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A PECULIAR LAND CASE.

MONTREAL, May 27.—The case of the Dominion Land and Colonization Co., of which Lord Dunmore is president, against G. B. Hall et al., was decided to-day by Chief Justice Dorian, in the Court of Appeals. The history of the suit is rather strange. The company is composed of English capitalists, and was formed with the object of bringing out farmers to settle and to cultivate some of the wild lands of the Eastern Townships. An application was made to the Commissioner of Crown Lands for 300,000 acres, to which an answer was received from the Executive Council to the effect that if an incorporation was procured and proof furnished thereof, the Government, by an order-in-Council, would sell to the Company 100,000 acres of land at 60 cents per acre. The conditions were fulfilled, and in 1881 the company paid the first instalment of \$12,000. The contract was duly ratified by the Lieutenant-Governor-in-Council. Almost immediately afterwards the company entered into possession of the lands with the knowledge and sanction of the Crown Lands Department, and on the 9th of May concluded a contract for clearing a large area of the land, upwards of 800 acres, in Whittenton, and for the erection of 40 houses for settlers, as well as for a number of saw mills. One of the conditions upon which the land was sold to the company was that two hundred families should be brought out and settled on the land within three years, but to make way for the Old Country settlers it was discovered that upwards of eighty families would have to be evicted from the land unless they were willing to pay the company \$5 an acre, for which the company had only paid three shillings. The department finding out that in the transaction they had been actually depriving hundreds of Canadians of homes in order to make way for Old Country folk, set to work to endeavor to rectify the result of their error. They offered a different tract of land, so as to prevent the objectment of the families already settled. The company, however, refused to give in an account of their improvements. In the meantime, however, (in December, 1881,) the respondents, J. B. Hall & Co., commenced lumbering operations and began cutting timber on certain portions of the estate owned by the company, who immediately applied for an injunction to restrain Messrs. Hall, which was granted by Mr. Justice Doherty, of Sherbrooke. It appears that previous to the purchase by the company of the land Messrs. Hall had a timber license extending over 20,000 of the 100,000 acres sold to the company in Whittenton, under which they acquired the exclusive right to all timber thereon, with a right of renewing such timber license every twenty years. The license terminated on the 30th of May, and strange to say, although the order-in-Council authorizing the sale to the company was passed on the 7th of April, 1881, the

deputy of the department telegraphed to the local agent, Mr. Patton, to renew the license. The respondents, in answer to the petition for the injunction, plead that the Executive Council had no power to make the grant, and that the order of the Council of the 7th of April, 1881, is *ultra vires*, and is neither a sale or a location, but merely an act of authorization which the Commissioner of Crown Lands could afterwards act upon or not at his own discretion.

In rendering judgment the Chief Justice said that the case hinged upon the question whether the Executive Council had the right to authorize the sale of the land to a company, and if so, had the sale been legally effected by the order-in-Council? The bench was of opinion that the order-in-Council was a thoroughly binding location ticket, and that therefore under it the company's land was exempt from the operations of timber licenses. The judgment of the Lower Court dismissing the application for an injunction was therefore reversed, and the respondents ordered to cease cutting timber from the land. The court intimated that Messrs. Hall had their remedy against the Local Government.

WHITEWOOD AND ITS USES.

In the early days of New York and Philadelphia this wood was extensively used in the construction of houses. It was used for rafters and joists in the upper stories, and was much esteemed for its lightness and strength. As the wood became scarce in the vicinity, pine very naturally took its place. In the Middle, Southern, and Western States, where the tree grows abundantly, it has been, and still is, extensively used, and is considered a good substitute for pine, red cedar, and cypress, and serves well for the interior work of houses as well as for external covering. The panels of doors, wainscots, and mouldings of chimneys are made of the wood, and shingles have been made in some States. These shingles are preferred by some to pine, because they are more durable and not likely to crack from the effects of intense frost and sunshine. Lumber sawed from this tree is used in all the principal cities for the panels of carriages. When perfectly dry they take paint well, and admit of a brilliant polish. It enters largely into coach manufacturing, and is used in cars, waggon-boxes, sleighs, etc. It is particularly applicable to any work requiring soft wood easily worked, and not requiring great strength, especially if wide work is desirable. It was used years ago in large quantities in the manufacture of trunks, which were covered with cloth or skins. Large quantities of tables and bedsteads have been made from this wood. They are usually stained to imitate mahogany. It often enters into the construction of bureaus and general cabinet work, particularly where it is the base for covering with veneer. It has been used also in the interior work of canal boats and steamboats. As it is easily

