

ORDERS IN COUNCIL

HAVING FORCE OF LAW

IN THE

PROVINCE OF QUEBEC.



HIS HONOR
THE HONORABLE AUGUSTE REAL ANGERS,
Lieutenant-Governor.

QUEBEC:

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Anno Domini, 1888.

ORDERS IN COUNCIL

HAVING FORCE OF LAW

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PROVINCE OF QUEBEC.

EXECUTIVE COUNCIL CHAMBERS.

Quebec, 19th December, 1887.

PRESENT :

His Honor the Lieutenant-Governor in Council.

No. 696.

IT is ordered that the Order in Council, No. 495, of the seventh December, 1886, be amended by adding the following words to the first clause of said Order in Council :

“ But in no case shall this privilege be extended to parties having already given notes remaining still unpaid at this date. ”

GUSTAVE GRENIER,

Clerk Executive Council;

Department of Crown Lands.

EXECUTIVE COUNCIL CHAMBERS.

Quebec, 3rd February, 1888.

PRESENT :

His Honor, the Lieutenant-Governor in Council.

No.-50.

WHEREAS, it was become necessary to revise the regulations now in force relating to the sale and the administration of timber on Crown lands, it is ordered that the following consolidation of the said regulations be approved.

GUSTAVE GRENIER,

Clerk of the Executive Council.



REVISED REGULATIONS.

DEPARTMENT OF CROWN LANDS.

Woods and Forests.

Quebec, 3rd February, 1888.

Revised Regulations respecting the sale and management of Timber on Crown Lands made, modified and approved at various dates, under the authority of Chapter 23 of the Consolidated Statutes of Canada, and Quebec Statutes 36 Vict., Capt. 9, by His Honor the Lieutenant-Governor in Council, and now in force (*vide* Orders in Council of the 21st July and 5th October, 1868 ; 9th August, 1869 ; 29th March, 1870 ; 17th February, 1874 ; 10th July and 5th November, 1880 ; and 6th October, 1886.)

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LIMITS.

1. All timber limits comprised within the unoccupied territory of the Crown, belonging to this Province, shall be sold by public auction ;

And all forfeited berths, whenever deemed advisable, may be offered for sale by public auction to be conducted by an officer of the Crown Lands' Department, or any other person who shall to that end have received instructions from the Commissioner of Crown Lands.

2. Such sales, in both cases, shall be held at the place and in the manner specified in the notice which shall be given in the *Official Gazette*, and in the newspapers to that end specified by an Order in Council, and which shall be published for at least two months previous to the day of sale.

3. Such notice shall contain a description of the limits to be sold, their situation, and the upset price for each, after they shall have been explored and valued approximately by the Department ; and there shall also be deposited in the Crown Lands' Department, or in the Office of the Crown Timber Agent for the locality in which such sale is to take place, a plan of the territory in which such limits and those adjoining them are situated, and such plan shall remain open to public inspection during the whole period which elapses between the publication of the notice and the day fixed for the sale.

LICENSES.

4. Newly acquired licenses and renewals of licenses to cut timber shall be subject to a yearly ground rent charged at the rate of three dollars for each square mile or fraction thereof, embraced within the area they cover ; but no license shall be charged for at less than one square mile of area, nor shall any claim for refund of ground rent over-calculated be entertained after the issue of such license.

5. All timber licenses will expire on the 30th day of April following the date of their issue, but all Licensees who shall have duly complied with the present Regulations, or such as may hereafter receive the sanction of His Honor the Lieutenant-Governor in

Department of Crown Lands.

Council, shall be entitled to the renewal of such licenses, between the 1st day of May and the first day of September inclusive following, provided, no failure, on the part of the Licensee or his representatives, to comply with the requirements of such Regulations has been reported to the Commissioner or to the Crown Timber Agent of the territory.

6. The failure to pay the ground rent on any license not later than the first day of September in each year shall involve the forfeiture of the right to renewal of such license, but the Commissioner may, for reasons deemed sufficient, permit the Licensee to redeem his right to renewal on payment of the ground rent and such other fines and penalties as he, in his discretion, may deem expedient or necessary.

7. On all mineral lands sold or patented after the 17th day of February, 1874, comprised within the territory now under license, or which hereafter may be placed under license, Licensees may, in virtue of said licenses, retain the privilege of cutting the merchantable Pine and Spruce timber growing thereon; but these permits shall finally expire after a period of three years from the date of the issue of Letters Patent for such lands.

