

tion of two years. All vacancies in the board shall be filled by appointment of the lieutenant-governor in council, and shall be for the unexpired term.

SEC. 4. The lieutenant-governor in council may appoint a treasurer of the board, who shall give a bond to the lieutenant-governor in council, with two or more sufficient sureties, in the sum one thousand dollars for the faithful performance of his duties. The treasurer shall hold his appointment at the pleasure of the lieutenant-governor in council. Before entering upon the discharge of his duties, each member of the board shall take and subscribe to an oath of allegiance, and to faithfully discharge the duties of his office, which said oath shall be filed with the provincial secretary.

SEC. 5. The board shall receive, manage, use, and hold donations and bequests of money and property for promoting the objects of its formation; it shall meet in the months of April and October of each year, and as much oftener as it may deem expedient, for the consultation on and for the adoption of those measures that will best promote the horticultural industry of the province; it may, but without expense to the province, select and appoint competent and qualified persons to lecture in each of the districts named in section two of this act, for the purpose of encouraging and improving practical horticulture, and imparting instruction in the best methods of treating diseases of fruits and fruit trees, cleaning orchards, and exterminating orchard pests.

SEC. 6. The office of the board shall be located at the Department of Agriculture; it shall be kept open to the public, subject to the rules of the board, every day except Sundays and public holidays, and shall be in the charge of the secretary during the absence of the board.

SEC. 7. For the purpose of preventing the spread of contagious diseases in orchards and gardens and among fruit and fruit trees, and for the prevention, treatment, cure, and extirpation of fruit pests and the disease of fruits 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 make regulations for the inspection and disinfection, or destruction thereof, or of nonfruit-bearing trees or shrubs which may carry contagion, and also for requiring all cases of contagious diseases, or fruit pests, as aforesaid, to be reported to the board, which regulations shall be circulated in printed form by the board, among the fruit growers and fruit dealers of the province, and shall be published in the British Columbia Gazette, and, at the discretion of the board, in papers of general circulation in the province, and shall be posted in three conspicuous places in each district, one of which shall be a court-house therein; and every such regulation, when published in the British Columbia Gazette, shall, so far as the same shall not have been in like manner repealed or varied, be deemed to be and have the force of law, and be so recognized in all courts in the province.

(a) In and by such regulations the board may fix and impose any fine or penalties for the enforcement of the provisions thereof not exceeding in amount the fines and penalties hereinafter provided in case of the evasion of any of the provisions of this act.

(b) All fines and penalties imposed by any such regulations shall be recovered with costs upon summary conviction before any justice of the peace, in accordance with the provisions of the "Summary convictions act, 1889," and when collected shall be paid over to the treasurer of the board for the purposes of this act.

SEC. 8. The lieutenant-governor in council shall appoint, from the number of the board or from without their number, to hold office at the pleasure of the lieutenant-governor in council, 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 province to see that all the regulations of said board be made known to the people of the province, and to enforce this act and the said regulations in the manner therein or in the act pre-

scribed. The inspector shall, from time to time and whenever required by the board, report to it such information as he may secure from observation, experience, and otherwise, as to the best method of diminishing and eradicating fruit pests and diseases from orchards, and also suggestions as to practical horticulture, the adoption of produce suitable to soil, climate, and markets, and such other facts and information as shall be calculated to advance the horticultural interests of the province. The inspector shall, from time to time, under the direction of the board, hold meetings throughout the province in the interests of horticulture, and impart such information and instruction to fruit growers and farmers as may tend to the improvement and expansion of the fruit industry of the province.

SEC. 9. Any member of the board, their inspector or agent, upon the complaint of interested parties, or upon his own motion, may inspect or cause to be inspected, fruit, trees, plants, grafts, scions, nursery stock of all descriptions, orchard debris, empty fruit boxes or packages, and other material, orchards, nurseries, and other places, suspected or believed to be infested with fruit pests, or infected with contagious diseases injurious to trees, plants, or fruits, and for the purposes thereof he shall have full power and authority to enter in and upon any farm, orchard, nursery, or garden, or any barn, warehouse, storehouse, shop, or other place or building, and if he shall find that the said fruit, trees, plants, grafts, scions, nursery stock of all description, orchard debris, empty fruit boxes or packages, and other material, orchards, nurseries and other places are infested with fruit pests, or affected with contagious diseases injurious to trees, plants, or fruits, as aforesaid, such member or inspector or agent shall notify, in writing, the owner or person having charge of such premises or property, within a time to be prescribed in such notice, to treat and disinfect said premises or property in the manner presented in such notice; and such property shall not be removed after the owner or person in charge of the same shall have been notified in writing, as aforesaid, without the written permission of a member of the board or the inspector; and if the person so notified shall neglect or refuse to treat and disinfect the said premises or property, in the manner and within the time prescribed in the said notice, such person shall be deemed guilty of a violation of this act; and if it appears on the trial that any orchard, trees, nursery, building, or any other structures, premises, or property in charge of or belonging to the defendant referred to in said notice, or any part of such structures, premises, or property, is infested or affected as aforesaid, the court may order whatsoever of the same is so infested or affected to be disinfected or destroyed within a time to be mentioned in said order, or may make any other order that it shall deem fit; and if such order be not obeyed within the time therein specified, it shall be the duty of the board, or of some member thereof, or of their inspector or agent to execute such order, and the costs and disbursements of the prosecution shall be adjudged against the party convicted as aforesaid.

(a) In case, upon inspection as herein provided, the member of the board, inspector, or agent finds any of the premises to be infested with fruit pests or affected with contagious disease, but is unable to take the proceedings herein provided by reason of there being no person in charge, or either the owner or his whereabouts being unknown, he shall be at liberty to cause the same to be disinfected, and the costs and expenses thereon shall be a lien upon the property, which may be enforced by seizure and sale of a sufficient quantity thereof to satisfy the same: Provided, however, that no property shall be destroyed under this subsection until an order therefor has been obtained from a justice of the peace, which order any justice is hereby authorized to make upon proof of the urgency of the case or of reasonable efforts having been made to ascertain the owner or person who should be in charge of the infected property.

SEC. 10. 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 relat-