

AN ACT TO PREVENT THE SPREAD OF NOXIOUS WEEDS AND DISEASES AFFECTING FRUIT TREES.

*R. S. O. 1887, chap. 202, amended by Vic. 53, chap. 59; and by Vic. 54, chap. .*

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. Where used in this Act the term "non-resident land" shall apply to a lands which are unoccupied, and the owner of which is not resident within the municipality, and the term "resident lands" shall apply to all lands which are occupied or owned by persons resident within the municipality.

2. It shall be the duty of every occupant of land, or, if the land be unoccupied, it shall be the duty of the owner—

(1) To cut down and destroy all Canada thistles, ox-eye daisy, wild oats, rag-weed and burdock growing on his land, and all other noxious weeds growing on his land, to which this Act may be extended by by-law of the municipality, so often each and every year as is sufficient to prevent the ripening of their seed, provided that such cutting or destruction does not involve the destruction of the growing grain.

(2) To cut out and burn all the black-knot found on plum or cherry trees on his land so often each year as it shall appear on such trees; and

(3) To cut down and burn any peach, nectarine or other trees on his land infected with the disease known as the yellows, and to destroy all the fruit of trees so infected.

3.—(1) The council of any city, town, township or incorporated village may, by by-law, extend the operation of this Act to any other weed or weeds, or to any other disease of grain or fruit trees or fruit which they declare to be noxious to husbandry or gardening in the municipality; and all the provisions of this Act shall apply to such noxious weeds and diseases as if the same were herein enumerated.

(2) Such council may and, upon a petition of fifty or more ratepayers, shall, appoint at least one inspector to enforce the provisions of this Act in the municipality, and fix the amount of remuneration, fees or charges he is to receive for the performance of his duties; and in case a vacancy shall occur in the office of inspector, it shall be the duty of the council to fill the same forthwith.

(3) The council of any township in which there are any large tracts or blocks of waste or unoccupied land, may upon the petition of not less than thirty ratepayers, by by-law, suspend the operation of this Act, in respect of such waste or unoccupied lands; the by-law to define with sufficient clearness the tracts or blocks of lands so exempted; such by-law to remain in force until repealed by such council; and until repealed the lands therein described shall be exempt from the operation of this Act.

(4) The council may pass a by-law dividing the municipality into such sections or divisions as may be necessary for the carrying out of this Act, and may appoint inspectors for such divisions whose duties and powers shall in all respects be the same as that of the township inspector.