

master, or other officer discharges the duties imposed upon him by the sections of this Act numbered from five to seventeen, inclusive of both such numbers; and every such inspector shall, in case the overseer, pathmaster or other officer refuses to carry out such provisions, have and possess all the powers given to such overseer, or pathmaster or other officer herein.

23. Any such inspector may, during the daytime, enter any store, shop, warehouse or other premises occupied by any person who vends grain, grass or other seed for feed or seeding purposes, and may inspect such seeds to ascertain if they contain any seeds of noxious weeds, and may take away a sample of such grain, grass or other seeds if he consider it necessary for the purpose of establishing the fact that seeds of noxious weeds are contained among such grain, grass or other seeds.

24. For the purpose of proceeding under this Act, or under any order or regulation of the Lieutenant Governor in Council, every offence against this Act or against any such order or regulation shall be deemed to have been committed, and every cause of complaint under this Act or against any such order or regulation shall be deemed to have arisen either in the place in which the same actually was committed or arose in any place in which the person charged or complained against happens to be.

25. All prosecutions under this Act may be brought and heard before any police magistrate or justice of the peace; and any police magistrate or justice of the peace shall have power to award payment of costs in addition to the penalty. The penalty, when recovered, shall be paid over by such justice or police magistrate to the Provincial Treasury; and in default of payment, the offender shall, by warrant, signed and sealed by the police magistrate or justice of the peace, be imprisoned for a period of not less than one day nor more than one year; at the discretion of such justice or police magistrate, unless the penalty and costs be sooner paid.

26. No conviction, warrant of commitment, order or any other proceeding, matter or thing made, done or transacted in or relating to the execution of this Act shall be vacated, quashed or set aside for want of form, or for any defect which does not substantially affect the justice of the case, or be removed or removable by *certiorari*, or other writ or process whatsoever, into any superior court.

27. The Lieutenant Governor in Council may from time to time, make such further rules, orders and regulations as may be required for the purpose of effectually carrying out the provisions of this Act; and every such rule, order or regulation shall be read as part of this Act; and shall have the same force and effect as if it had been enacted herein.

28. Whenever any inspector, pathmaster, overseer or other officer is authorized, directed or empowered, or may be authorized, directed or empowered under this Act to cut down, destroy or remove any noxious weeds, this Act and every section thereof in which such authority or direction is referred to, shall be construed to mean that such inspector, pathmaster, overseer or other officer, may, if the premises are occupied, on service of three days notice upon the owner or occupant or upon some grown up person on the premises, or if the premises are unoccupied, then without notice, proceed forthwith to cut down, remove and destroy such noxious weeds, whether the same be growing with and intermingled with a growing crop or not; and such inspector, pathmaster, overseer or other officer may, if he shall deem it necessary, cut down all and every such growing crop, and no action, claim or demand shall lie or be sustained against such inspector, pathmaster, overseer or other officer in respect thereto.