

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 859
SENATE BILL 820

AN ACT TO AUTHORIZE THE LEVY OF PUNITIVE DAMAGES AGAINST ANY PERSON, FIRM, OR CORPORATION THAT WILLFULLY OR NEGLIGENTLY BURNS ANOTHER'S TIMBER.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-539.1 is hereby rewritten to read as follows:

"§ 1-539.1. Damages for unlawful cutting or removal of timber; misrepresentation of property lines. — (a) Any person, firm or corporation not being the bona fide owner thereof or agent of the owner who shall without the consent and permission of the bona fide owner enter upon the land of another and injure, cut or remove any valuable wood, timber, shrub or tree therefrom, shall be liable to the owner of said land for double the value of such wood, timber, shrubs or trees so injured, cut or removed.

(b) If any person, firm or corporation shall willfully and intentionally set on fire, or cause to be set on fire, in any manner whatever, any valuable wood, timber or trees on the lands of another, such person, firm or corporation shall be liable to the owner of said lands for double the value of such wood, timber or trees damaged or destroyed thereby.

(c) Any person, firm or corporation cutting timber under contract and incurring damages as provided in subsection (a) of this section as a result of a misrepresentation of property lines by the party letting the contract shall be entitled to reimbursement from the party letting the contract for damages incurred."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 30th day of June, 1977.