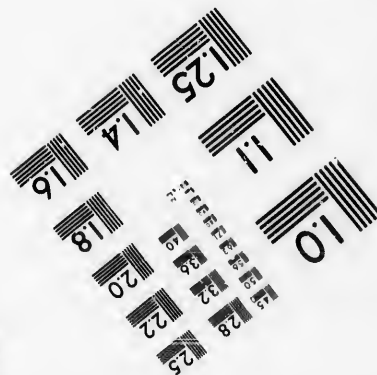
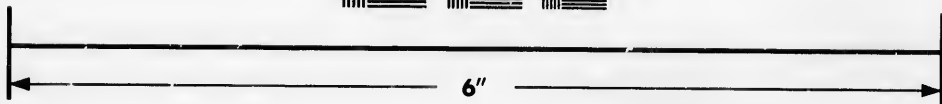
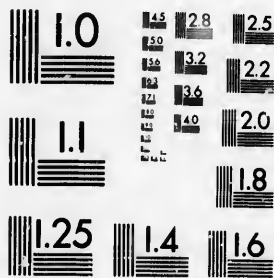
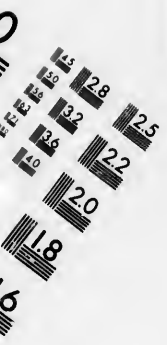


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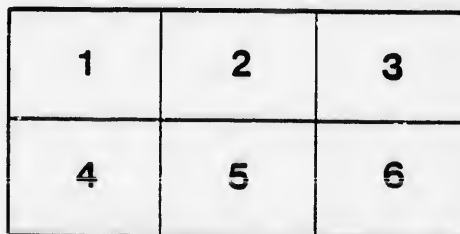
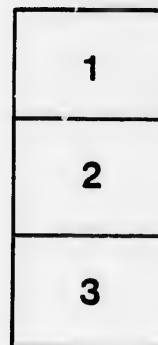
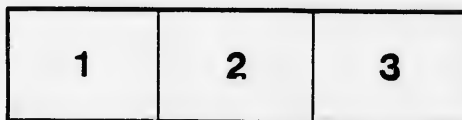
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MANUAL

