

Triplicate

File No. 30155-2



DEPARTMENT OF INDIAN AFFAIRS
CANADA

SURRENDER OF TIMBER

copy

Know all men by these presents, THAT WE, the undersigned Chief and Principal men of the Kootenay Band of Indians, resident of our Reserve at St. Mary's in the district ~~or county~~ of Cranbrook province of British Columbia Dominion of Canada, for and acting on behalf of the whole people of our said Band in Council assembled, do hereby release, remise, surrender, quit claim and yield up unto our SOVEREIGN LORD THE KING, his Heirs and successors forever, ALL AND SINGULAR, the merchantable TIMBER on our Reserve known as Kootenay or St. Mary's in the district ~~or county~~ of Cranbrook province of British Columbia Dominion of Canada, which comprises an area of 17,425 acres, more or less more particularly described as follows: 30 million feet of Pine Timber. F.B.M. which Timber is to be cut and paid for by the Purchaser as follows: The Purchaser covenants to cut not less than 3 million feet per annum, the first three million to be cut in the year 1943. The Purchaser further covenants that, in each and every year thereafter, he will cut not less than 3 million feet per annum until the full amount of 30 million feet shall have been cut and removed from the above mentioned lands. The Purchaser further covenants that, at the end of each year commencing with the year 1943, he will pay to the Department of Indian Affairs at Ottawa the sum of \$3.50 per thousand feet for all Timber cut and removed in that year. One half of the purchase price of the said timber as and when each installment shall be paid, is to be paid to the Indians of the St. Mary's Band British Columbia, the remaining one half to be credited to the St. Marys Indian Trust or Band Fund, for the use and benefit of the said Indians of the said St. Marys Band.

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TO HAVE AND TO HOLD the same unto HIS MAJESTY THE KING, his Heirs and successors forever, IN TRUST to SELL the same to such person or persons, and upon such terms as the Government of the Dominion of Canada may deem most conducive to our welfare, and upon the condition that all moneys received from the sale thereof shall be credited to the funds of our Band, and interest thereon paid to us in the usual manner:

PROVIDED HOWEVER that not exceeding fifty per cent of the moneys derived from the sale of the said TIMBER, shall be distributed to us in accordance with the provisions of Section No. 92 of the Indian Act.

Undated

RG 10, C-11-2, vol. 11069
File/dossier 155/20-7-1-1

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