

# SALE OF TIMBER LICENSES

CROWN LAND OFFICE, Fredericton, N. B., 3rd September, 1919

There will be sold at the Crown Land Office on Wednesday, the 17th of September, 1919, beginning at 2 o'clock, Daylight Saving Time, the right to cut and carry away all classes of merchantable lumber on the lands described below.

For further information, plans, etc., apply to the Deputy Minister, Department of Lands and Mines, Fredericton, N. B.

## TIMBER REGULATIONS GOVERNING THIS SALE.

1. Berths will be sold on a basis of stumpage values, the upset prices to be announced at the commencement of the sale. The stumpage on spruce, fir, pine and cedar will be the standard and upon which bids will be received. The stumpage on other lumber will be proportioned as follows:

Hemlock, four-fifths.

Hardwood, one-half

Poplar, three-quarters.

of that paid on spruce, fir, pine and cedar. The stumpage on railway ties will remain at 12 cents each, irrespective of grades. The stumpage on other lumber not enumerated here will be in proportionate value to above.

2. Licenses to run for a period of two logging seasons ending first August, 1921.

3. There will be no charge of any kind against a license excepting the payment of stumpage. There will be no mileage or fire protection tax exacted.

4. A deposit will be paid on each berth, when knocked down at the sale, of ten per cent of the upset value of the stumpage on the estimated stand of merchantable lumber and which deposit will only be available as a credit on the stumpage dues of the logging season 1920-1921.

5. All the lumber cut under this License shall be scaled or taken account of in the usual or customary method of scaling and taking account of lumber for stumpage by some person or persons to be appointed by the Minister of Lands and Mines, to be hereafter termed scalers, who shall return to the Minister of Lands and Mines the quantity cut under this License. The scaler and his assistants are to be boarded and lodged at the expense of the said Licensee, and should such Licensee refuse to board and lodge such scaler or assistants, he or they to report the same to the Minister of Lands and Mines, who may thereupon take such means as he sees fit to provide the said scaler and his assistants with board and lodgings, and the expense thereof shall be paid by the Licensee, and shall, until paid, remain a charge and lien upon all lumber so cut under this License.

6. All Licensees shall, when required, furnish through themselves, their agents and foremen, to such agent or agents as the Minister of Lands and Mines may appoint for that purpose, and at such time and place as such agent or agents may require, satisfactory proof upon oath, as to the exact locality where all the saw logs, timber, trees and other lumber, as provided by this License, in his or their possession, were cut, with the mark or marks thereof, giving the number of pieces and description of saw logs, timber, trees and other lumber cut by themselves and others to their knowledge, upon each of the timber berths held or occupied by him or them respectively, designating what quantity, if any, has been cut on any other lands, describing the same, exhibiting at the same time for the inspection of such agent or agents, if required, the books of accounts and measurement of such logs, timber and other lumber under his or their control respectively, and shall, moreover, furnish such agent or agents all required information and facilities to enable him or them to arrive at a satisfactory determination as to the quantity and description of such saw logs, timber, trees and other lumber made by him or them, or held in his or their possession respectively, on which Government dues are chargeable, and in the event of such agent or agents deeming it expedient to cause such saw logs, timber and other lumber to be counted or measured, such Licensee or occupier of timber berths and his or their agents or foremen, shall, if required, aid and assist in such count or measurement. Where parties cutting under pretence of this License are cutting on granted or private lands as well, parties so cutting shall have two separate and distinct brows, and shall brow what lumber is cut from Licensed Crown Lands in one brow, and what lumber is cut from granted lands in the other brow, and shall mark such logs coming from the Crown Lands with a separate and distinct mark from those coming from granted lands. In the event of the Licensee, or any operator under him, claiming that the Government scaler has not reported a correct amount of lumber as cut from Crown Lands, it shall be incumbent on the Licensee, or any operator under him, to furnish the Minister of Lands and Mines with a sworn statement as to the total quantity of lumber cut, and also of the quantity cut from granted lands. Should such Licensee or occupier, or his or their agents, fail to comply with these conditions, on notice in writing signed by the Minister of Lands and Mines or the Deputy Minister of Lands and Mines, and delivered to said Licensee or his assignee, personally, or mailed to his address, such Licensee shall forfeit all right to his License and the berth and limits shall become vacant.

7. All expenses of the survey of the Timber Berth described in any Timber License, to be borne by the Licensee, and should the Minister of Lands and Mines deem it necessary that the bounds of this License should be determined, the Licensee shall employ at his own expense a Deputy Land Surveyor to make such survey, and failure to do so on the request of the Minister of Lands and Mines shall cause the License to be cancelled. Before any survey of this License is made, the Licensee shall obtain from the Minister of Lands and Mines an order to some duly deputized Crown Land Surveyor to survey such License, and no survey of any License shall be made without such order, and such survey must be made in strict accordance with such instructions as may be given by the Minister of Lands and Mines. Immediately after the completion of such survey, the Deputy Crown Land Surveyor employed shall file in the office of the Minister of Lands and Mines a complete plan of such survey, with all necessary field notes of same.

8. All logs, timber, trees or other lumber as aforesaid cut upon unlicensed Crown Lands, or which may be cut by any person beyond the limits of his own berth, shall be seized and forfeited to the use of the Crown, or a penalty charged at the rate of ten dollars per M. superficial feet. Until it shall have been purchased at public auction, no timber or lumber shall be cut on any berth applied for.

9. No transfers of any Timber Licenses will be accepted at the Crown Land Department except those recommended by the Minister of Lands and Mines, when the fee for making such assignment shall be \$4 per square mile, and which fee shall be paid to the Provincial Treasurer before such transfer is noted in the Crown Land Office.

10. Until the stumpage is paid or arranged for in the manner provided for by these regulations, all logs or other lumber cut within the limits of any License shall be and remain the property of the Crown, and in no case shall be removed from the berth or brows until payment or security therefor is given to the satisfaction of the Minister of Lands and Mines or his Deputy.

11. Any logs or other lumber cut within the limits of any License by any trespasser, shall, as between the trespasser and Licensee, be deemed the property of the Licensee, and as between the Licensee and the Crown shall be liable to the rates of stumpage payable by the terms of such License, shall be dealt with in the same manner as if the said Licensee, his executors, administrators and assigns, has actually himself or themselves cut the same, and shall be the property of the Crown until the stumpage is paid or arranged, and shall not be removed until this is done. And the Licensee shall pay or secure the stumpage of any logs or other lumber cut by any trespasser, and may, if he sees fit, bring an action for trespass, trover or replevin, for such trespass-cut logs or other lumber, for his own benefit and behoof.

12. Should the Licensee or his assigns fail to pay or arrange the stumpage payable in respect to any logs, timber or other lumber as aforesaid, cut within the limits of any License at the time by these regulations specified, the Crown shall have the right and power to seize and sell by public auction, for cash, the whole or any part of such logs, timber or other lumber, or anything made therefrom, and the Licensee or his assigns shall be entitled to any balance after deducting stumpage at the rate payable by the License, and all expenses of seizure and sale; and in addition to such failure in the payment of stumpage, the Minister of Lands and Mines may advertise and offer for sale any and all timber licenses standing in the name of such Licensee or his assigns, until such stumpage dues are satisfied, or shall have the right to absolutely cancel such Licenses.