

24. It shall be lawful for every proprietor of real property, after receiving notice that the Crown intends to purchase such real property for public purposes, within the provision of this Ordinance, to prevent the intended purchase by undertaking to do or not to do, as the case may be, that which the Crown by such purchase intended to do or to prevent being done under the provisions of this Ordinance.

25. Provided that, if after such undertaking the proprietor or occupier of such real property does not carry out his undertaking, the transfer of such real property shall be carried into effect after a peremptory notice, as if no undertaking had been given, and in the manner provided for by this Ordinance. The delay within which an undertaking of the nature aforesaid shall be carried into execution shall be fixed by the Governor in Executive Council, whenever necessary. No further opposition shall be allowed, either by the Governor or by any Court of law, to the conveyance of such real property for public purposes as soon after it has been decided by the Governor in Executive Council, after hearing the parties, on the application of either the owner, occupier, or any person having any real right (*droit réel*) in and upon such real property to be so heard, that the party that had undertaken to do or not to do has failed to discharge his undertaking, and the certificate of the Clerk of Council shall be conclusive evidence both of the decision and of the fact.

#### Schedule C.—Table of Fees.

|   |   |    |    |
|---|---|----|----|
| To the Secretary of the Woods and Forests' Board for a certified copy of a decision or award, per folio of 90 words   | £ | s. | d. |
| ...   | 0 | 0  | 3  |
| For a copy of a case stated for reference to the Supreme Court, per folio of 90 words   | 0 | 0  | 3  |
| Copies of any document produced, or any summons, writ, or warrant, or other process, before the Board, when applied for by one of the parties to the proceedings, per folio of 90 words | 0 | 0  | 3  |
| To the Ushers of the Supreme Court, to serve writs, warrants or summonses, and indorse their returns  | 0 | 2  | 0  |
| To the Usher of the District Courts for the same object   | 0 | 1  | 0  |
| Witnesses shall be entitled to a free passage by railway to attend the Board and to return to the place of abode, and for every mile beyond the lines of railway                        | 0 | 1  | 0  |
| Ushers to receive the same travelling allowances as witnesses.  |   |    |    |

#### Chapter IV.—Mountain Reserves.

42. Mountain reserves shall, subject to the provisions hereinafter enacted, mean and include any portion of ground lying on the slope of a mountain range, and its spurs, within a horizontal distance of 600 feet from the ridge-line, and any portion of ground lying on the slope of a detached mountain within a horizontal distance of 600 feet from its ridge-line, and 600 feet from the ridge-line of any of its spurs, should such exist.

43. The Governor in Executive Council shall, as soon as practicable, buy for public purposes such portions of ground included within the meaning of mountain reserves in terms of article 42 as may have been conceded to private parties. It shall be lawful for the Crown to purchase and include within mountain reserves any land on the slopes of mountains extending even beyond 600 feet from the ridge-line. But until such purchase by the Crown it shall not be lawful even for the private owners of such mountain reserves, except with the express permission of the Governor, to cut down or destroy any live timber or brushwood growing on the sides or slopes of the mountains for the space of two years, to reckon from the date of the promulgation of this Ordinance; and any person offending against this provision shall incur a penalty of not less than £10 and not more than £50 for each offence, besides the costs of the prosecution, and the live timber or brushwood cut down, destroyed, or removed shall in all cases be forfeited.

44. The mountains intended to be reserved in conformity to the provisions of article 43 are those which are enumerated in Schedule A,\* and none other shall be deemed mountains within the meaning of this Ordinance: Provided that it shall be lawful for the Governor in Executive Council from time to time to insert, by Proclamation, in Schedule A, any other mountains, hills, hillocks, or uplands already belonging to or purchased by the Crown, and every mountain, hill, hillock, or upland so proclaimed shall be dealt with from the date of the Proclamation as if the same had now been inserted in Schedule A. It shall be sufficient for the purpose of carrying out this Ordinance to describe any mountain, hill, hillock, upland, or the spurs thereof mentioned in Schedule A by the name given to the same in the said Schedule.

45. It shall be the duty of the Warden of Woods and Forests to plant or cause to be planted all the mountain reserves belonging to the Crown.

46. It shall be unlawful for any one to cut down, destroy, remove, mutilate, lop, or bark any tree on the mountain reserves without the express permission of the Surveyor-General: Provided always that this enactment do not interfere with the rights of private parties that may be the owners of portions of ground included within the term and meaning of mountain reserves.

47. Whosoever shall, without the express permission aforesaid, cut down, destroy, remove, mutilate, lop, or bark any tree on the mountain reserves shall be guilty of an offence, and for the first offence shall incur a penalty not exceeding £20, and for the second or any subsequent offence a penalty not less than £10 and not exceeding £50, in addition in any case to the value of the trees cut down, destroyed, removed, mutilated, lopped, or barked, or imprisonment not exceeding one month; but this provision shall not apply to the owners of mountain reserves who have not parted with their rights.

48. It shall be the duty of the Surveyor-General, after giving notice in the Government Gazette of his intention to fix the boundaries of mountain reserves on each particular mountain, to fix and determine the boundaries of mountain reserves, including the portions of ground belonging to the Crown, and those that belong to private parties, but distinguishing public from private property.

\* Not printed.