

Revocations under sec. 20 of said act to effect a complete forfeiture of the lands.

9. Whenever, under the twentieth section of the said act, the commissioner of crown lands shall cancel any sale, grant, location, lease or license, such cancelling shall effect a full and complete forfeiture of all moneys paid by the purchaser, grantee, occupant or lessee, whether in part or full payment, or for any expenses or improvements made; but the said commissioner may, in all such cases, grant such compensation or indemnity as he may consider just and equitable.

Proviso.

Provided that, whenever a location ticket shall have been cancelled, notice thereof shall be given in the *Quebec Official Gazette*, and posted at the door of the church nearest to the lot or lots, the location ticket of which shall have been cancelled; and it shall be lawful for the holder of the said lot or lots within sixty days from the said publication and posting up of the said notice, to appeal to the lieutenant-governor in council, and the commissioner of crown lands shall not dispose of the said lots in favor of any other person, until the said delay is expired or the appeal, if any, is decided.

## C A P. I X .

An Act to make further provisions respecting the sale of Woods and Forests.

[Assented to 24th December, 1872.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Limits to be hereafter sold by auction.

1. From and after the passing of this act, all timber limits comprised within the unoccupied territory of the crown, belonging to this province, shall be sold by public auction.

Time, place and manner of sale.

2. These sales, which shall be conducted by an officer of the crown lands department or any other person, who shall to that end receive instructions from the commissioner of crown lands, shall be held every year, 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 notice shall be published for at least two months previously to the day of sale.

Notice.

What notice shall contain. Plan to be deposited and open for inspection.

3. Such notice shall contain a description of the limits to be sold, their situation, and the upset price fixed 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

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.

4. After the first day of February, eighteen hundred and seventy-three, any settler in good faith, who has bought, either from the crown or from persons holding from the crown, one or more lots of land suitable for settlement, not exceeding in any case two hundred acres in superficies, upon the purchase price of which either he himself or those from whom he holds have paid at least two instalments, who has been residing for at least six months on the said lots and who has fulfilled or is about to fulfil the conditions of settlement requisite to obtain a perfect title as proprietor, may obtain from the commissioner of crown lands a permit to cut all the growing timber upon the said lots; provided the said lots be not included within any territory covered by a license duly issued according to law.

Bona-fide purchasers of lots may obtain permits to cut timber thereon on certain conditions.

5. Upon application made in accordance with form A, hereunto subjoined, permits may be issued in favor of the applicant or applicants by the crown land and timber agents, subject to ratification by the commissioner.

Form of application.

6. Such permits shall be drawn up in conformity with the form B hereunto subjoined, and all the clauses and conditions which are inserted in the same shall be binding in law; and in the event of the holders of such permits failing to fulfil one or more of such clauses and conditions, the commissioner of crown lands, on the recommendation of any crown land agent may cancel the said permits, and may cause the timber cut thereunder to be seized and sold as if the same had been cut in contravention of law and the ordinary regulations.

Form of permit.  
Conditions therein to be binding.

7. All sums paid for timber dues under the authority of such permits shall be placed to the credit of the lots for which they have been granted, until full payment has been made; but any surplus beyond the amount of the purchase money and interest shall belong to the crown.

Sums paid for timber dues to be credited towards payment of price of lot.

8. Whenever a lot or lots so sold, shall have been withdrawn by the fact of such sale from any territory comprised in any ordinary license for cutting timber, the holders of the limit or limits whereof such lots formed part, shall be entitled to purchase the timber cut in virtue of such permits, in preference to all other persons, and the pur-

Holders of limits comprising said lots to have preference in purchasing timber cut on said lots.

chasers of the said lots shall be bound to sell to them, in preference to all other persons.

Timber unlawfully cut near frontier lines may be sold without the usual notice or delay.

**9.** To give more effect to the eleventh section of the act respecting the sale and administration of timber upon public lands, it is hereby declared, that all timber cut without license, at any distance not exceeding ten miles from the international frontier lines of this province, or from the lines which divide it from the neighboring provinces, so soon as it shall have been established that the said timber has been cut unlawfully, and that a due seizure thereof has been made, may be at once sold by the person to that end duly authorized, without his being obliged in regard thereto, to give the notice and delay required in analogous circumstances, for any other part of the province.

Lands may be sold for sugaries without conditions of settlement.

