

SENATE No. 109

To accompany the petition of Marion Cowan Burrows that provision be made for the removal of noxious weeds from highways and lands bordering upon the same. Public Health.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fifteen.

AN ACT

Relative to the Removal of Noxious Weeds from Highways and Lands bordering upon the Same for the Relief of Hay Fever and Summer Asthma.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. It shall be the duty of the highway
2 commissioner and the overseer of highways to cut or
3 cause to be cut, prior to the first day of July and again
4 before the first day of September in each year, all brush
5 within the limits of any highway, except any young
6 trees which have been set out by property owners for
7 shade or other purposes, but to cut or cause to be cut
8 down and destroyed all ragweed, Canadian thistles, milk-
9 weed, wild carrots, oxeye daisies, goldenrod, or other
10 noxious weeds growing therein, to prevent their going to
11 seed, for a distance of twenty-five feet from the road-
12 way.

1 SECTION 2. It shall be the duty of the commissioner
2 of highways in each district to post notices in conspicuous
3 places to set forth the fact that all noxious weeds must be
4 cut down before a certain date.

1 SECTION 3. Owners of property in the city limits,
2 whether occupied or not, in which such noxious weeds
3 are growing are to be destroyed by the owner, and if not
4 destroyed, the highway commissioner is to have it done
5 and the expense for cutting and destroying to be a lien
6 against said property and collected as taxes. It shall be
7 the duty of the highway commissioner and overseer of
8 highways, or someone whom said overseer may employ
9 to assist in carrying on the work, to enter upon the land
10 and to cause all such noxious weeds to be cut down, and
11 he shall not be liable to be sued in any action of trespass
12 therefor.

1 SECTION 4. All railroad corporations or companies
2 doing business in this commonwealth shall cut down such
3 weeds each year before the fifteenth of June and the first
4 of July, and again between the tenth day of August and
5 the first of September, and at such other times during the
6 year as will prevent such weeds going to seed. In case
7 any such companies refuse or neglect to comply with these
8 requirements, then the said overseer shall enter upon
9 such lands and destroy the weeds at the expense of the
10 corporation on whose land such noxious weeds are grow-
11 ing.

1 SECTION 5. It shall be the duty of the prosecuting
2 attorney of each county to prosecute all violations of the
3 provisions of this act which shall come to his knowledge.

1 SECTION 6. This act shall take effect upon its passage.