

## An Act for the protection of Settlers.

**WHEREAS** it is expedient to extend all just and reasonable encouragement to any person who obtains in a lawful manner, possession of any lot or part of lot of land in the townships of this Province, Preamble.

Therefore, Her Majesty &c., enacts as follows :

- 5 **1.** Whenever after the passing of this Act any permit or license to cut timber on the waste lands under the jurisdiction of the Department of Crown Lands shall be granted to, or renewed in favor of any person or company in the name of Her Majesty or of the Government of this Province, such person or company shall not exercise the rights and Powers under timber licenses not exercised that may be
- 10 powers granted by the said license or permit on any lot or part of lot of land included within the limits assigned to him or them, which shall have been sold by the said Department or by its authority, to any person whomsoever, whether before or after the issuing of the said license or permit.
- 15 **2.** In the event of the sale of any such lot or part of a lot of land after the issue of the said license or permit, the Department of Crown Lands shall forthwith notify the said person or company to whom such permit or license has been granted, by a registered letter addressed to the residence or principal place of business of such person or company, Notice of sale to be given to holder of license.
- 20 and thereupon such person or company shall cease to enjoy, as regards such lot or part of a lot of land, the rights and powers previously enjoyed by them.
- 3.** Any such person or company who shall continue after such notification, either by themselves or by their employees, to exercise any of the Penalty on failing to comply with notice.
- 25 said rights or powers in respect of the said lot or part of lot of land, shall, upon conviction before a Justice of the Peace, incur a penalty not exceeding one hundred dollars for every day he or they shall continue to exercise the said rights and powers, and shall be responsible to the owner of the said lot or part of lot of land for all damages so caused by
- 30 them or their employees; and the amount of the said damages, with the costs of suit, shall be recoverable in the ordinary manner by the said owner in any court of competent jurisdiction in this Province.
- 4.** The amount of the said damages shall be affected in the first place Application of damages.
- 35 to the payment of the amount remaining due on the said lot or part of lot of land, and the balance shall be paid over to the owner.
- 5.** In the case of any action for damages brought by the owner, it shall not be necessary that any opposition should be filed in Her Majesty's name for the amount remaining due of the purchase money of the said lot or part of lot of land, but it will be sufficient that a statement of account as between the Department of Crown Lands and the No opposition necessary for balance of purchase money.
- 40 said owner, signed by the Commissioner or the Assistant Commissioner of Crown Lands, be filed with the Prothonotary or Clerk of the Court, before the distribution of the monies forming the amount of the said damages, and the said statement shall have full and complete effect, and
- 45 shall be held to be correct unless the said owner shall prove the contrary within days after the production of the said statement.

**6.** This Act shall be a Public Act.

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