

1937

c 162 Industrial and Mining Lands Compensation Act

Ontario

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CHAPTER 162.

The Industrial and Mining Lands Compensation Act.

1. It shall be lawful for any owner or operator of a mine, industry or factory or works in connection therewith, or any person contemplating acquiring or operating a mine, factory, industry or works, to make an agreement with the owner or lessee of any land for payment to the owner or lessee of the land of compensation for any damage or injury resulting or likely to result to the land or to its use and enjoyment from the operation of the mine, industry, factory or works in connection therewith. R.S.O. 1927, c. 147, s. 1.

Agreement
for com-
pensation

2. Such agreement shall, if so expressed therein, bind and enure to the benefit of the heirs, executors, administrators and assigns, or the successors and assigns of the parties thereto, and may relate not only to a mine, industry, factory or works in connection therewith then in operation, but may also relate to any mine, industry, factory or works in connection therewith which may thereafter be established by the party paying the compensation, within a specified area, even though the land upon which the mine, industry, factory or works in connection therewith is thereafter operated is not at the time owned or leased by the party making the compensation. R.S.O. 1927, c. 147, s. 2.

Effect and
extent of
operation of
agreement.

3. Where the land in respect of which the agreement is made is not under *The Land Titles Act*, the agreement shall be registered, and where such land is under *The Land Titles Act*, an original of the agreement, with proof of the due execution thereof, shall be lodged with the proper master of titles, who shall enter shortly the particulars thereof in the register of the title of the parcel of land on which the burden is imposed, with a note referring to this enactment, and any subsequent agreement cancelling any agreement so registered or lodged, shall in like manner be registered or lodged as the case may be. R.S.O. 1927, c. 147, s. 3.

Registra-
tion of
agreement.
Rev. Stat.
c. 174.

4. The payment of compensation under such agreement shall afford a complete answer to any action which may be brought for damages or for an injunction in respect of any matter for which compensation has been made. R.S.O. 1927, c. 147, s. 4.

Payment of
compensa-
tion to
be an
answer to
action.