FOR

Crown Lead and Tinbar

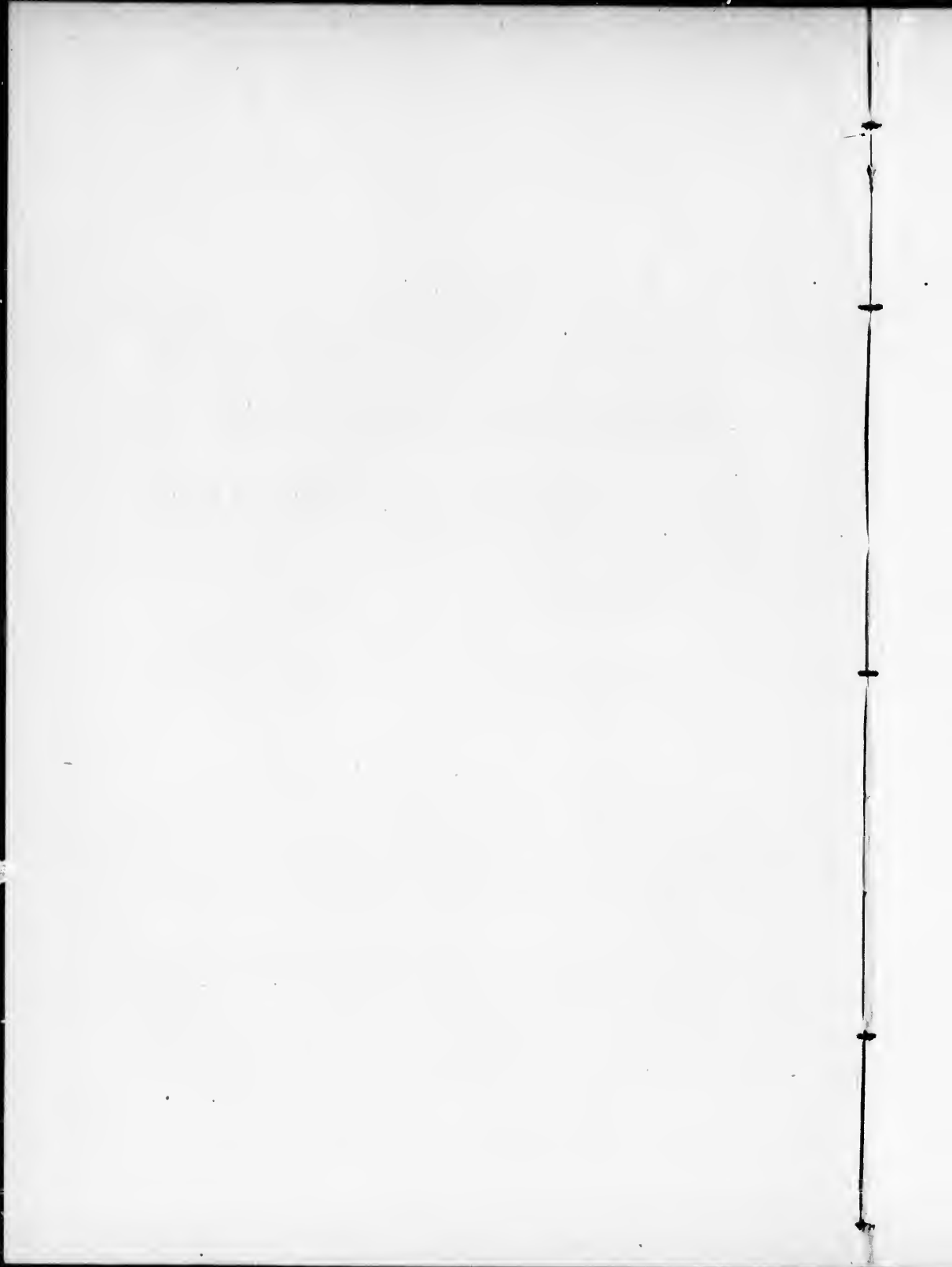
AGENTS

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I specially call the attention of Crown Land and Timber Agents to this Manual, which has been prepared under my directions, to serve as a guide for them in the performance of their duties.

**E. J. FLYNN,**  
*Commissioner of Crown Lands.*

October, 1895.



MANUAL  
FOR  
Crown Land and Timber  
**AGENTS.**

PART FIRST.

**Crown Land Agents**

**Their Duties.**

1. The principal duties of Crown Land Agents are: the selling or leasing of public lands offered for sale, the collection of arrears due the Crown, the settlement of difficulties arising from conflicting claims, the inspection of lands, and the protection of the public domain against all trespass and depredation.

2. Agents are bound to give intending settlers all the information in their power, as regards the regulations respecting the sale of such lands and the advantages as to settlement offered by the lands sought to be purchased: pointing out, for instance, the quality of the soil, the means of communication for reaching the lots applied for, the kinds of timber on them etc. In a word, they must as much as possible, assist those who are *bona fide* desirous of purchasing lots and enable them to obtain their location tickets.

3. The law expressly forbids any direct or indirect understanding between the agents and purchasers, by which the former might derive any benefit from the sale of the lots. It also forbids their accepting any sum of money which might be offered them, for the purpose of allowing purchasers to acquire one or more lots, and it prohibits their speculation in public lands.

Any infringement of this regulation would result in immediate forfeiture of office.



### Agents' Correspondence.

4. In corresponding with the Department of Crown Lands, agents must treat of only one subject in each letter. There must be as many letters as there are subjects. They must, above all, avoid mixing up in the same letter matters relating exclusively to Crown Lands with those relating to Woods and Forests. Although some agents are both land and timber agents, these two branches are entirely distinct, and it is of the greatest importance, in order that no confusion may arise, that each should be the object of a special correspondence.

Agents should urge settlers, who deal with them or with the Department, to follow the same practice in their correspondence.

5. Every letter sent by the Department to agents must be by them entered in a special register, with the date of its receipt, a summary indication of the subject it treats of, and the date of the answer sent to it, if any.

6. Agents must take in a book kept for the purpose a press copy of all letters sent to the Department or to settlers, being careful to enter them in the index of their letter book, in order that they may be easily found when wanted.

7. It is also advisable for agents to keep before them, in pigeon-holes or otherwise, the letters they receive from the Department or from elsewhere. They must, in that case, number and classify the correspondence by months and years, so as to avoid long and difficult search when the letters have to be referred to.

All official communications respecting the Department of Crown Lands must invariably be addressed to the Honourable Commissioner of Crown Lands.

### Agency Books and Reports.

8. The principal books or registers used by each Crown Land Agent are: 1 the land roll (*terrier*); 2 the receipt book; 3 the sales book.

