

Full Court.]

THE KING v. DAVID.

[Jan. 17.]

Public Health Act—Removing flag or placard from house where infectious disease exists—Conviction for—Form of.

Defendant was convicted, on the information of the health officer, of a violation of the provisions of the Public Health Act, R.S. (1900) c. 102, s. 48, for that he being the proprietor of a house in which an infectious disease existed did not display and keep displayed a yellow flag or placard, during the continuance of such disease, after being directed by the Board of Health so to do. The conviction imposed a fine of \$5 and costs "to be paid and applied according to law."

The evidence shewed the existence of an infectious disease in the house, and that a quarantine flag was put up under the direction of the Board of Health and that it was removed by a member of defendant's family.

Held, affirming the judgment of the County Court judge for district No. 6, that defendant was properly convicted.

Per GRAHAM, B.J., concurring, that the conviction should be amended by providing for payment of the costs of the informant and that the County Court judge's order affirming the conviction be amended by inserting a provision that the costs be paid within 30 days.

J. A. Fulton, in support of appeal. J. L. Mackinnon, contra.

Full Court.]

OVERSEERS OF THE POOR v. STEVENS.

[Jan. 19.]

Poor Relief Act—Support of pauper—Liability for—Directions as to mode of relief—Requirements as to past expenditures.

Plaintiffs as overseers of the poor sought to recover against defendants, the father and grandfather respectively of E. M. a pauper, for moneys paid, laid out and expended by plaintiffs as such overseers for the relief and maintenance of the pauper and for services rendered, under the provisions of the Poor Relief Act, R.S. (1900) c. 50, s. 25.

The right to recover was based upon a report of the poor committee of the municipal council made to and adopted by the council regarding the support of the pauper in which the committee recommended that the husband or father of the pauper, if able, be called upon for her maintenance.

Held, that in order to recover, there must be a direction as to the manner in which the pauper is to be relieved, and that