**10.** In virtue of this act all regulations respecting the working of sugaries upon crown lands are repealed, and from and after the first day of February next, the commissioner of crown lands may dispose of lots suitable only for such working, without obliging purchasers to fulfil thereon the conditions of settlement. Such sales, which shall in no case, comprise more than two hundred acres each, shall be made after a special valuation determined upon by the agents, after examination, and at a price which shall not be less than thirty cents and which shall not exceed one dollar per acre.

Commissioner of C. L. may at all times inspect books of any licensee.

**11.** The commissioner of crown lands, or any authorized agent, shall at all times, have free access to, and be permitted to examine the books and memoranda, kept by any licensee, shewing the quantity of lumber in board measure sawn by him from logs cut on his timber berth or berths, and failing to produce such books and memoranda when required so to do, will subject such licensee to a forfeiture of his right to a renewal of his license.

Licenses may haul timber over lands within their limits. Proviso.

**12.** The holders of timber limits shall have the right, during the winter, to haul lumber and provisions across the property of persons holding lands within their limits; provided that they shall be liable to indemnify the owners for any damage they may cause.

Inconsistent enactments repealed.

**13.** It is further enacted that all sections of previous acts relative to the sale and administration of the timber upon crown lands, which are inconsistent with the provisions of this act, are hereby repealed.

## FORM A.

*License to a purchaser of Public Lands subject to actual settlement, to authorise him to cut the timber growing on his lot.*

By authority of the act of the province of Quebec, thirty-eighth Victoria, chapter ,

I do hereby give unto  
and unto his agents and workmen full power and license  
to cut and dispose of all kinds of timber and saw logs upon  
lot, No. in the concession of  
the township of in the county of  
which lot was purchased on the  
day 18 from  
esquire, crown land agent, subject to the con-  
ditions of actual settlement. The said  
to hold and occupy the said lot to the exclusion of all others,  
and this license to remain in force until revoked by the  
commissioner of crown lands.

And by virtue of this license the said  
has right to all timber cut by others in trespass on the said  
lot with full power to seize and recover the same anywhere  
within this Province.

But this license is subject to the following conditions, viz :

That the said shall have been  
an actual settler residing on the said lot for at least six  
months previous to the date of his application for the pre-  
sent license, and that he still resides thereon.

That he shall have built thereon a dwelling house of not  
less than 16 by 20 feet, and that he shall continue to reside  
on the said lot, and continue to clear and put up under  
crop annually the number of acres specified in the condi-  
tions of his purchase from the crown, (if he has not already  
fulfilled the said conditions.)

That the said and his agents and represen-  
tatives shall comply with all regulations that are now  
established or that may hereafter be established by orders  
in council, and that he or they shall make to (1)  
esquire, crown timber agent for the  
territory, on or before the 31st day of May in each year, a  
correct statement under oath of the description, quantity  
and value of lumber which may be cut under this license,  
and shall pay, or cause to be paid to the commissioner of  
crown lands or to his authorized agent, when required, the

value of such lumber, which value shall in no case be less than the dues fixed by the general timber regulations for the time being. Moreover the said \_\_\_\_\_ or his agents or representatives shall submit the said lumber to be counted or measured when required by me or by any other authorized person.

And should the said \_\_\_\_\_ his agent or representatives fail to fulfil any of the above mentioned conditions, the lumber cut under this license shall be forfeited absolutely to the crown, and the said licentiate be subject to such other penalties as the law provides.

Given under my hand, at \_\_\_\_\_  
 this day of \_\_\_\_\_ one  
 thousand eight hundred and seventy \_\_\_\_\_

*Agent.*

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### FORM B.

Application which must be made by purchasers of public lands to obtain a permit to cut timber upon the lots purchased by them.

I do hereby apply for a permit to cut timber on \_\_\_\_\_  
 lot No. \_\_\_\_\_ in the \_\_\_\_\_ range of the  
 township of \_\_\_\_\_ in the county of \_\_\_\_\_  
 and I consent to comply with the regulations of the crown lands office with regard to all the timber which shall be cut upon the lot in question. I do further consent that the value of the woods so to be cut be paid to the commissioner of crown lands or his agents, to be applied in payment of the purchase price of the said lot, (deduction made of all expenses which shall have been incurred by the crown lands office or by its agents in ascertaining the quantity, description and value of such timber, and the extent of the improvements made on the lot,) when I shall have complied with the terms of purchase. In the event of my not complying with the terms of purchase, the value of the timber so cut shall be forfeited by me and confiscated to the profit of the crown.

I do further solemnly swear that I reside actually upon the lot in question, that I have resided upon it since \_\_\_\_\_ and that I have made the following improvements upon it:

