS.

H. F. 265.

AN ACT to repeal section fifteen hundred thirty (1530) of the supplement to the code, 1907, and enacting a substitute therefor, relating to the county road fund and county drainage fund and providing for the collection and distribution of the same.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Repeal—county road and drainage funds—how levied and paid out. That the law as it appears in section fifteen hundred thirty (1530) of