

examination into the facts, of the existence of the said disease in the trees or fruit as charged by said tree and fruit inspectors, it shall be the duty of said justice of the peace to forthwith issue an order to said tree and fruit inspectors, or one of them, or to a constable of said county to destroy said trees or fruit; and for the purpose of destroying the same it shall be lawful for said tree and fruit inspectors or constable to enter upon any premises in said county and seize said diseased trees or fruit wherever found, and have the same destroyed by fire.

An. Code, sec. 71. 1904, sec. 73. 1892, ch. 639, sec. 6.

77. It shall be the duty of said justice of the peace, in passing the order, as provided in the preceding section, to fix such fine and penalty as he may see fit, not exceeding the sum of ten dollars for each offense, and all costs incident to and attending such proceeding, and upon failure to pay said fine and costs to commit said person to the county jail for a term not exceeding thirty days.

An. Code, sec. 72. 1904, sec. 74. 1892, ch. 639, sec. 7.

78. Yellows is hereby declared to be a contagious disease affecting the constitution and vital growth of the tree and manifested by the following symptoms or one of them: 1st, a premature ripening of the fruit, which is flavorless and with the color thereof not solid, but mottled or variegated; 2d, wiry growth of shoots from the trunk or branches of the tree.

An. Code, sec. 73. 1904, sec. 75. 1892, ch. 639, sec. 8.

79. Said tree and fruit inspectors together or any two of them may discharge the duties imposed by this sub-title, and they shall receive for each day of actual service a per diem of two dollars and in the same ratio for a fraction of a day to be paid by the county commissioners of the county as well as such other charges and expenses as they shall be put to in the discharge of the duties of this sub-title, which shall be paid by the county commissioners; all expenses, however, arising out of the failure or refusal of the owner or occupant of any lands or premises to obey the order of the tree and fruit inspectors, and that they shall be put to in the removal and destruction of any tree or fruit shall be and constitute a lien and charge on the lands and premises where said trees and fruit were found, recoverable by the county commissioners of the county for county purposes through the agency of the tax collector as taxes are collected.

An. Code, sec. 74. 1904, sec. 76. 1892, ch. 639, sec. 9.

80. If any person shall in anywise interfere with or hinder and impede said tree and fruit inspectors, or any of them, their agents or workmen, or the constable and his assistants in the performance of their duties, under this sub-title, such person shall be guilty of a misdemeanor and shall be punished by fine not exceeding one hundred dollars or by imprisonment in the county jail for not exceeding three months, or by both fine and imprisonment.