

## CAP. XIX.

An Act to amend the law respecting the protection of forests against fire.

[Assented to 12th January, 1895.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The act 52 Victoria, chapter 17, is repealed ; but such repeal shall not affect the erection of fire-districts thereunder, nor the general superintendent and officers appointed thereunder, who shall continue to perform their duties under this act. 52 V., c. 17, repealed. Effect of repeal.

2. The following articles are added after article 1353 of the Revised Statutes : Arts. added after R. S., 1353.

IIa. FIRE-DISTRICTS.

"1353a. The Lieutenant-Governor in Council may, by proclamation, declare any portion of the Province to be a "Fire-District" within the intent and for the purposes of the present law. Fire-districts may be erected by proclamation.

Such proclamation shall be published in the *Quebec Official Gazette*. Publication thereof.

The territory which shall be known as a "Fire-District," shall cease to be a fire-district upon the publication of a proclamation of the Lieutenant-Governor in Council, revoking the one creating it. Effect thereof.

"1353b. No person shall set or cause to be set or started any fire in or near the woods, within any such fire-district, between the first day of April and the first day of November, in any year. Nevertheless, a *bona-fide* settler, under a location-ticket or letters-patent from the Crown, may do so, for the purpose of clearing land at any time, except in fire-district number one, between the first day of May and the fifteenth day of September, and, in the other fire-districts, between the first day of July and the first day of September. Fires not to be set in fire-districts during certain time. Exception.

"1353c. It shall be the duty of every railway company, during the construction and the operating of its line through any fire-district, and of every person holding a license to cut timber in any territory included in any fire-district, to place at the disposal of the general superintendent of forest fires, any number he may see fit of their employees for the purpose of aiding in the enforcement of this law ; and the said employees shall be under the sole Railway companies and timber licensees to place men at disposal of superintendent.

Control of such men.

and exclusive control and direction of the said superintendent and be bound to execute his orders.

Pay and expenses of such men.

The salaries and expenses of such employees shall be borne by the railway company, the licensee and the Commissioner of Crown Lands, jointly.

Penalty for refusal to comply with requirements of act.

" **1353d.** Whosoever unlawfully neglects or refuses to comply with the requirements of this law in any manner whatsoever, shall be liable, upon conviction before any justice of the peace, to a penalty not exceeding two hundred dollars, and not less than twenty-five dollars over and above the costs of prosecution, and, in default of payment of such fine and costs, the offender shall be imprisoned in the common gaol for a period not exceeding three months.

When suit to be brought.

" **1353e.** Every action for any contravention of this law shall be commenced within three months immediately following the commission thereof.

Application of fines.

" **1353f.** All fines and penalties imposed and collected under this law shall belong one-half to the prosecutor and one-half to Her Majesty for the public use of this Province.

Powers of justice.

" **1353g.** Any justice of the peace who shall himself view any contravention of this act may arrest the offender or cause him to be arrested without warrant, and impose the penalty therefor without other proof; and, for the purposes of this law, all agents for the sale of Crown lands, all employees of the Department of Crown Lands, all sworn land-surveyors, and all fire and wood-rangers employed by the Department of Crown Lands shall be *ex-officio* justices of the peace.

Civil action for damages not interfered with.

" **1353h.** Nothing in this act shall be held to limit or interfere with the right of any party to bring and maintain a civil action for damages occasioned by fire.

Employment of men to carry out provisions of act.

Appointment of general superintendents.

" **1353i.** The Commissioner of Crown Lands is authorized to employ, between the first day of April and the first day of November, for the purpose of enforcing the provisions of this law, such number of men as he may deem necessary, and, in each fire-district so established, he shall name a general superintendent of forest fires.

R. S., 1354, amended.

**3.** Article 1354 of the said Revised Statutes is amended by adding thereto the words: "or such burning substance."

Coming into force.

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