

## C A P. III.

**An Act to prevent Waste and Destruction of Pine or other Timber Trees, on certain reserved and ungranted Lands in this Province.**

✻✻✻ *HEREAS* His Majesty has been pleased to reserve, and set apart several Tracts of Land within this Province, for the special Purpose of securing to the Crown, a Perpetual Fund for the Supply of Masts and Ship Timber for the Royal Navy, particularly all those Lands on St. John's River above the present Settlements, and the Island of Cape Breton.

Preamble.

*In Order therefore, that the same be effectually secured against any Waste or Trespas.*

I. *Be it Enacted, by the Governor, Council and Assembly, That if any Person shall spoil, cut down, or any otherwise injure, or destroy any Pines of any Dimensions whatever, or any other Timber Trees, growing on the afore-recited reserved and ungranted Lands, or shall cause the same to be done, or shall cut down, or carry off any Tree fit for a Mast, from the said Premises for every Tree so cut or carried off, and for each and every Offence, or without having first obtained a License therefor, from the Governor, Lieutenant Governor, or Commander in Chief, for the Time being, certifying that the said Pine Trees, and Timber so to be cut, are for the sole Use of His Majesty and for no other Purpose. All such Persons being duly convicted of the Waste and Trespas aforesaid, he or they shall forfeit and pay to His Majesty a Fine not exceeding One Hundred Pounds on due Conviction thereof, before any of His Majesty's Courts of Record, in any County within this Province, by Action of Debt, Bill, Plaint, or Information, one Half of the said Fine to be paid to the Informer, the other Half to His Majesty for the Use of the Province.*

If any Person spoil, cut down or destroy &c. any Pines or other Timber growing on reserv'd and ungranted Lands, or carry off any Timber.

unless by License from the Governor certifying that the same is for his Majesty's use.

Such Person being convicted thereof.

shall pay a Fine not exceeding £100. to be recover'd in any Court of Record.

II. *And be it further Enacted, That if such Offender on due Conviction, shall be unable to pay such Fine, that it shall and may be lawful for such Court, before which the Conviction shall be made to imprison such Offender, for the Space of Six Months without Bail or Mainprize.*

Offender unable to pay Fine shall be imprisoned Six Months.

without Bail.

III. *And Whereas the setting fire to any Wood Lands, is often attended with great Destruction of Timber Trees and otherwise destroys and prevents their Growth; Be it Enacted, by the Authority aforesaid. That if any Person shall purposely & maliciously set fire to any Places within the Limits of the aforesaid reserved & ungranted Territories, and thereby destroy any of the young Growth, or Timber Trees thereon, upon due Conviction before his Majesty's Supreme Court, Court of Assize and General Goal Delivery, such*

If any Person shall purposely and maliciously set fire to any place within the limits of reserved and ungranted Territories, and thereby destroy Timber, &c.