

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.

13. All sums payable on stumpage due shall be paid in cash, to the Provincial Treasurer, Fredericton, on or before the first day of August next, after the cutting of lumber on which such stumpage is due; provided, however, that in all cases where the Minister of Lands and Mines may deem advisable, payments of amounts due may be exacted at any time. Interest will be charged on all overdue accounts.

14. All Timber Licenses shall be subject to the right of the Lieutenant-Governor-in-Council to increase the mileage on Licenses and the stumpage on all classes of lumber when deemed expedient, on due notice thereof being given in the Royal Gazette, such increase to take effect at and after the date of the next following annual renewal, and also to any further regulations that may be made by order of the Lieutenant-Governor-in-Council, for the purpose of expeditiously enforcing the payment or adjustment of stumpage on any logs or other lumber cut within the limit described in any License or otherwise, giving effect to or enforcing the conditions of the License.

15. If any logs or other lumber are removed from the berths or brows without the consent of the Inspector of Scalers, or without the mark which has been furnished to him, all such lumber shall be forfeited and the Licenses cancelled.

16. No sound buttressed tree smaller than the following diameters measured inside the bark, at a point not less than twelve inches from the ground, shall be cut by any Licensee:

Spruce, Red and White Pine—not less than 12 inches.

Princess or Jack Pine—not less than 10 inches.

Fir—no diameter limit.

If any trees shall be cut in contravention of this regulation, the same may be forfeited or a penalty exacted of fifty cents per tree, in addition to the regular stumpage. All sound buttressed trees shall be sawn down as low as possible, and never higher than sixteen inches from the ground, regardless of snow conditions. A penalty of twenty-five cents per tree will be charged for all trees cut contrary to this regulation, in addition to regular stumpage. All lumber shall be taken out of a tree up to a top of six inches in diameter for spruce, except in a very bushy top, when seven inches will be allowed; white and red pine, seven inches; fir, six inches. A penalty of \$10 per thousand feet will be exacted on all lumber left in the woods in contravention of this regulation.

17. As a protection to the Government against lands being held under License for speculative purposes, and not operated on, all Licensees shall make such operations annually on the lands held by them under License as may be deemed reasonable to the Minister of Lands and Mines, and the Minister of Lands and Mines shall have the power to call upon any Licensee to cut an amount equal to at least ten (10) M superficial feet of lumber for each square mile of licensed land held by him, and may require that such operation or cut shall be made on such blocks of timber lands held by the Licensee as the Minister of Lands and Mines may determine or direct. Should the Licensee prefer to pay the stumpage that would be due on such quantity of lumber at 10 M superficial feet per mile, instead of making the required operation or cut, he shall have the right to do so in any year, on his notifying the Minister of Lands and Mines to that effect, and obtaining his consent thereto; and such charge in lieu of stumpage shall be payable on or before the first day of August. On failure of the Licensee to comply with any of the foregoing conditions, the Licenses shall be forfeited and the berths held under them shall become vacant, and be open for application by any other person.

18. If the Licensee has any objection to the scale of the Government Scaler, such objection must be made before the lumber in question leaves the brow or landing, so that the objection may be investigated before the logs or lumber are driven, otherwise no subsequent claim for overcharge of stumpage can be entertained by the Government.

19. Licensees who have paid their stumpage dues in full and have fully complied with all the conditions of their Licenses, on or before the first day of August in each year, shall be entitled to annual renewals for such parts of the ground held by them as may at the first day of July in each year be vacant and unapplied for, on payment of the mileage thereon at the rate of eight dollars (\$8.00) per square mile, payable on or before the first day of August in each year. That no renewal mileage on Licenses shall be received unless all stumpage dues have been fully paid as before provided; also provided, that no License shall be reckoned at less than two square miles.

20. Should any Licensee fail to renew any Timber License held by him on or before the first day of August in each year, the berths or limits covered by any such unrenovated License shall be vacant and open for application by any other person.

21. In cutting sleepers or railway ties, the operator must put some distinguishing mark on each sleeper or tie, and such marks so to be used shall be furnished to the Deputy Minister of Lands and Mines in each year, before the operation is commenced; otherwise any sleepers or ties cut by any operator shall be subject to a stumpage of 25 cents each.

22. Any person indebted to the Crown Land Department for any sums as stumpage dues shall be debarred from making any application for a Timber License, from bidding on the sale of any Timber License, or from having any Timber License issued to him by transfer or otherwise.

23. The saw will be used in felling trees and in cutting them into log lengths. If any logs are cut down with an axe their length for scaling shall be from point to point of scarf, being the extreme length of the log. Six inches will be the maximum allowance for trimming, but if exceeded the scaler will include in his scale the next foot above in length. A penalty of \$10 per M will be charged on spruce and pine used as skids in the building of roads, bridges, etc., where other species are available, also all lodged trees left in the woods. The lower limbs of every fallen tree shall be lopped off, so that the top will lie flat on the ground to rot.

24. No portable saw mill will be set up on Crown Land without first obtaining a License from the Crown Land Department.

25. This License to be subject to "The Manufacturing Condition," as authorized by Section 1 of Schedule "A" of Chapter X, 1 George V., as amended by Chapter 20, 5 George V., 1918.

26. The Licensee shall have the right to cut and carry away all merchantable lumber upon lots that may have been surveyed within the boundaries of the License, and that have been applied for under the Labour Act, for the space of one logging season immediately after such application has been "approved" in the Royal Gazette, and should such lot or lots be "approved" after the first of December, the Licensee shall have one year from the first of August next following to remove such merchantable lumber.

27. Permission is granted to the Licensee to cut and carry away all blown down lumber, burnt lumber and trees affected by the spruce budworm, all irrespective of size; provided the operations are conducted under the Forest Engineer of the district, who will first give his permission to cut such lumber. And where the lumber is only partially destroyed by such fire, or where trees are blown down, he may call upon the Licensee to remove the whole or any part of such burnt or blown down lumber