

Proviso : as to lands sown with grain.  
Proviso : as to non-resident lands.

damage to growing crops as may be, and he shall not be liable to be sued in action of trespass therefor; Provided that no such Overseer of Highways shall have power to enter upon or cut thistles on any land sown with grain; provided also, that where such Canada thistles are growing upon non-resident lands, it shall not be necessary to give any notice before proceeding to cut down the same.

Clerks of Municipalities to warn Station Masters to cut down thistles on Railways.

3. It shall be the duty of the Clerk of any Municipality in which Railway property is situated, to give notice in writing to the Station Master of said Railway resident in or nearest to the said Municipality requiring him to cause all the Canada thistles growing upon the property of the said Railway Company within the limits of the said Municipality to be cut down as provided for in the first section of this Act, and in case such Station Master shall refuse or neglect to have the said Canada thistles cut down within ten days from the time of service of the said notice, then the Overseers of Highways of the said Municipality shall enter upon the property of the said Railway Company and cause such Canada thistles to be cut down, and the expense incurred in carrying out the provisions of this section shall be provided for in the same manner as in the next following section of this Act.

Penalty.

Account of expenses to be kept by overseer.

4. Each Overseer of Highways shall keep an accurate account of the expense incurred by him in carrying out the provisions of the preceding sections of this Act, with respect to each parcel of land entered upon therefor, and shall deliver a statement of such expenses, describing by its legal description the land entered upon, and verified by oath, to the owner, possessor, or occupier of such resident lands, requiring him to pay the amount; in case such owner, possessor, or occupier of such resident lands shall refuse or neglect to pay the same within thirty days after such application, the said claim shall be presented to the Municipal Council of the Corporation in which such expense was incurred, and the said Council is hereby authorized and required to credit and allow such claim, and order the same to be paid from the funds for general purposes of the said Municipality; the said Overseer of Highways shall also present to the said Council a similar statement of the expenses incurred by him in carrying out the provisions of the said section upon any non-resident lands; and the said Council is hereby authorized and empowered to audit and allow the same in like manner; Provided always that if any owner, occupant, or possessor, amenable under the provisions of this Act, shall deem such expense excessive, an appeal may be had to the said Council (if made within thirty days after delivery of such statement) and the said Council shall determine the matter in dispute.

If the owners refuse to pay.

Proviso: appeal allowed.

How expenses shall be collected.

5. The Municipal Council of the Corporation shall cause all such sums as have been so paid under the provisions of this Act,