wrought in the lathe, it is often used for bowls, brush and broom handles, and numerous other articles of turned ware. Farmers construct eating and drinking troughs for their animals of the wood, as it stands long exposure to the weather better than chestnut and butternut. It is used also in bridges in some places. The Indians were wont to make canoes from the big trees, and some of them had room for twenty or more persons. In some parts of the country long lines of fences may be seen that are made of rails of this tree. One-third of the lumber used in making coffins in New York city is whitewood, it being used for the sides and tops. Very large quantities are consumed in the backs and legs of pianos. Furniture manufacturers use it for ebonying, and in parts where great strength is not required. A manufacturer of bungs in New York uses 500,000 feet annually, and it is also used largely in making toys and pumps. It has been used to some extent for flooring, and quite extensively for mouldings and trimmings.

TREE PLANTING.

The following extracts from an appeal to the people to the people of Manitoba by Mr. H. P. Bonney, now of Hamilton, Ont., are well worthy of attention by the farmers of Ontario. We are fast making our country a treeless prairie, and already need to take up the subject of tree-planting in good earnest.

It is now over two years since I first devoted my attention to the subject of tree-planting, and the more I learn of it the more I become convinced of the necessity of some means being taken to get our farmers to take a like interest in arboriculture, and I am sure that as soon as we all lay the matter to heart it will not belong before quite a change for the better in the appearance and climate of our country will take place, and our prairies will be more beautiful both to the eye and feelings than they are at present. Our timber, in fact all the timber of the North American continent, is rapidly being used up. It is not 400 years yet since Columbus first landed at San Salvador, yet in that comparatively short space of time the forests of America have dwindled down to one-fourth their original size, and as our population increases the consumption becomes more rapid, and unless we set to work energetically, and at once, to plant trees, it will not be many years before our forests will be things of the past, and how shall we manage then? We want shelter from such storms as the one that caused such loss of life in the Northwestern States in January, 1873. (Remember that storm passed over Manitoba, too.) We want to see our grain stand up instead of lying down, as it only too often does now-a-days. We want to get rid of our hail storms and check the progress of the insatiable "hopper," and tree-planting is the only remedy for all these evils.

To surround ourselves with trees will make us happier, richer and better for man generally feels a better man when living in the midst of beauty than he does when living in a dull, monotonous plain.

A HIVE OF INDUSTRY

A correspondent writes as follows to the Ottawa Free Press. Taking Ferry's Bridge as a starting point, we pass a strong built edifice containing the gigantic water wheels surrounded by massive stone walls, sending forth from 8,000,000 to 10,000,000 gallons of wholesome pure water to all parts of the city annually. Approaching towards the Chaudiere Falls between the hours of 12 and 1 p.m., we notice a large number of workmen returning to their labor, smoking the proverbial tobacco pipe and whiling away the hour allowed for rest and a day meal. The various mills are now in active operation, those for the manufacture of lumber belonging to the enterprising firms of Messrs. Ferley & Pattee, Bronsons, Baldwins, Booths, and Young, and the flour mills of Messrs. Thos. McKay & Co., and Thompson & Son. The lumber mills, including Eddy's, turning out from 180,000,000 to 200,000,000 feet of lumber annually, with all their surroundings of tram platforms, substantial vehicles, teams, &c., conveying the wooden goods to the piling places ready for shipments, carts drawing away the unmerchantable wood for fuel, altogether presenting a lively, busy scene. Crossing the suspension bridge, where a fine view is obtained of the Chaudiere Falls, the river, and the city of Ottawa in the distance, we enter the town of Hull, where Eddy's extensive lumber mills, match and woodenware factories are situated, with all their surroundings of machine, work shops, etc. This establishment was the first to adopt the electric light system to illuminate and facilitate the night work operations, which has been followed by the proprietors of several other mills in this vicinity. These various mills, factories, foundries, etc., give employment to from 3,000 to 4,000 hands, with a capital invested therein of several million dollars. The above gives but a brief and faint idea of the manufacturing industry of the city, many other mills, etc., being located at different points around the city, but time and space precludes further descriptive details for the present.

The Belleville Intelligencer says that on the night of Thursday, June 1st, about five o'clock the boom above Baker's Island, containing 10,000 of Gilmour's logs, was broken by the wind, and the logs were scattered in all directions. Five thousand of them were secured during the night, and the remainder drifted down the bay. The water in the vicinity of the city next afternoon was covered with floating timber, which interfered with the navigation of the ferry steamer.