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No. 97.

1st Session, 8th Parliament, 27 Victoria, 1863

BILL.

An Act to provide for the preservation
standing timber.

Received and read, first time, Tuesday, 8th
September, 1863.

Second reading, Wednesday, 9th September
1863.

MR. JOLY.

QUEBEC :

PRINTED FOR THE CONTRACTORS BY HUNTER
ROSE & LEMIEUX, ST. URSULE STREET.

An Act to provide for the preservation of standing timber.

WHEREAS in most of the old counties of Canada, the inhabitants experience serious difficulty in obtaining wood for fuel and building purposes, and whereas it is advisable to profit by past experience, and to adopt measures while there is yet time, to prevent the inhabitants of new Townships from being subjected to similar inconveniences : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts a follows :

- 1.** Whenever it shall be considered expedient to erect into a Township, any certain extents of the waste lands of the Crown in this Province, it shall be the duty of the Commissioner of Crown Lands to set apart in such Township a reserve of wood land which shall form at least one Reserve of woodlands to be set apart in each new township. of the superficial area of such Township, and the limits whereof shall be fixed and defined at the time of the erection of such township.
- 2.** Such reserve may be in a single lot, or divided into several lots according to circumstances; in the case of the division of the said reserve into several lots, no one of such lots shall contain less than one thousand acres. Such reserve may be divided.
- 3.** And to provide for the difficulties which might arise respecting the rights and duties as between neighbours (*droits de voisinage*, *découverts*, fences, ditches, and all others) which the inhabitants residing on the lots contiguous to such reserve, might claim, the patents of the lots so situate shall contain a condition binding the proprietors, tenants or occupants of such lots to renounce for ever any claim to all rights and duties as between neighbours, (*droits de voisinage*) and a reduction shall be made in the selling price of such lots in consideration of the disadvantages which might result from the preceding provision, whenever it shall be just and necessary to make such reduction. As to droits de voisinage.
- 4.** The reserve shall be inalienable, and no wood shall be cut thereon until it shall have been disposed of as provided by the following section. Reserve inalienable.
- 5.** As soon as the new township shall have been organized into a Municipality according to law, the reserves shall become the exclusive property of the municipal corporation for the benefit of all the inhabitants of the Municipality. To belong to Municipality.
- 6.** The municipal corporation shall not have the right of alienating such reserves, nor any part thereof, nor of permitting the clearing thereof, nor of selling the timber or the right of cutting timber thereon, but such reserves shall be used solely to provide the inhabitants the said township with wood for their own proper use only, but never for purposes of trade. Rights of Municipality.

Council to
make by-laws
respecting
cutting of
lumber, &c.

7. The Municipal Council of each township shall, as occasion may require, make such by-laws as they shall deem necessary to regulate the manner in which the inhabitants shall provide themselves with wood from the said reserves; such by-laws of the said Council ~~inducting~~ each year the spot on which the wood shall be cut for that year, the 5 season during which it shall be cut and removed, the quantity and kind that each inhabitant shall be entitled to cut, and everything which it shall be important to settle, in order to ensure a supply of wood to the inhabitants of such townships by means of cuttings regulated in 10 the proportion to the requirements of the inhabitants of such township, in such proportion as will allow of such regulated cuttings being made yearly and for ever.

In case Muni-
cality be
divided.

8. And in the case of the subdivision of such Municipality into two or more separate Municipalities, the said reserve shall be divided between such new Municipalities in proportion to their extent, and in the man- 15 ner which shall be most advantageous to all.