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2nd Session, 7th Parliament, 26 Victoria, 1868.

BILL.

An Act for the protection of Settlers.

Received and read first time, Friday 27th February, 1868.

Second reading Monday, 2nd March, 1868.

Mr. LANGEVIN.

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[1863.

An Act for the protection of Settlers.

WHEREAS it is expedient to extend all just and reasonable en- Preamble. couragement 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,

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

1. Whenever after the passing of this Act any permit or license to Powers under cut timber on the waste lands under the jurisdiction of the Department timber of Crown Lands shall be granted to, or renewed in favor of any person licenses not or company in the name of Her Majesty or of the Government of this exercised that may be Province, such person or company shall not exercise the rights and 10 powers granted by the said license or permit on any lot or part of lot of land included within the limits are included.

- 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
- 2. In the event of the sale of any such lot or part of a lot of land Notice of sale after the issue of the said license or permit, the Department of Crown to be given to holder of Lands shall forthwith notify the said person or company to whom such license. permit or license has been granted, by a registered letter addressed to the residence or principal place of business of such person or company, 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 noti- Penalty on fication, either by themselves or by their employees, to exercise any of the failing to 25 said rights or powers in respect of the said lot or part of lot of land, comply with a lot of land, lot or land, lot of land, notice. 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 o to the payment of the amount remaining due on the said lot or part of damages. 35 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 No opposition shall not be necessary that any opposition should be filed in Her Ma-necessary for jesty's name for the amount remaining due of the purchase money of balance of purchase the said lot or part of lot of land, but it will be sufficient that a state-money. 40 ment of account as between the Department of Crown Lands and the 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 condays after the production of the said statement. trary within