TRANSFERS.

8. Transfers of timber berths, or of separate interests therein, with the right to renewal of licenses, when no default exists, may be made in writing, and, if approved by the Commissioner, shall be subject to the payment of a *bonus* at the rate of one dollar per square mile or fraction of a mile in proportion to such interest transferred; such *bonus* shall become payable on the day on which such transfer has been effected, whether or not the full purchase price has been completed at that date, and such transfer shall be valid from the date on which payment was made to the Commissioner or the Crown Timber Agent.

9. All Licensees shall be obliged to notify the Commissioner or Crown Timber Agent of any transfer which they may have effected, as soon as any transaction of the kind may have taken place, and should they fail to give such notification, the Commissioner may rule the forfeiture of such license or licenses comprising the limit or limits so transferred.

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PLEDGES OR CONDITIONAL TRANSFERS.

10. Licensees, in order to enable them to obtain advances necessary to carry on their operations, shall have the right to pledge their limits as security without a *bonus* becoming payable. Such pledge, in order to affect the limit against the debtor, shall be noted on the back of the license by an authorized officer of the Department of Crown Lands. But if the party giving such pledge should fail to perform his obligations towards his creditors, the latter, on establishing the fact to the satisfaction of the Commissioner, may obtain the next renewal in his, her or their name, subject to the payment of the *bonus*, the transfer being then deemed complete.

11. Pledges of timber berths must be in writing, and if not found objectionable by the Commissioner or Crown Timber Agent, shall be valid from the date on which they are deposited in the hands of the latter, but no pledge shall be accepted, while the pledger is in default for non-payment of timber dues.

DUTIES OF LICENSEES AND THEIR EMPLOYEES.

12. All Licensees of timber berths or their representatives shall furnish sworn statements from their foremen, or persons in charge, of the number and description of all pieces of timber, saw-logs and other wood goods cut under their direction, or by others to their knowledge, upon the berths operated by them during the previous season ; also, specifications of measurements, (except such as are to be made by the Supervisor of Cullers or his deputies,) sworn to, at any time after the expiration of the license for that season, but not later than the 1st day of September in each year, by cullers duly qualified, whose engagement with the producer shall not previously have been disapproved by the Crown Timber Agent ; as well as an affidavit in corroboration from the proprietors themselves or their representatives ;—default in any of these requirements will subject the Licensee to the payment of double ground rent before the renewal of the licenses.

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13. In order to an accurate and faithful compliance with the requirements of the preceding section, it shall be obligatory on the foreman of each shanty, or the person acting for him as clerk, to keep a book in which a detailed and true record of the number of pieces of square, waney, boom or dimension timber, saw-logs, or other wood goods, made and hauled on each day during the season, shall be entered and shall be sworn to at the close of such season.

It shall also be obligatory on the culler or his assistant to measure truly and faithfully to the best of his knowledge, and to keep a careful and accurate record of the quantity, quality and dimensions of all timber, saw-logs or other wood goods with which he has to deal, and to see that all cull logs, hollow logs and very uneven logs, for which deductions in the gross contents are asked by him, shall be placed in parcels or lots by themselves, or shall be so indicated apart from the rest, as to be made the subject of special consideration between him and the Forest Ranger, and subject to the approval, by written report, of the latter.

14. All Licensees holding licences for berths that have not been operated on during the previous season shall furnish affidavits to that effect, otherwise their right to renewal of license will be suspended.

15. Parties cutting timber, saw-logs or wood goods of any kind on Crown Lands and failing to haul all the wood in the trees cut down, because it may not appear to have a commercial value, shall include the same in their returns, and the quantity may be estimated and the dues thereon charged and payment enforced or otherwise, subject to the report of the Forest Ranger.

16. All wood goods cut upon limits for which licenses are in suspense shall be considered as having been cut without authority and treated as the Commissioner may direct.

FOREST RANGERS.

17. All Forest Rangers or officers appointed by the Commissioner for the purpose of ascertaining the quantity, quality or dimensions of all wood goods cut on Crown Lands, on lands located

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for settlement or on private lands, shall be afforded every reasonable facility for the performance of their duties by persons operating in the woods; they shall also have access to, and the right to inspect, all books and documents containing information of the kind wanted, shall have the right to inspect the work done, to count and measure the wood goods, to estimate the quantity, if any, that may have been wasted, or that may not have a commercial value, and with reference to section 12, shall see that its requirements by the licensees or their representatives, are carried out in good faith.

