

ants 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 timber so cut under the License. If the Licensee has any objection to the scale of such scaler, such objection must be made before the timber in question leaves the brow or landing so that the objection may be investigated before the timber is driven, otherwise no subsequent claim for overcharge of stumps can be entertained by the Government. If any timber is removed from the berths or brows without the consent of the Inspector of Scalers or without the mark which has been furnished to him, or if any timber is delivered in a stream or lake where it is liable to float down before being scaled by the Government scaler, all such timber shall be subject to a penalty of double stumps.

4. The Licensee shall, when required, furnish to such agents as the Minister of Lands and Mines may appoint for that purpose and at such time and place as such agents may require, satisfactory proof upon oath as to the exact locality where all the timber in the possession of the Licensee was cut, with the mark or marks thereon, giving the number of pieces and description of the timber cut by the Licensee and others to his knowledge upon each of the timber berths held by the Licensee, designating what quantity, if any, has been cut on any other lands, describing the same, and exhibiting at the same time for the inspection of any such agent, if required, the books of account and measurement of such timber under the control of the Licensee and shall moreover furnish to any such agent all required information and facilities to enable him to arrive at a satisfactory determination as to the quantity and description of the timber cut by the Licensee or others to his knowledge or held in the possession of the Licensee or said others on which Government dues are chargeable. In the event of any such agent of the Department of Lands and Mines deeming it expedient to cause such timber to be counted or measured, the Licensee shall, if required, aid and assist in such count or measurement. Where parties cutting under pretense of any License are cutting on granted lands as well, they shall have two separate and distinct brows and shall brow the timber cut from Crown Lands in one brow and the timber cut from the granted lands in the other brow, and shall mark such timber coming from Crown Lands with a separate and distinct mark from the timber coming from granted lands. Should the Licensee fail to comply with any of the foregoing conditions, the Minister of Lands and Mines may estimate the amount of timber cut by the Licensee and others to his knowledge upon the timber berths held by the Licensee and require payment of double stumps on such estimated amount. In the event of the Licensee or any operator under him claiming that the Government scaler has not reported a correct amount of timber as cut from Crown Lands, it shall be incumbent on the Licensee or the operator under him, as the case may be, to furnish the Minister of Lands and Mines with a sworn statement as to the total quantity of timber cut and also of the quantity cut from granted lands. All timber 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 double stumps charged. For railway ties cut in trespass a charge of 25 cents each shall be made.

5. Any timber cut within the limits of any License or any trespasser shall, as between the trespasser and the Licensee, be deemed the property of the Licensee, and as between the Licensee and the Crown shall be liable to the rates of stumps payable by the terms of such License, shall be dealt with in the same manner as if the Licensee had cut the same, and shall be the property of the Crown until the stumps is paid or arranged, and shall not be removed until this is done. The Licensee may, if he sees fit, bring an action for trespass,

trover or replevin from such trespass-cut timber for his own benefit and behoof.

6. Except with the authorization of the Minister of Lands and Mines, no sound butted spruce or red or white pine, smaller than 12 inches in diameter or jack pine smaller than 10 inches in diameter or yellow birch, smaller than 14 inches in diameter, measured inside the bark at a point not less than 12 inches from the ground, shall be cut by any Licensee and all sound butted trees shall be sawn down as low as possible and never higher than 16 inches from the ground, regardless of snow conditions. 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 stumps. The Minister of Lands and Mines may, in cases where in his judgment good forestry practice permits, authorize cutting to lower diameters. Permits issued by the authority of the Minister to cut undersized trees on barren lands or thickets will pay the ordinary stumps rate with the addition of an amount not to exceed fifty cents per thousand for cost of supervision. All wood shall be taken out of a tree up to a top of 6 inches in diameter for spruce, except in a very bushy top 7 inches will be allowed, to 7 inches for white and red pine, to 6 inches for fir and to 9 inches for yellow birch. A penalty of ten dollars per thousand feet will be exacted on all timber left in the woods in contravention of this regulation. The saw will, except where impracticable, be used in felling trees and cutting them into log lengths. If any trees 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 ten dollars per M will be charged on spruce and pine used as skids in the building of roads, bridges, etc. and left in the woods, where other species are available, also on the 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. Sleepers or railway ties shall be marked by some distinguishing mark, and 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 shall be subject to a stumps of 25 cents each. Ties cut and hauled to the railway or stream shall be piled in a suitable manner where they can be counted. A space of three feet must be allowed between every other two tiers. Pulpwood shall be placed in piles of one cord or more.