1 Land roll (*terrier*)—This book, which is generally prepared by the officers of the Department of Crown Lands and revised by them, contains a complete list of all the lots offered for sale, in numerical order and with an indication of the range and townships and the superficies in acres of each lot.

2. Receipt book.—When a sale takes place and a payment is made, the agent enters the same in this book, indicating whether it is a first or subsequent instalment, the amount received, the interest, fees, certificates etc., with a recapitulation, at the end of each page, of the amounts received by him during the month. It is from this book, in which the entries must be made with the greatest accuracy and care, that the agent makes up his return of the operations of the month which he has to forward to the Department.

3. The sales book. —When the sale of a lot or part of lot is confirmed by the Department, the agent enters in the book the number of the sale (which number is supplied by the Department), the name of the purchaser, the number of the lot and range, the name of the township, the number of acres and of the instalments paid to him when the lot is not paid for in full.

The agent enters this sales' number in his land-roll in a special column opposite to the number of the lot purchased.

These books are subject to inspection each year.

9. All transactions, whether sales of Crown Lands or clergy lands, or collection of instalments, must be entered in the order of their respective dates, the agent specifying clearly, in the column headed "Description," the special branch or service for which the amount is received, the date of each transaction being inserted in the proper column.

10. The Crown Lands' agent must send in each month to the Department a statement or return of his operations.

The same obligation applies to Crown Timber agents.

11. These statements or returns must be carefully drawn up and the interest, if any, be accurately calculated, showing the number of years and days for which it is charged.

One of the columns of the return must show the total amount of each sale, with the capital and interest as distinct items, and the other columns must respectively specify what proportion of this amount has been paid.

12. In the case of new sales, it is necessary that the names and surnames, the occupation or quality of the purchasers and their residences be entered at length in the return, in order that they may be more readily referred to for the issue of the letters-patent.

13. The agent must not forget that, whenever he receives money, either as a first instalment on the price of a lot or as a subsequent instalment, or even for fees, he must, in his monthly return, always give the name of the person who pays, if it be not the purchaser himself, as well as the name of the latter.

The return must conclude with a general recapitulation of the amounts received during the month.

14. The agent must always send with his monthly return a letter stating that he forwards his return for the month of . . . . .

15. The return may be sent at the end or at the beginning of each month.

16. It is imperative that the return be sent in monthly and any irregularity in this respect may result in the suspension from office or even the dismissal of the agent.

17. This return must be sent to the Department even when no transactions have been effected by the agent. In the latter case he states the fact by writing the word *Nil* on his return.

18. The return must be made in duplicate. One copy is afterwards, after being checked over, sent back to the agent who enters in his books the corrections which the Department has thought proper to make.

### **Receipts and form of Receipts.**

19. When agents receive money, either as a first instalment on the price of a lot or even for subsequent instalments, they must use the printed forms of receipts supplied by the Department.

20. There is a special form (Form No. 1), with one of a series of numbers, when the purchaser of a lot pays a first instalment. The agent fills up this form, indicating the amount of the first instalment paid, the date when he received it, the name of the purchaser, the number of the lot and range and the township, affixes his signature at the foot and hands it to the purchaser or his representatives, after detaching it from the counterfoil or stub to which it is attached, and after having written on this stub all the entries made in the receipt or location ticket given to the purchaser.

21. Another form (No. 2) is used when the agent receives the amount of a second or of subsequent instalments. This form also bears one of a series of numbers corresponding to that on the stub.

22. A third form (No. 3) is used by the agent when payments are made to him for fees, certificates etc.

23. All these forms have on their face a number (one of a series) corresponding to the number on the stub, and the series must never be interrupted or altered for any reason whatsoever.

24. The agent must always keep before him the stubs of the receipts he has given and must further see that each stub, as already stated, bears all the entries written in the receipt which he has remitted or should have remitted.

### **Sale of Lands.**

25. Lots must be sold at the price determined by the Department and according to the extent specified in the lists sent to the agents.

26. Agents can sell 200 acres to one and the same person provided such person be a father of a family. They must however be on their guard against persons who, under fictitious names, endeavour to purchase more than that quantity.

27. They are likewise forbidden by the regulations to sell to persons under sixteen years of age.

28. If the agent has reason to believe, from information he has received, that lots set apart for settlement are sought to be bought solely for the purpose of cutting the timber on them and not for clearing or cultivating them, he must report to the Department before consenting to the sale.