THE TARIFF AND ITS MODE OF APPLICATION.

18. Saw-logs, boom timber, dimension timber and all other wood goods intended for sawing, shall be measured as indicated in forms to be supplied by the Department of Crown Lands, the Crown Timber Agent or Forest Ranger, and inserted therein, to be computed into superficial feet Board Measure of one inch in thickness by the following table of contents approved by the Commissioner of Crown Lands; provided always that the Commissioner shall have the power, whenever and wherever, in his discretion, he sees fit, to appoint officers, duly qualified, to be stationed at any saw-mills within the Province, for the purpose of ascertaining and computing, after actual sawing, the contents in Board Measure, and all other particulars pertaining thereto, of all wood goods cut on Crown Lands.

ORDERS

Department of

PROVINCE
TABLE OF CONTENTS, SAW-LOGS, BOOM AND
LENGTH

Diameter in inches.	10 feet.	11 feet.	12 feet.	13 feet.	14 feet.	15 feet.	16 feet.	17 feet.	18 feet.	19 feet.	20 feet.	21 feet.	22 feet.	23 feet.	24 feet.
6	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
7	15	16	18	19	21	22	24	25	27	28	30	31	33	34	36
8	20	22	24	26	28	30	32	34	36	38	40	42	44	46	48
9	28	31	34	37	40	42	45	48	51	54	57	59	62	65	68
10	37	40	44	48	51	55	59	62	66	70	73	77	81	84	88
11	42	46	50	54	58	62	67	71	75	79	83	87	92	96	100
12	50	55	60	65	70	75	80	85	90	95	100	105	110	115	120
13	62	69	75	81	87	94	100	106	112	119	125	131	137	144	150
14	75	82	90	97	105	112	120	127	135	142	150	157	165	172	180
15	83	92	100	108	117	125	133	142	150	158	167	175	183	192	200
16	100	110	120	130	140	150	160	170	180	190	200	210	220	230	240
17	117	128	140	152	163	175	187	198	210	222	233	245	257	268	280
18	133	147	160	173	187	200	213	227	240	253	267	280	293	307	320
19	154	170	185	200	216	231	247	262	277	293	308	324	339	355	370
20	175	192	210	227	245	262	280	297	315	332	350	367	385	402	420
21	192	211	230	249	268	287	307	326	345	364	383	402	422	441	460
22	217	238	260	282	303	325	347	368	390	412	433	455	477	498	520
23	240	264	288	312	336	360	384	408	432	456	480	504	528	552	576
24	262	289	315	341	367	394	420	446	472	499	525	551	577	604	630
25	283	312	340	368	397	425	453	482	510	538	567	595	623	652	680
26	317	348	380	412	443	475	507	538	570	602	633	665	697	728	760
27	333	367	400	433	467	500	533	567	600	633	667	700	733	767	800
28	362	399	435	471	507	544	580	616	652	689	725	761	797	834	870
29	392	431	470	509	548	587	627	666	705	744	783	822	862	901	940
30	421	463	505	547	589	631	673	715	757	800	842	884	926	968	1010
31	450	495	540	585	630	675	720	765	810	855	900	945	990	1035	1080
32	475	522	570	617	665	712	760	807	855	902	950	997	1045	1092	1140
33	525	577	630	682	735	787	840	892	945	997	1050	1102	1155	1207	1260
34	542	596	650	704	758	812	867	921	975	1029	1083	1137	1192	1246	1300
35	567	623	680	737	793	850	907	963	1020	1077	1133	1190	1247	1303	1360
36	592	651	710	769	828	887	947	1006	1065	1124	1183	1242	1302	1361	1420
37	617	678	740	802	863	925	987	1048	1110	1172	1233	1295	1357	1418	1480
38	650	715	780	845	910	975	1040	1105	1170	1235	1300	1365	1430	1495	1560
39	692	761	830	899	968	1037	1107	1176	1245	1314	1383	1452	1522	1591	1660
40	733	807	880	953	1027	1100	1173	1247	1320	1393	1467	1540	1613	1687	1760
41	758	834	910	986	1062	1137	1213	1289	1365	1441	1517	1592	1668	1744	1820
42	792	871	950	1029	1108	1187	1267	1346	1425	1504	1583	1662	1742	1821	1900
43	833	917	1000	1083	1167	1250	1333	1417	1500	1583	1667	1750	1833	1917	2000

Crown Lands.