7. The Licensee shall have the right to cut and carry away all merchantable timber, except as hereinafter provided upon lots that may have been surveyed within the boundaries of the license, and that have been approved under the provisions of Section 57 to 65 of Chapter 30 of the Revised Statutes, 1927, for the space of one logging season immediately after such approval 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 timber; provided that such authority shall not extend to the ten per cent contiguous to and including the clearing of the applicant which is reserved for the applicant; provided also that no under-size permit shall be issued with respect to lots so approved and that a minimum stump diameter limit of twelve inches for spruce and nine inches for fir shall apply to all timber cut from such lots.

8. The Licensee may cut and carry away all blown down, burnt and dead timber and all timber affected by insect or disease, all irrespective of size, provided that notice shall be given the Crown Lands Department before operations are commenced to enable a Forest Ranger to inspect the timber before the same is cut and to report to the Department what percentage, if any, of the area intended to be cut shall be classed

as blown down, burnt or dead or affected by insect or disease, and provided further that the operations shall be conducted under the Forest Ranger of the District.

9. Subject to the provisions of sub-section (1) of Section 22 of Chapter 30 of the Revised Statutes of New Brunswick, 1927, as amended by Chapter 26 of the Acts of 1928, licenses may be assigned by writing signed by the Licensee, and the assigner shall, within reasonable time, give notice of such assignment and its date to the Minister of Lands and Mines, subject to the provisions of said sub-section (1), the assignment shall take effect as of the date upon which approval thereof shall be given by the Minister of Lands and Mines, the fee provided for in said sub-section (1) shall be paid to the Provincial Treasurer before such transfer is noted in the Department of Lands and Mines. No transfer shall be approved until all charges against the license have been paid.

10. All licenses shall be subject to "The Manufacturing Conditions" as authorized by Section 1 of Schedule A to Chapter 30 of the Revised Statutes of New Brunswick, 1927.

11. Licensees shall, on or before the first day of May in each year, file in the Department of Lands and Mines a return showing the kinds and quantities of timber cut by them during the previous logging season in compliance with Sections 14 and 15 of Chapter 30 of the Revised Statute of New Brunswick, 1927.

12. Should the Minister of Lands and Mines deem it necessary that the bounds of any License be determined, the Licensee shall employ, at his own expense, a Deputy Land Surveyor, to make such survey, and if he shall fail to do so on the request of the Minister of Lands and Mines, then the Minister of Lands and Mines may cause such survey to be made and charge the expense thereof to the Licensee. Before any survey of any License shall be 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 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. Any line so surveyed shall not be recognized by the Minister of Lands and Mines until such plan of survey and field notes shall be filed with the Department of Lands and Mines and approved by the Minister.

13. As a protection to the Government against lands being held under License for speculative purposes, and not operated on, all Licensees of Crown Timber Lands, who have not operated on the same or not operated to the extent of at least 10,000 superficial feet of lumber, for each and every square mile of land so held during the term of 12 months, ending with the first day of August in any particular year, shall, on being required so to do by the Minister of Lands and Mines, pay to the Crown a penalty stumps at the current rate imposed for said year, on 10,000 superficial feet of spruce for each and every square mile of Crown Land so held under license and not operated on to the required extent. Such penalty shall be a charge against said license and if not paid the said license may be cancelled. Said penalty is due on the first day of August in each year and is in addition to and entirely distinct from, any stumps which may accrue by reason of future operations, and can never be credited to payments for such operations.

14. Any person indebted to the Department of Lands and Mines for any sums as stumps 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.

15. No saw mill will be set up on