

the said Court to the said action, and in default of your so doing, the said A. B. may by leave of the Court or a Judge, proceed therein to judgment and execution.

Indorsement to be made on the Writ after service thereof.

This Writ was served by O. P. on C. D. the defendant (or one of the defendants) on the day of 18 .
Served.

O. P.

CAP. XXVI.

An Act relating to Trespasses on Lands and Lumber.

Section.

Section.

1. Offences, before whom triable; penalty; recovery; ownership; 2. Jurisdiction of other Courts not affected.

Passed 12th April 1855.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Any person who shall commit any offence under the first, second, and third Sections of Chapter 133, of the Revised Statutes, "*Of Trespasses on Lands, Private Property, and Lumber,*" in which the lumber, being the subject matter of the trespass or misdemeanor alleged to have been committed, shall not exceed in value twenty five pounds, may be prosecuted to conviction, when such offence is committed in the City and County of Saint John, before the Police Magistrate of the City of Saint John or Parish of Portland; and in any other County, before two Justices of the Peace. The offender shall, at the discretion of the Magistrate or Magistrates before whom the conviction may take place, be liable to a penalty not exceeding twenty five pounds, or to be imprisoned in the Provincial Penitentiary for a period not exceeding three months; and in case of the non-payment of such penalty, may be dealt with as provided in the twentieth Section of an Act for establishing and maintaining a Police Force in the Parish of Portland in the City and County of Saint John; and the owner of the land on which drift wood or lumber of any kind shall be found, shall be considered the owner thereof as against all persons but the legal owner.

2. Nothing herein contained shall be held to take away the jurisdiction of any Court given by the said Chapter 133, of the Revised Statutes.