

(3) The person appealing shall also within the said ten days give notice in writing to three members of the said board that he requires the attendance of the members notified at the time and place named for the examination of the said fruit trees, and the date so fixed shall be not less than three days after the service of notice on the inspector and on the last member of the board so served.

Notice to board to attend and examine trees.

(4) At the day and hour named in the notice of appeal, the members notified shall attend and examine the trees in question, and determine whether or not the notice given by the inspector to the owner or occupant, under section 5 of this Act, was rightly given, and the decision of the said board or of a majority of the members present shall be final.

Examination by board.

(5) The decision of the board shall be in writing, signed by the members agreeing thereto, and a duplicate thereof shall be given to the person appealing and to the inspector, and pending such decision all proceedings against the owner or occupant appealing shall be stayed, and if the said board decides that the notice given by the inspector was wrongly given and was unnecessary, no further proceedings shall be taken thereon.

Decision by board.

(6) Each member of the said board shall be entitled to receive \$2 for every examination made by him under this section, and the same shall be paid by the owner or occupant appealing if the board decides that the notice of the inspector was rightly given, or by the municipality if the board decides that such notice was wrongly given, and the amount of said fees shall be stated in the written decision of the board, and shall be a debt due to the board from the party so found liable, recoverable in any division court having jurisdiction.

Fees of board.

7.—(1) Any owner or occupant of land who, after notice given by the inspector, as provided by section 4, suffers any black knot to remain on plum or cherry trees, or keeps any peach, nectarine or other trees infected with yellows or the fruit of trees so infected, shall upon conviction, be liable to a fine of not less than \$5 and not more than \$20 for every such offence.

Penalties.

(2) Any person who knowingly offers for sale or shipment, or sells or ships the fruit of trees infected with yellows, shall, upon conviction, be liable to a fine of not less than \$5 nor more than \$20.

(3) Every inspector who, after receiving the written complaint required by section 4, of this Act, refuses or neglects to discharge the duties imposed on him by this Act, shall, upon conviction, be liable to a fine of not less than \$10 nor more than \$20.

8.—Every offence against the provisions of this Act shall be punished, and the penalty imposed for each offence shall be recovered and levied, on summary conviction, before any justice of the peace; and one-half of every fine imposed shall be paid to the inspector or other person laying the information, and one-half to the treasurer of

Application of penalties.