

Corvallis Gazette.

THE HORTICULTURAL BILL.

The following is the horticultural bill as passed by the last legislature. Several have expressed a desire that it be published, and here it is:

An act to create a state board of horticulture, and appropriate money therefor.

Be it enacted by the Legislative Assembly of the State of Oregon:

Section 1. That there is hereby created a state board of horticulture to consist of six members, who shall be appointed by the Governor, one from the state at large, and one from each of the five horticultural districts, which are here by created, to-wit:

First.—The first district, which shall comprise the counties of Multnomah, Clackamas, Yamhill, Washington, Columbia, Clatsop and Tillamook.

Second.—The second district, which shall comprise the counties of Marion, Polk, Benton, Linn and Lane.

Third.—The third district, which shall comprise the counties of Douglas, Jackson, Klamath, Josephine, Coos, Curry and Lake.

Fourth.—The fourth district, which shall comprise the counties of Wasco, Morrow, Gilliam and Crook.

Fifth.—The fifth district, which shall comprise the counties of Umatilla, Union, Baker, Wallowa, Malheur and Grant.

Section 2. The members shall reside in the districts for which they are appointed. They shall be selected with reference to their study of, and practical experience in horticulture and the industries dependent thereon. They shall hold office for the term of four years and until their successors are appointed and qualified; provided, however, that three of the board first appointed—to be determined by lot—shall retire at expiration of two years. All vacancies in the board shall be filled by appointment of the governor, and shall be for the unexpired term.

Section 3. The board is authorized to employ a secretary, prescribe his duties, and shall elect from their members a treasurer, who shall give a bond to the governor of the state of Oregon in the sum of \$10,000 for the faithful performance of his duties. The secretary and treasurer shall hold their appointments at the pleasure of the board. Before entering upon the discharge of his duties, each member of the board shall take and subscribe an oath to support the constitution of the United States and of the state of Oregon, and to faithfully discharge the duties of his office, which said oath shall be filled with the secretary.

Section 4. The board may receive, manage, use and hold donations and bequests of money and property for promoting the objects of its formation. It shall meet on the second Monday of April and October in each year, and as much oftener as it may deem expedient for consultation on and for the adoption of those measures that will best promote the horticultural industries of the state. It may, but without expense to the state, select and appoint competent and qualified persons to lecture in each of the districts named in section 1 of this act, for the purpose of encouraging and improving practical horticulture, and of imparting instruction in the best methods of treating the diseases of fruits and fruit trees, cleansing orchards, and exterminating orchard pests.

Section 5. The office of the board shall be located at such a place as a majority thereof may determine. It shall be kept open to the public, subject to the rules of the board, every day, excepting Sunday and legal holidays, and shall be in charge of the secretary during the absence of the board.

Section 6. For the purpose of preventing the spread of contagious diseases among fruit and fruit trees, and for the prevention, treatment, cure and extirpation of fruit pests and the diseases of fruit and fruit trees, and for the disinfection of grafts, scions or orchard debris, empty fruit boxes or packages, and other suspected material or transportable articles dangerous to orchards, fruits and fruit trees, said board may suggest regulations shall be circulated in printed form, by the board, among the fruit growers and fruit dealers of the state, and shall be published at least ten days in two daily newspapers of general circulation in the state, and shall be posted in three conspicuous places in each county in the state, one of which shall be at the county court house thereof.

Section 7. The said board shall elect from their own number, or appoint from without their number, to hold office at the pleasure of the board, a competent person especially qualified by practical experience in horticulture, who shall be known as "inspector of fruit pests." It shall be the duty of said inspector to visit the horticultural districts of the state; to see that all regulations of said board to prevent the spread of fruit pests and diseases of trees and plants injurious to the horticultural interests of the state, and for disinfection of fruits, trees, plants, grafts, scions, orchard debris, empty fruit boxes and packages, and other material, are made known to the people of the state. He shall, whenever required, and under the direction of the board, and may also upon his own motion and upon complaint of interested parties, inspect orchards, nurseries and other places suspected or believed to be infected with fruit pests or infested with contagious diseases injurious to trees, plants or fruits, and he shall report the facts to said board. The inspector shall, from time to time, and whenever required by said board, report to it such information as he may secure from observation, experience and otherwise, as to the best methods of diminishing and eradicating fruit pests and diseases from orchards, and also suggestions in practical horticulture, the adaptation of products to soil, climate and markets, and such other facts and information as shall be calculated to improve the horticultural interests of the state.

Section 8. It shall be the duty of the board, whenever they shall be informed by complaint of any person having an orchard or nursery of trees, or any fruit-packing house, storeroom, salesroom, or any other place within the state that is infected with any noxious insect liable to spread contagion dangerous to the fruit interest of the state, to cause an inspection to be made of the said premises, and if found infected they shall notify the owner or owners or the person or persons in charge or possession of said trees or places infected with insect or their eggs or larva, and shall require such person or persons to make application within a certain time, to be specified, of such treatment for the purpose of destroying them as said board of horticulture shall prescribe. Said notice may be served upon the person or persons owning or having charge or possession of such infected trees or places or articles as aforesaid by any member of the board, or by any person deputed by the said board for that purpose, or they may be served in the same manner as a summons in a civil action. If the owner or owners, or the person or persons in charge or possession of any orchard or nursery, or trees or places or articles infected with said insects, or any of them, or their larvae or eggs, after having been notified as above to make application of treatment as directed, shall fail, neglect or refuse to do so, he or they shall be deemed guilty of maintaining a public nuisance, and any such or

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THREE-YEAR-OLD RECORD, 2:42.

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chards, nurseries, trees or places, or articles thus infected, shall be adjudged and the same is hereby declared a public nuisance, and may be proceeded against as such. If found guilty, the court shall direct the aforesaid board of horticulture to abate the nuisance. The expenses thus incurred shall be a lien upon the real property of the defendant.

Section 9. It shall be the duty of the secretary to attend all meetings of the board and to procure records of the proceedings and correspondence, to collect books, pamphlets, periodicals and other documents, containing valuable information relating to horticulture, and to preserve the same; to collect statistics and other information showing the actual condition and progress of horticulture in this state and elsewhere; to correspond with agricultural and horticultural societies, colleges and schools of agriculture and horticulture, and other persons and bodies as he may be directed by the board, and prepare, as required by the board, reports for publication; he shall also act as assistant to, and obey the directions of the inspector of fruit pests, under the direction of the board, in the exercise of the duties of his office, and shall be paid for his services as said secretary and assistant inspector a salary of not to exceed one hundred dollars per month.

Section 10. The inspector of fruit pests shall receive as compensation for his services, when actually engaged in the duties of his office, a sum not to exceed five dollars per day, and his actual travelling expenses shall be allowed when so engaged.

Section 11. The board shall biennially in the month of January report to the legislative assembly a statement of its doings, with a copy of the treasurer's accounts for the two years preceding the session thereof, and abstracts of the reports of the inspector of fruit as compensation for their services their actual expenses when attending the meetings of the board, and shall be allowed five dollars a day for time actually employed.

Section 12. The treasurer shall receive all moneys belonging to the board and pay out the same only for bills approved by it, and shall render annually a detailed account to the board of all receipts and disbursements.

Section 13. There is hereby appropriated for the use of state board

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