

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1848. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1848.

11 Victoria – Chapter 25

An Act to prevent the growth and increase of Thistles. Passed 30th March 1848.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all such Counties where it may be deemed necessary, Her Majesty's Justices of the Peace in their General Sessions, shall make such rules and regulations as to them from time to time shall seem proper and necessary for the preventing the growth and increase of Thistles within such Counties respectively; and the rules and regulations so made, shall be published by posting the same in three or more of the most public places in the Parish or Parishes within the said County in which Parish or Parishes such rules and regulations are to be in force.

II. And be it enacted, That the said Justices in their General Sessions as aforesaid, shall appoint two or more persons in each Parish within such County, to be Inspectors for the purpose of carrying into execution the rules and regulations so made; and if the persons so to be appointed, or any or either of them, shall refuse to accept such office, or having accepted the same shall neglect his or their duty therein, he and they shall forfeit and pay a fine not exceeding two pounds, to be recovered with costs on complaint and due proof before any one of Her Majesty's Justices of the Peace of the County in which the offence shall be committed, and on non-payment thereof, to be levied by distress and sale of the offender's goods and chattels, by Warrant under the hand and seal of the said Justice, one half of such fine to be paid to the person or persons who shall prosecute the same to effect, and the other half to be paid into the hands of the County Treasurer for the use of the said County.

III. And be it enacted, That it shall and may be the duty of the said Inspector or Inspectors, at such times and seasons as the said Court of General Sessions by their said rules and regulations may direct, and at all and any other time or times in which it may be thought necessary, by a written or verbal notice, to order and direct the owner or occupier of any land on which Thistles may be growing and likely to run to seed, to the injury and annoyance of the adjacent lands, to cut down, pull up or otherwise destroy the said Thistles; and in case the said owner or occupier of any land, after six days notice, shall neglect or refuse to obey the directions therein contained or expressed, he or they shall be liable to pay a fine not exceeding forty shillings, to be recovered with costs on the oath of one or more credible witness or witnesses, on complaint and due proof thereof before any Justice of the Peace of the County in which such offence shall be committed, such fine to be paid into the hands of the County Treasurer for the use of the said County.

IV. And be it enacted, That it shall and may be lawful for the Courts of General Sessions of the Peace in their respective Counties as aforesaid, to allow such compensation to any Inspector or Inspectors appointed under the authority of this Act, for services rendered in the execution of the duties imposed upon him or them, as to the said Court may seem meet, and to cause the same to be paid either as a Parish charge or out of the County funds, at their discretion.

V. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty, and no longer.