



CHAPTER 71

An Act to provide for the protection of trees along roads

[Assented to, the 4th of April, 1929]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Revised Statutes, 1925, are amended by inserting R. S., c. therein, after chapter 264 thereof, the following chapter: 264A, added.

“CHAPTER 264A

“AN ACT RESPECTING THE PROTECTION OF TREES

“**1.** This act may be cited as the *Tree Protection Act*. Short title.

“**2.** Notwithstanding any general or special law authorizing same, any person or any corporation constituted in this Province or elsewhere by any authority whatsoever, destroying or damaging, wholly or partly, a tree, sapling or shrub, or any underwood, wherever the same is growing, without having obtained, upon petition therefor served upon the interested parties, the authorization of the Quebec Public Service Commission, unless a consent has been previously given by the owner of such tree, sapling, shrub or underwood, shall be bound to pay to the owner of such tree, sapling, shrub or underwood, in addition to actual damages, exemplary damages in an amount not exceeding twenty-five dollars for each such tree, sapling, shrub or underwood so wholly or partly destroyed or damaged. Damages for destroying or damaging trees. etc.

Nevertheless, this section shall not apply in cases where such trees or shrubs accidentally come in contact with wires or apparatus of a public utility in a manner to endanger life or property or to interrupt service, nor in the cases falling under article 529 of the Civil Code. Application.

Recovery of
damages.

"3. The sums claimed for actual or exemplary damages, or both, under the authority of section 2, shall be recoverable before the Circuit Court, the Magistrate's Court or the Superior Court, according to the amount claimed.

Coercive im-
prisonment.

"4. Any person condemned by a judgment awarding actual or exemplary damages, or both, under section 2, shall be subject to coercive imprisonment in the ordinary manner and form."

Coming into
force.

2. This act shall come into force on the day of its sanction.