OF QUEBEC.

DIMENSION TIMBER IN FEET BOARD MEASURE.

IN FEET.

25 feet.	26 feet.	27 feet.	28 feet.	29 feet.	30 feet.	31 feet.	32 feet.	33 feet.	34 feet.	35 feet.	36 feet.	37 feet.	38 feet.	39 feet.	40 feet.	Diam. in in.
25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	6
37	39	40	42	43	45	46	48	49	51	52	54	55	57	58	60	7
50	52	54	56	58	60	62	64	66	68	70	72	74	76	78	80	8
71	74	76	79	82	85	88	91	93	96	99	102	105	108	111	114	9
92	95	99	103	106	110	114	117	121	125	128	132	136	139	143	147	10
104	108	112	117	121	125	129	133	137	142	146	150	154	158	162	167	11
125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200	12
156	162	169	175	181	187	194	200	206	212	219	225	231	237	244	250	13
187	195	202	210	217	225	232	240	247	255	262	270	277	285	292	300	14
208	217	225	233	242	250	258	267	275	283	292	300	308	317	325	333	15
250	260	270	280	290	300	310	320	330	340	350	360	370	380	390	400	16
292	303	315	327	338	350	362	373	385	397	408	420	432	443	455	467	17
333	347	360	373	387	400	413	427	440	453	467	480	493	507	520	533	18
385	401	416	432	447	462	478	493	509	524	540	555	570	586	601	617	19
437	455	472	490	507	525	542	560	577	595	612	630	647	665	682	700	20
479	498	517	537	556	575	594	613	632	652	671	690	709	728	747	767	21
542	563	585	607	628	650	672	693	715	737	758	780	802	823	845	867	22
600	624	648	672	696	720	744	768	792	816	840	864	888	912	936	960	23
656	682	709	735	761	787	814	840	866	892	919	945	971	997	1024	1050	24
708	737	765	793	822	850	878	907	935	963	992	1020	1048	1077	1105	1133	25
792	822	855	887	918	950	982	1013	1045	1077	1108	1140	1172	1203	1235	1267	26
833	867	900	933	967	1000	1033	1067	1100	1133	1167	1200	1233	1267	1300	1333	27
906	942	979	1015	1051	1087	1124	1160	1196	1232	1269	1305	1341	1377	1414	1450	28
979	1018	1057	1097	1136	1175	1214	1253	1292	1332	1371	1410	1449	1488	1527	1567	29
1052	1094	1136	1178	1220	1262	1305	1347	1389	1431	1473	1515	1557	1599	1641	1683	30
1125	1170	1215	1260	1305	1350	1395	1440	1485	1530	1575	1620	1665	1710	1755	1800	31
1187	1235	1282	1330	1377	1425	1472	1520	1567	1615	1662	1710	1757	1805	1852	1900	32
1312	1365	1417	1470	1522	1575	1627	1680	1732	1785	1837	1890	1942	1995	2047	2100	33
1354	1408	1462	1517	1571	1625	1679	1733	1787	1842	1896	1950	2004	2058	2112	2167	34
1417	1473	1530	1587	1643	1700	1757	1813	1870	1927	1983	2040	2097	2153	2210	2267	35
1479	1538	1597	1657	1716	1775	1834	1893	1952	2012	2071	2130	2189	2248	2307	2367	36
1542	1603	1665	1727	1788	1850	1912	1973	2035	2097	2158	2220	2282	2343	2405	2467	37
1625	1690	1755	1820	1885	1950	2015	2080	2145	2210	2275	2340	2405	2470	2535	2600	38
1729	1798	1867	1937	2006	2075	2144	2213	2282	2352	2421	2490	2559	2628	2697	2767	39
1833	1907	1980	2053	2127	2200	2273	2347	2420	2493	2567	2640	2713	2787	2860	2933	40
1896	1972	2047	2123	2199	2275	2351	2427	2502	2578	2654	2730	2806	2882	2957	3033	41
1979	2058	2137	2217	2296	2375	2454	2533	2612	2692	2771	2850	2929	3008	3087	3167	42
2083	2167	2250	2333	2417	2500	2583	2667	2750	2833	2917	3000	3083	3167	3250	3333	43

Department of Crown Lands.

