

of not less than £10 and not exceeding £50, or imprisonment not exceeding three months, and shall further pay a sum equal in amount to the value of the tree or trees cut by him or caused to be cut.

28. It shall be lawful for the Governor to sell or let any portion of the Crown lands not forming part of the sea-shore reserves, provided that in the case of a lease the other conditions of which will allow the lessee to cut down wood, there shall always be a condition that such lessee shall replant with trees the land so cleared by him, and in default thereof forfeit his lease, together with the buildings and plantations existing upon the land leased as aforesaid, and that there shall also be a condition that, if there be no buildings or plantations, the lessee shall pay damages, the amount of which shall be fixed beforehand in the deed of lease.

29. There shall be appointed an officer to be named the Warden of Woods and Forests, and who, under the control of the Surveyor-General, shall have charge of the Crown lands and reserves, and whose duty it shall be to plant or replant the said lands and reserves, and superintend and preserve the said plantations.

30. The Warden of Woods and Forests shall every year prepare, to be laid before the Council of Government at the same time as the annual estimates are laid on the table, an account of the sums by him spent for the planting and replanting of trees, and a statement of the work done, together with an estimate of the sums intended to be spent during the following year on account of the planting and replanting of trees, and also an approximate statement of the works intended to be carried on under this Ordinance.

31. No portion of the Crown lands shall be sold if the same be within 600 feet from the summit of a mountain, hill, or hillock, measured as hereinafter provided for, and no portion of the Crown lands shall be leased or temporarily granted unless upon the report of the Surveyor-General.

No portion of the Crown lands lying within 1,000 feet of the source of a river, or within 100 feet of the banks of a river or stream, shall be sold, leased, or temporarily granted, unless upon the report of the Surveyor-General, and after three notices published in the *Government Gazette*.

Provided that should the Governor, upon the report of the Surveyor-General, be of opinion that such Crown lands as are described in the two preceding paragraphs may be leased or granted temporarily, it shall be one of the conditions of any and every lease that the lessee thereof shall not cut down, destroy, or mutilate, or suffer to cut down, destroy, or mutilate, any tree or trees growing thereon, without the written permission of the Surveyor-General.

II.—PREVENTION OF FOREST FIRES.

Extract of the Statutes of the Province of Quebec, 34 Vict., c. 19.

CAP. XIX.—AN ACT respecting the Clearing of Lands, and the Protection of Forests against Fires. (Assented to 24th December, 1870.)

WHEREAS it is expedient to determine the periods of the year during which fires may be lighted in forests for the purpose of clearing or improving lands; and whereas it is further necessary to protect forests against fires: Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

1. No person shall at any time set fire to or cause to burn any tree, shrub, or other plant growing or standing in any forest, or at a distance of less than one mile from any forest.

2. No person shall set fire to or cause to burn any pile of wood, branches, or brushwood, or any tree, shrub, or other plant which shall be situate or felled in the forest, or at a distance of less than a mile, or any turf, peat, stumps, fallen trees, or other timber, at any period of the year, for any cause or pretext whatsoever, except for the purpose of clearing lands, and in such latter case only between the day of and the day of .

3. Notwithstanding the preceding provisions, it shall be lawful to make a fire in or near the forest to obtain warmth, and for cooking or other necessary objects, or for all industrial purposes, such as the manufacture of tar, turpentine, charcoal, or making of ashes for the manufacture of pot or pearl ash: Provided that the obligations and precautions imposed by the following section are observed.

4. Every person who shall, between the of and the of , make a fire in the forest, or at a distance of less than half a mile therefrom, for the purposes mentioned in the preceding section, must—(1.) Select the locality in the neighbourhood in which there is the smallest quantity of vegetable matter, dead wood, branches, brushwood, dry leaves, or resinous trees; (2.) Clear the place in which he is about to light his fire, by removing all vegetable matter, dead trees, branches, brushwood, and dry leaves from the soil within a radius of twenty-five feet as regards fires made for the necessities of any industry, as mentioned in section 3, and within a radius of four feet as regards fires made for the other necessary objects mentioned in the said section; (3.) Totally extinguish the fire before quitting the place.

5. Any person who shall throw or drop on the ground, in any place whatsoever, whether in the forests, open fields, or other place, any burning match, ashes of a pipe, cigars or part of a cigar, or any other burning substance, or who shall discharge any firearm, shall be bound, under the pains and penalties imposed by this Act for his neglect so to do, completely to extinguish, before leaving the spot, the fire of such match, ashes of a pipe, cigars or part of a cigar, or the wadding of such firearm.

6. Any person contravening any of the provisions of this Act shall be liable, upon conviction before any Justice of the Peace, to a penalty not exceeding fifty dollars, and in default of payment of the said penalty and costs of suit, with or without delay, to be imprisoned in the common gaol of the district wherein he shall be convicted for a period not exceeding three calendar months, unless the said penalty and costs of suit, together with the costs of apprehension and conveyance of the said offender to the said common gaol, be sooner paid, or to be imprisoned in the said common gaol for a period not exceeding three calendar months; or to be condemned for each such offence to the said penalty, and further to the imprisonment hereinabove mentioned, with costs of suit in all cases.

7. Any person of full age may prosecute for any contravention of this Act, and one-half of the penalty, in case of conviction, shall belong to the prosecutor, and the other half to the Government of this province, to form part of the consolidated revenue fund of the same.