

with the marks of other owners on them. as aforesaid; or who shall cut off or deface any other mark upon any sawlog or timber, shall be liable to a fine of not more than _____, nor less than _____, in the discretion of the Justices before whom the same shall be sued for.

Proceedings where timber having one person's mark is found in another's premises.

IV. If any board, deal, or other piece of sawed lumber, be found in a pile at a mill, or elsewhere, in the possession of the person who manufactured it, before shipping or rafting, bearing the mark of any other person than the owner of the pile, it shall be deemed to be the property of the owner of such mark, unless the owner of the pile shall shew that he became possessed of such board, or other piece of lumber in some lawful manner, and the owner of the pile shall, moreover, be liable to a fine of not more than _____ nor less than _____ in the discretion of the Justices before whom the same shall be sued for, for every pile in which lumber so marked shall be found; and the owner of the mark may sue for and recover from the owner of the pile the value of three times the quantity of lumber so bearing his mark, in any Court having jurisdiction in civil matters in cases of simple contract, to the amount of such value, and shall recover the same to his own use, with costs, in default of such proof as aforesaid by the owner of the pile, and the owner or occupier of the mill or premises on which such pile is found, shall for the purposes of this Act be deemed the owner of the pile. 5 10 15 20

V. All the fines above mentioned shall be sued for, levied and applied in the same manner as the fines provided for by the thirtieth section of the Act first above recited are to be sued for, levied and applied, except that the fines hereby imposed shall not be sued for by any other person than the owner of or of the mark upon, the said log, deal board or other lumber in respect of which the offence by which the fine is incurred, was committed. 25

Proceedings if entry to any booms, &c., to search for logs or lumber be refused.

VI. If the owner of any sawlog or timber, or his agent or servant, shall have reason to believe that the same is in the booms or in the yard or upon the property of any other person, and such other person shall refuse to such owner, or his agent or servant, permission to enter at a proper hour upon such booms, yard or property, for the purpose of seeking for and removing the same, such owner, or his agent or servant, may apply to any Justice of the Peace having jurisdiction in the place, and if such Justice be satisfied by affidavit that there is probable cause to believe that such sawlog or timber is in such booms or yard, or upon such property, he shall grant a warrant to some Constable or Peace Officer, with such owner, or his agent or servant, to enter upon and search such booms, yard or property in the day time, and to remove such sawlog or timber if found there, and shall thereby command all Constables and Peace Officers, and others, to aid the Officer to whom such warrant is addressed in obtaining such entry and making such search; and such warrant shall be obeyed accordingly, and any resistance to such entry and search may be put down and punished in like manner as any resistance to the lawful order or warrant of a Justice of the Peace in any other matter. 30 35 40 45 50