The agent must also avoid selling lots forming part of limits under license on which there is merchantable timber. He must first obtain the authorization of the Department.

29. A lot must always be sold to the applicant who has the most right to it, that is to him who first applies and offers to pay for it.

30. The agent is not obliged to accept an application for the purchase of a lot if it be not accompanied by the first instalment exacted.

31. In the case of these applications for the purchase of lots, especially when several are for the same lot, the agent must act with the greatest care and never let himself be influenced by favouritism.

32. The agent is not authorized to accept parts of instalments when a lot is sold but only complete instalments. He is also forbidden to receive instalments on portions of lots when the latter were not divided at the time of the sale, no subdivision of a sale being permitted.

33. On payment of the first instalment the agent hands the purchaser a location ticket bearing his signature on a printed and numbered form sent him by the Department.

34. The sale of Crown Lands must be strictly limited to the lots offered for sale and set forth in the lists or tables which have already been or may hereafter be published, copies whereof have been or will be supplied to the agents. If special circumstances compel him to depart from this rule the agent must notify the Department.

35. The lots sold are subject generally,—with the exception of sugaries and fire wood lots,—to the conditions of settlement and must be paid in five yearly and equal payments, including interest, which is calculated on such instalment from the day of the sale to the date of payment.

36. In selling a lot and before giving a location ticket, the agent must exact a solemn declaration from the purchaser, stating the latter's

age, the fact that the lot is not occupied and contains no improvements, that he does not buy it merely for the purpose of cutting the timber etc. A printed form of this declaration is handed to each purchaser to be signed by him.

37. All Crown Land and Timber agents are bound to give notice, every month, to holders of timber licenses of all sales of lots included in their limits, or effected in the territory contained in the leases of such license-holders.

38. Crown Land agents, who are not at the same time timber agents, must give the same information to the Crown Timber Agent of their division and the latter must in his turn communicate this information to the license holders.

#### **Lots not Specified.**

39. An agent cannot sell a lot not specified

40. If application is made for such a lot, the intending purchaser must produce a *proces-verbal* of survey with a plan of the portion of the lot which he wishes to purchase. The survey can, however, be made only in accordance with instructions from the Department.

The Department shall subsequently declare at what price and on what conditions the sale can be made.

#### **List of lots for Sale.**

41. A notice, of not less than thirty days, must be given of all lists of Crown Lands advertized for sale, before the expiration of which period no sale can be effected.

42. The agents to whom the Department sends this notice must give as much publicity as possible to the list of lots offered for sale, by distributing them throughout the various townships of their agencies and by posting them up in the most frequented places, such as at churches, court houses etc.

43. Whenever it appears that a lot offered for sale should be struck from the list for future decision, either on account of some special claim or because it contains mines, quarries or other special productions, or because it would be suitable for military purposes or other public works, or because it would be a suitable site for a village, mills or manufactories, or because it is unfit or generally unfit for cultivation, but of some value owing to the timber on it, or, finally, because it has previously been disposed of, the agents are authorized to suspend the sale thereof and to notify the Department, and shall send all necessary information in connection therewith.

### Division and subdivision of Lots.

45. Lots in the townships may be divided or subdivided in one direction or another, provided, however, the extent of each of these divisions be not less than one fourth of the lot divided.

46. When the division of a lot is to be effected—if such division be absolutely necessary—it must be by quarters, thirds, or halves.

47. When there is reason to believe that a lot contains less than the quantity of acres mentioned in the list, the purchaser or party interested must deliver to the agent a *proces-verbal* and plan of survey showing the exact area of such lot: which plan shall be forwarded to the Department to be examined and approved.

48. When lots are occupied by various individuals in irregular portions, it is desirable that the parties come to a mutual understanding between themselves, so that letters patent may be required only for regular half lots.

49. Letters patent for a lot measuring less than 50 acres are subject to a fee of \$4 00 and when the sale is for less than that quantity the fee must be paid with the first instalment.

### Transfers of lots Sold.

50. When a lot changes hands, the agents may themselves, if requested, draw up the deeds of transfer and assignment on the forms supplied by the Department. A fee of fifty cents for each of these deeds must then be paid to them in cash by the party interested and the agent must account for the same to the Department. After being drawn up and signed by the interested parties, the deed or deeds of transfer must be forwarded to the Department for registration, with a fee of one dollar, the price of registration for each transfer.

