

being paid, then it shall be lawful for the Commissioner of Crown Lands, with the previous and special sanction of the Governor in Council to that effect, to order a sale of the said timber to be made after sufficient notice, and the balance of the proceeds of such sales, after retaining the amount of dues and costs incurred, shall be handed over to the owner or claimant of such timber.

VII. And be it enacted, That each and every person who without competent authority shall cut, or who may employ or induce any other person or persons to cut, or who shall assist in cutting any timber of any kind whatsoever on any of the Crown, Clergy, School or other Public Lands of the Province, or who shall remove or carry away or employ or induce or assist any other person or persons to remove or carry away any timber of any kind so cut from any of the Public Lands aforesaid, shall not acquire any right to the timber so cut, or claim to any remuneration for cutting, preparing the same for market, or conveying the same to or towards market, but he shall in addition to the loss of his labour and disbursements, forfeit a sum of Penalty on persons cutting timber without license, &c. for each and every tree which he shall be proved to have cut or cause to be cut or carried away, which shall be recoverable with costs, at the suit, and in the name of the Commissioner of Crown Lands or resident agent, in any Court having jurisdiction in civil matters to the amount of the penalty; and that in all cases under this Act, it shall be incumbent on the party charged to prove license or authority to cut, and the averment of the party seizing or prosecuting, that he is duly employed under the authority of this Act, shall be deemed sufficient proof thereof, unless the Defendant shall prove to the contrary. Party accused must prove the granting of licence.

VIII. And be it enacted, That whenever satisfactory information, supported if necessary by the affidavit of one or more persons, made before a Justice of the Peace or before any other competent party, shall be received by the Commissioner of Crown Lands or any other officer or agent of the Crown Land Department, that any timber or quantity of timber has been cut without authority on Crown, Clergy, School or other Public Lands, and describing where the said timber may be found, it shall and may be lawful for the said Commissioner, officer or agent, or any one of them to seize or cause to be seized in Her Majesty's name the timber so reported to be cut without authority, wherever it may be found within the limits of this Province, and to secure and place the same under proper custody, until such time as a decision can be had in the matter from competent authority: Timber alleged to be unlawfully cut may be seized on a sufficient affidavit, &c. Provided always, that where the timber so reported to have been cut without authority on the Public Lands aforesaid without license, has been made up with other timber into crib, dram or raft, or in any other manner has been so mixed up at proviso : as to Timber so cut and mixed up with other timber.