

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1844. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1844.

7 Victoria – Chapter 35

An Act to restrain the provisions of the Fifth Section of an Act, intituled *An Act for the support of the Civil Government in this Province*, and to establish sundry regulations for the future sale and disposal of Timber in certain cases. Passed 13th April 1844.

Whereas in and by the fifth section of an Act made and passed in the eight year of the Reign of his late Majesty King William the Fourth, intituled *An Act for the Support of the Civil Government of this Province*, it was enacted, that all disposals of any of His Majesty's Lands, Woods, Mines and Royalties in this Province, made during the continuance of the said Act, shall be utterly null and void, and of none effect, unless made at Public Auction to the highest bidder: And whereas it has been considered necessary for the purpose of sustaining the Public Revenues, that a Duty should be imposed upon all Timber and Lumber shipped from this Province, in consequence whereof, it is deemed advisable to restrain the operation of the said fifth section in certain cases;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, if they shall see fit, to grant Licenses for cutting and hauling Timber, Logs or other Lumber, immediately on the same being applied for, and to renew the same to the former occupant or occupants, who may have worked the same during the previous year, on his or their making timely application therefor, before the previous License expires, and to grant the same by private Sale on Petition without Public Auction.

II. And be it enacted, in case any two or more persons shall apply on the same day for the same Berth, if the said Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, shall see fit to dispose of the same, that then and in such case it shall be sold by the Surveyor General or his Deputy to the highest bidder, and be competed for between the applicants only, and provided that no such License be granted for a longer term than one year, and not to extend beyond the first day of May after the issuing thereof.

III. And be it enacted, That each and every person to whom License shall be granted under the provisions of this Act, shall at the time of his or their obtaining such License, pay to the Receiver General of Her Majesty's Revenue a fee in ready money on every such License so granted, of not less than ten shillings for each and every square mile of the Land which the limits prescribed in and by the said License shall include, and shall also pay all the necessary expenses for surveying and marking out the ground.

IV. And be it enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, to make and establish such Rules and Regulations as may be by them found necessary

from time to time, and also to carry into effect the intentions of this Act, to prevent trespasses on the Crown Lands, collision between parties, or other difficulties.

V. And be it enacted, That for and during the continuance of this Act, so much of the said Fifth Section of the hereinbefore in part recited Act, as relates to the Sale of Timber and Lumber and other Wood by Auction, be and the same is hereby suspended.

VI. And be it enacted, That this Act shall not come into operation until the first day of May next, and shall then continue and be in force for and during the period of two years from the said first day of May, and no longer.