19. All timber, saw-logs and wood goods of all kinds cut under licenses now in force, or under any licenses which may hereafter be acquired, shall be subject to the payment of the following Crown dues, that is to say :

Oak and Walnut, per cubic foot.....	4 cents ;
Pine, Birch, Basswood, Cedar, Spruce Elm, Ash, Tamarac and all other Square timber, per cubic foot.....	2 cents ;
Pine Saw Logs, boom and dimension timber and all other logs or wood intended for Sawing, except Spruce, Hemlock, Cypress and Balsam, per Standard of 200 feet, Board measure, (equivalent to \$1.30 per thousand feet)	26 cents ;
Spruce, Hemlock, Cypress and Balsam Saw logs, per Stan- dard of 200 feet Board measure, (equivalent to 65 cents per thousand feet).....	13 cents ;
Cordwood, hard, per cord of 128 cubic feet.....	20 cents ;
do soft, do do	10 cents ;
Cedar Rails, not exceeding 12 feet long, per 100.....	30 cents ;
Cedar Pickets, per 100.....	15 cents ;
Rails of other wood than Cedar, and not exceeding 12 feet long, per 100.....	15 cents ;
Pickets of other wood than Cedar, per 100.....	10 cents ;
Cedar and Pine shingles, short, per 1000	10 cents ;
do do do long	15 cents ;
Cedar or other Telegraph, Telephone or Electric Light poles, not exceeding 10 inches in diameter at the butt or larger end, per lineal foot.....	$\frac{1}{4}$ cent ;
Ditto—exceeding 10 inches at the butt, per lineal foot....	$\frac{1}{2}$ cent ;
Railroad Ties of all kinds of wood, each.....	2 cents ;
Hemlock Lathwood, per cord of 128 cubic feet....	20 cents ;
Hemlock Bark, do	32 cents ;
Pine, Cedar, Spruce, Birch or other small logs, not exceed- ing 10 feet in length, nor 10 inches in diameter at the smaller end, for shingles, spools, small board stuff, or paper pulp per cord of 128 cubic feet.....	25 cents ;
Futtocks, Knees, Floors of Birch and other shipbuilding material, and all wood goods not enumerated in the fore- going list, an <i>ad valorem</i> duty on the invoice or bill of sale of.....	10 per cent.

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20. The duties on timber for export shall be charged upon the quantities shown by the specification of measurement at the Office of the Supervisor of Cullers at Quebec, or at the Offices of his deputies, or by other reliable measurement, but when such actual measurement cannot be obtained each stick of White Pine shall be estimated as containing 60 cubic feet, and each stick of Red Pine, or other wood, as containing 30 cubic feet.

PENALTIES.

21. When any Licensee is in default for, or has evaded, the payment of dues to the Crown on any part of his timber, saw-logs or other wood goods, such dues may be levied on any other timber, saw-logs or other wood goods belonging to such defaulter, cut under license, together with the dues thereon.

22. Before moving any raft or parcel of timber, saw logs or other wood goods from the agency in which it has been cut, the owner or person in charge thereof, shall make report to the Crown Timber Agent, making, if required, declaration upon oath, as to the number of pieces of each kind of wood contained therein, as to the means of transportation to be employed to its destination, and, if sold, the name of the purchaser; and, to exempt timber from private lands, if any, from dues as Crown Timber, must furnish satisfactory affidavit stating what lots it was cut upon and how much on each lot,—whereupon he shall obtain a clearance from the Crown Timber Agent stating the number of pieces in the raft or parcel, how many, if any, have been satisfactorily proved to be from private lands, and on how many, if any, the dues have been previously or then paid.

On the arrival of any such raft or parcel at Quebec, Montreal or any intermediate place or port, for sale or shipment, the owner or holder of it shall make report thereof to the Collector of Crown Timber Dues, Crown Timber Agent, or other appointed officer, immediately after its arrival, and in addition to the quantity shown by the clearance as subject to dues, any surplus timber beyond the number of pieces stated therein, on being ascertained by such officer, if not satisfactorily accounted for, shall be held as having been cut upon Crown Lands and be subject to the payment of dues accordingly.

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23. Parties omitting to report the departure of their rafts or other timber from the agency in which they held license or permit, or the arrival thereof at Quebec or Montreal or other port or place, for sale or shipment, within the province as before mentioned, may be refused further license, and be subject to forfeiture of the timber for evasion of regulations as provided in Section 3rd of Cap. 23 of the Consolidated Statutes of Canada.

24. Occupants, grantees or purchasers of public lands, who have not completed all conditions of sales or grants, and who have not obtained patents for such, cutting timber without license, (except for clearing, building or fencing thereon,) or others doing so by their permission, shall be subjected to the penalties established by law for cutting timber without authority.

25. Persons evading or refusing the payment of timber dues or the final settlement of bonds or promissory notes given for the same, or who are in default with the Crown Timber Agent, also persons taking violent possession of disputed ground before obtaining a decision in their favor, and persons refusing to comply with the decision of arbitrators or with the regulations established by Order in Council, or who shall forcibly interrupt surveyors or forest rangers in the discharge of their duty, shall forfeit the right to renewal of license.

26. Dues of all kinds on timber cut under license, remaining unpaid on the 30th November following the season in which it was cut, shall be subject to interest from that date, but without prejudice to the power of the Crown to enforce payment of such outstanding dues at any time the Commissioner may think proper.

REGISTERS, DESCRIPTIONS, FORM OF LICENSE.

27. Crown Timber agents shall keep REGISTERS of all licenses granted or renewed by them, and of all transfers or pledges thereof which, together with their plans of licensed berths and vacant ground, shall be open for public inspection.

28. Timber berths are to be described in new licenses "as not to interfere with prior licenses existing or to be renewed in virtue of regulations" on the date of their first being issued.

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When licenses clash, the one of more recent origin is to give way to that of prior date, computing back to the season it was last acquired at auction or by grant from the Crown: and should any license by error or defects in its descriptions be found evidently incompatible with the intention or regulations under which it was granted, the Commissioner may cause it to be cancelled or amended.

29. Licenses are to be granted in the following form, in duplicate, and the description of each berth is to be written on the back thereof, and is to be dated and signed by the agent as well as the license itself—the duplicate to be kept of record by the Crown Timber agent.

30. Form of License.



NOTICE TO LICENSEES.

The Ground Rent for the renewal of this license must be paid on or before the 1st day of September next, otherwise the Licensee will be subject to the penalties imposed by the Regulations.

Affidavits of the quantity and description of timber cut under each license, and other particulars in accordance with forms supplied by the Crown Timber Office, must be furnished on or before the 1st day of September next.

Clearances from this Office must be obtained for all rafts, parcels of timber or other wood goods before they leave the Agency, and, to exempt from dues any wood goods from private lands that may be comprised in such, affidavits must be furnished stating what lots they were cut upon and how much on each lot.

Crown Timber Agent.

By AUTHORITY of the Consolidated Statutes of Canada, cap. 23,
the Regulations at present in force, and for and in consideration of
the payments made and to be made to HER MAJESTY :

I DO HEREBY GIVE TO _____ and unto
agents and workmen full power and license to cut all timber, saw-
logs and other wood goods described in section 19 of the Regu-

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lations now in force upon the location described on the back hereof and to hold and occupy the said location to the exclusion of all others, except as in hereinafter mentioned from 18 , to the thirtieth day of April, 18 , with the right of conveying away the said timber, saw-logs, or other wood goods so made, through any ungranted or waste lands of the Crown :

And by virtue of this LICENSE, the said Licensee has a right, by the said Provincial statute, to all timber, saw-logs and other wood goods cut by others during the term of this license in trespass on the ground hereby assigned, with full power to seize and recover the same any where within the Province of Quebec :

This license is subject to the following Conditions, viz :

That any person or persons may at all times make and use roads upon and travel over the ground hereby licensed ;

That nothing herein shall prevent any person or persons, authorized to that effect by the Commissioner of Crown Lands or the Commissioner of Public Works from taking standing timber of any kind to be used for the making or repairing of roads or bridges, or for the building or repairing of public works under the control of the Government of this Province ;

That all lots sold or located by the authority of the Commissioner of Crown Lands of this Province prior to the date hereof are to be held as exempted from this license, and lots so sold or located subsequently shall cease to be subject to it after the 30th April following ; and whenever the sales of any such lots shall be cancelled the said lots shall be restored to this license ;

And that persons acting under lawful authority or title within the location hereby licensed shall, not in any way, be interrupted in their clearing and cultivation by the said Licensee or . representatives.

And further, under condition that the said Licensee or representatives shall comply with all regulations that are or may be established by order in Council and shall submit all the timber, saw-logs and other wood goods, cut under this license, to be counted or measured, and settle for the dues chargeable thereon, when required by me or any officer thereunto authorized, otherwise the said timber will be forfeited to the Crown, and the Licensee be subjected to such other penalty or penalties as the act and Regulations provide.

Department of Crown Lands.

Given under my hand, at this
day of , in the year of our Lord on
thousand eight hundred and .
In duplicate

Ground Rent \$

The aboved named Licensee shall be bound on paying the ground rent for the renewal hereof to declare upon oath whether still the *bonâ fide* proprietor of the limit hereby licensed, or whether sold or transferred it or any part of it, or for whom hold it

TRESPASSERS.

31. All persons cutting timber on public lands without authority of license, will be punished as the law provides :

That is; they *will lose their right to the timber* and cost of its manufacture, and parties removing or causing to be removed, or assisting in removing such timber out of the reach of the officers of the Department of Crown Lands subject themselves to a penalty of \$3.00 per tree with costs ;

Persons hindering any officer or agent of the Department of Crown Lands in the discharge of his duty in seizing timber illegally cut, or taking away, or causing to be taken away, any timber seized under chapter 23 of the Consolidated Statutes of Canada are guilty of felony ;

Parties cutting timber on lands purchased by them on pretense of settlement, but really for the purpose of cutting timber, are trespassers as above stated ;

Railway contractors and others cutting timber for railway purposes on public lands and on lands sold but not yet patented, are also trespassers and subject to the same penalties.

32. From and after the date of the present regulations, in cases of timber, saw-logs or other wood goods cut in trespass, in good faith, on public lands, by licensees or other parties, it shall be lawful for the Commissioner to exact in settlement of such wood goods a penalty equivalent to double, triple or quadruple the ordi-

Department of Crown Lands.

nary dues as established by tariff, section 19, according to circumstances, besides costs of seizure and other expenses connected with all investigation into such trespasses.

33. Licensees shall no longer be permitted to cut on Crown Lands, trees of Pine measuring less than 12 inches, nor trees of any other kind less than 9 inches, in diameter at the stump.

34. Dues upon all timber, saw-logs or other wood goods, cut in virtue of license, on territory watered by rivers flowing through the adjoining Provinces and States to the Ocean or the Gulf of Saint Lawrence, must be paid or settled for by accepted notes or bonds before the season of driving said timber commences:—in default of such payment or settlement, the said timber shall be subject to immediate seizure, and may be sold as if cut in trespass.

SQUATTERS.

35. All persons are hereby strictly forbidden, unless they have previously obtained a special authorization to that effect from the Commissioner, or from his agents, to settle, squat, clear or chop on lots in unsurveyed territory, or on surveyed land not yet open for sale, or to cut down any merchantable trees which may be found thereon comprised within the limits of this Province, and forming portion of the locations granted in virtue of licenses for the cutting of timber thereon;—said timber being the exclusive property of the holders of said licenses, who alone have the right to enter actions against any person or persons who may be found violating this order.

SURVEYS.

36. The Crown Timber Agents or any other persons thereunto authorized, shall, at the joint written request of coterminous license holders, issue instructions stating how boundaries of such limits should be run to be in conformity with existing licenses; but these instructions, to be valid, must be submitted to the Commissioner for his sanction.

The surveys shall be performed at the expense of the parties requiring them, and, when completed, the returns thereof including

Department of Crown Lands.

plans and field notes shall be subject to the examination and approval of the Commissioner, and when approved, copies of such plans and field notes will then be delivered to the officer who prepared the instructions, and kept of record in the office whence these instructions issued.

Boundaries so established at the joint request of the parties interested shall be fixed and permanent and shall in no case be altered.

37. If a limit holder refuses to join his neighbor to have the boundaries defined, the party wishing to have the survey made, shall be entitled to have it performed at his own expense, under instructions which shall be furnished to him for that purpose as provided in the foregoing clause.

On the completion of the survey, notice of the same shall be given in writing to the adverse party at his residence or place of business; and if, within one year after such notification, the adverse party shall have made no opposition to the same, in the manner hereinafter prescribed, or if, having done so, such opposition is not maintained, the boundary so surveyed shall be fixed permanently and irrevocably.

