

An Act to amend the Act regulating the culling and measurement of Lumber, and to extend the provisions of the same.

WHEREAS the provisions of the Act regulating the culling and measurement of lumber, passed in the 8th year of Her Majesty's Reign, and chaptered 49, have been found insufficient to protect the owners of saw-logs and timber against persons fraudulently obtaining possession of the same, and it is expedient to make the necessary provisions for the protection of such property : Therefore Her Majesty, &c., enacts as follows :

Preamble.

I. From and after the passing of this Act, if any saw-log or other timber shall be found within the boom, mill-pond, or otherwise in the possession of any person not owning the same, he shall upon demand in writing made by the person whose mark such log or timber bears, or upon the like demand made by his authorised agent, remove the same into the open water adjacent to said boom, pond or premises ; and if within twenty-four hours after such demand shall have been made, such property shall not have been removed from the boom, pond, or premises where found, he shall be liable to pay a fine of not less than *two* pounds nor more than *ten* pounds at the discretion of the Justice of the Peace before whom the party so offending shall be tried ; and if within twenty-four hours after such judgment the said party so offending and being duly convicted, shall have failed to deliver the property as aforesaid, then in addition to the judgment rendered and fee and costs imposed, the Justice of the Peace before whom any such case shall be heard, shall direct a further sum equal to twice the amount of the value of the property so detained, to be added to the execution, and shall direct his Bailiff to levy the whole amount within four days, and as soon as collected shall pay the whole amount except the fine and costs to the party owning the property so held and retained by the party convicted.

Persons owning booms or ponds, to remove timber having other marks into the open water on demand.

Penalty for not doing so and how levied.

II. The owner or owners, or occupier or occupiers of any saw mill, shall exhibit in a conspicuous place in his or their mill, a true representation of all the marks of saw logs which he or they claims or claim either as his or their own particular mark or marks, or the mark or marks of his or their customers' logs ; and in default thereof he or they upon conviction before any Justice of the Peace shall pay a fine of not less than *two* pounds *ten* shillings nor more than *ten* pounds, and in default of payment shall be confined in the County Gaol for any period not exceeding 30 days.

Owners of saw mills to exhibit openly their log marks and those of their customers.

III. Any mill-owner or occupier, or mill-owners or occupiers, who shall exhibit any marks to which he or they have no legal claim, shall upon conviction thereof before any magistrate, be subject to the penalties in the second clause of this Act imposed.

Penalty for exhibiting marks to which the owner of the mill has no claim.