

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1855.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1855.

18 Victoria – Chapter 26

**An Act relating to Trespasses on Lands and Lumber. Passed 12th April 1855.**

Section.

1. Offences, before whom triable; penalty; recovery; ownership.

Section.

2. Jurisdiction of other Courts not affected.

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.