But if, within the space of one year from the date of such notice, the adverse party shows that he has sufficient reasons to doubt the exactness of such survey, and deposits in the hands of the Crown Timber Agent such sum of money as that Officer may deem sufficient to cover all the expenses of a new survey, then the Commissioner shall name a surveyor to establish finally the boundary in dispute, and this second survey shall be binding upon the interested parties.

All the expenses shall be borne by the applicant if his objections be not maintained.

If, on the contrary, they be confirmed, and the first survey be declared erroneous, the expenses shall be borne share and share alike by both parties.

38. All limit lines or boundaries, already established in virtue of official instructions, are hereby declared valid and permanent, if a report or field notes, or at least a plan describing such boundaries have been filed of record in the Crown Timber Office of the District in which the limits are situated, and if they have been for five years or more without having been disputed.

Department of Crown Lands.

39. His Honor, the Lieutenant-Governor in Council has the right, at any time and in any manner he may deem expedient or necessary, to modify the tariff respecting timber dues, ground rent and transfer bonus.

ARTHUR TURCOTTE,
Commissioner *ad interim*.

True copy,

GUSTAVE GRENIER,
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBERS.

Quebec, 18th April, 1888.

No. 230.

PRESENT :

His Honor, the Lieutenant-Governor in Council.

HIS HONOR the Lieutenant-Governor has been pleased to order that all holders of timber licenses or permits, who have until now complied and shall hereafter comply with all the requirements of the regulations respecting the administration and sale of timber on Crown Lands, shall have the privilege of renewing their licenses or permits up to the first of September, one thousand nine hundred (1900), at the present rate of ground rent as determined by the Order in Council No. 505 of the sixth October last, (1887), the Government, reserving however the right of modification or increasing from the present day to the date aforesaid (1st September, 1900), the duties on the cutting of timber, in so far as it may deem expedient.

GUSTAVE GRENIER,
Clerk of the Executive Council.

Dept. of Crown Lands and of Attorney General.

EXECUTIVE COUNCIL CHAMBERS.

Quebec, 24th April, 1888.

No. 249.

PRESENT :

His Honor, the Lieutenant-Governor in Council.

WHEREAS it is necessary to amend the Order in Council No. 230 of the eighteenth April instant (1888) ; IT IS ORDERED that the duties to be imposed on all timber cut under license, as defined by the Order in Council No. 505 of the sixth October last (1887), be not increased until the first of September, one thousand nine hundred (1900), the Government reserving however the privilege of altering the table giving the contents of saw-logs in board measure whenever it may deem advisable.

GUSTAVE GRENIER,

Clerk of of the Executive Council.

EXECUTIVE COUNCIL CHAMBERS.

Quebec, 9th March, 1888.

No. 152.

PRESENT :

His Honor, the Lieutenant-Governor in Council.

WHEREAS by the acts 34 Vict., chap. 4,—47 Vict., chap. 8,—48 Vict., chap. 23 and 49-50 Victoria, chap. 18, which amend article 1053 of the Code of Civil Procedure, suits for over one hundred dollars at the *chef-lieu* of each judicial district of the Province have been withdrawn from the jurisdiction of the Circuit Court, and transfered to the Superior Court, and WHEREAS, in consequence of the above statutory provisions, the tariff of fees of the prothonotaries of the Superior Court, on the proceedings made in the said suits, and the taxes or dues payable on the said proceedings, pursuant to the Orders in Council now in force, have become applicable to the aforesaid suits, and it is advisable to modify the tariff and the Orders in Council aforesaid in such a way as not to increase the expenses in such matters.

Department of Attorney General.

IT IS ORDERED, that the tariff of fees made and promulgated by Order in Council of the 20th January, 1879, for appealable suits and cases, heretofore under the jurisdiction of the Circuit Court, be henceforward the tariff of fees payable to the prothonotaries of the Superior Court upon the suits transferred, as aforesaid, to the jurisdiction, of the Superior Court, at the *chef-lieu* of any judicial district of the Province, and that the dues or taxes payable pursuant to the Orders in Council now in force, on proceedings in the said appealable suits, heretofore under the jurisdiction of the Circuit Court, be henceforward the dues and taxes payable on the said proceedings in the Superior Court, at the *chef-lieu* of each judicial district of the Province.

GUSTAVE GRENIER,

Clerk of the Executive Council.

ANALYTICAL AND ALPHABETICAL

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