

CHAP. 41.

An Act respecting the Export Duties imposed on Lumber
by the Legislature of the Province of New Brunswick.

[Assented to 23rd May, 1873.]

WHEREAS by chapter fifteen, title three, of the Revised Preamble.
Statutes of New Brunswick, amended and made permanent by later Acts of the Legislature of that Province, certain duties of export on lumber shipped therefrom are imposed, the proceeds whereof belong to the said Province, and by section one hundred and twenty-four of "*The British North America Act, 1867*," it is provided that nothing in that Act shall affect the right of New Brunswick to levy the lumber dues imposed by the said Provincial Act or any Act amending it, before or after the Union ; B.N.A. Act.

And whereas, by article XXX of the Treaty of Washington, it is agreed that for the term of years mentioned in article XXXIII, Her Majesty's subjects may carry, in British vessels, without payment of duty,—goods, wares and merchandise from one port or place within the territory of the United States, upon the St. Lawrence, the great lakes and the rivers connecting the same, to another port or place within the territory of the United States as aforesaid, provided that a portion of such transportation is made through the Dominion of Canada by land carriage, and in bond, under such rules and regulations as may be agreed upon between the Government of Her Britannic Majesty and the Government of the United States ; and, by Article XXXI of the said Treaty, it is declared that Her Britannic Majesty further engages to urge upon the Parliament of the Dominion of Canada, and the Legislature of New Brunswick, that no export duty, or other duty, shall be levied on lumber or timber of any kind cut on that portion of the American territory in the State of Maine watered by the River St. John, and its tributaries and floated down that river to the sea, when the same is shipped to the United States from the Province of New Brunswick ; and that in case any such export or other duty continues to be levied after the expiration of one year from the date of the exchange of the ratifications of the said treaty, it is agreed that the Government of the United States may suspend the right of carrying therein before granted under Article XXX of the said Treaty, for such period as such export or other duty may be levied ; Treaty of
Washington
cited.

And whereas, the privilege granted by Article XXX of the said Treaty will be of advantage to Her Majesty's subjects in Canada, and tend to facilitate the commerce of the Dominion with the United States, and it is therefore desirable that such arrangements should be made with the Province of New Brunswick respecting the said export duty on lumber as will prevent the suspension of the said privilege, and with that view to offer to the said Province such fair indemnity as will compensate the
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