51. If these various fees be not paid, no action is taken as to the deeds of transfer.

52. Transfers of lots sold must be sent to the Department for registration only after the agent has ascertained that all instalments due and all the registration fees have been paid. He must also ascertain that these transfer deeds contain no charge not acquitted or performed: transfer deeds containing any charge or condition shall be strictly refused for registration. Nevertheless if there be any special reasons of urgency and of public interest, the Commissioner may, on the special report of the agent, decide whether a transfer should be registered.

### **Improvements on Lots.**

53. The purchaser of a lot is obliged to pay the value of the improvements previously made on the lot by the person who occupied or owned it.

54. By "value of the improvements" is meant the actual value of the work done.

55. The refusal of the purchaser to pay the value of the improvements made by the previous occupant or owner, is equivalent to a default in the fulfilment of the conditions. Consequently such refusal would be a sufficient reason for demanding the cancelling of the sale.

56. The valuation of "the improvements or work" may be made by the interested parties or, if they do not agree, by arbitrators chosen by them: or again, on application of the parties to the Department, by the agent or by a forest ranger or by a surveyor, always at the expense of the interested parties.

57. In a great many special cases, the valuation of certain improved lots is left to the Department; nevertheless it is a duty which can be performed only by its agents. In such cases, as the responsibility rests entirely upon the local agents, they must proceed to make such valuation with much attention and prudence, being careful not to favour any one nor to give too high a valuation which might turn away or overcharge the purchasers, or too low a valuation which would reduce the legitimate value of public property.

### **Visiting of townships and inspection of Lands.**

58. Agents are obliged to visit their agency at certain periods of the year. They must not, however, commence such visit before having notified the Department and obtained its sanction.

59. If such sanction be granted, the agents must take advantage of every opportunity which presents itself during the course of the visit to take note of as many lots as possible on which the conditions of settlement have been observed (if the fact has not previously been ascertained or reported). These notes must be entered in the sales of the lots to which they refer, to serve afterwards as data on which the agent bases the certificates of conditions having been fulfilled on such lots, which he will give to those who ask for the same and on payment by them of the sum of \$3.00 for each certificate. This amount must be included in the agent's monthly returns as received on account of public lands. When it is to the knowledge of the agents, without an inspection being necessary, that the settlement conditions have been duly fulfilled on a particular lot, they

must also exact a similar fee in giving the required certificate. They must further take advantage of their visit to take note of the lots sold or under lease which may have been abandoned or on which the settlement conditions have been *bona fide* complied with.

60. As it is necessary that the Department and, particularly, its agents, be in a position to give persons desirous of purchasing public lands, accurate information as to the nature and quality of the land within their agencies, the agents must, in inspecting the lands, classify them on printed tables supplied them for the purpose into the following categories :

1. Lots suitable for farming, divided into three classes : good, average, inferior. The tables contain a column for each of these denominations.
2. Lots which have some value, on account of the timber on them, but are generally not suitable for farming.
3. Lots not suitable for farming and the timber on which is of little value such as fire-wood lots, sngaries, etc.
4. Lots entirely unsuitable for farming and of but little or no value for the timber.

All inspection reports must invariably be made in the form of a table and contain, in the column of remarks, a brief description of each lot, showing its advantages as regards the quality of the soil, the timber on it, its position, proximity of roads, means of communication, etc.

61. In inspecting and valuing the lots reserved for villages and divided into small lots, the agents must be guided, not by the average price of land per acre, but by the special circumstances which have led to these areas of land being set apart and relative to their present conditions and in view of the resources which these lots offer and the objects of their settlement. The improvements made on each of these lots must be the object of a special valuation.

Agents must also take advantage of the visit which they are authorized to make to the various townships of their agency to collect the arrears due on the sale of Crown Lands. They must, to that end, make out accounts in advance which they will deliver to the Crown debtors.

62. If an agent has been entrusted with the duty of making a special inspection in connection with the purchase of lots or of ascertaining whether the conditions of settlement on one or more lots have been fulfilled, he is entitled, to cover his expenses, to a sum of four dollars a day during the whole time he is away from his residence on such inspection. This fee must be paid in advance by the person applying for such inspection and the agent must account for it to the Department.



### Contestations and Claims.

63. Agents must, as far as lies in their power, settle all difficulties and claims relating to public lands and to woods and forests, in accordance with the regulations and practice of the Department

64. They shall forward to the Department a separate report on each of these contestations, together with all papers and documents constituting the proof on which they have based their decision.

65. In cases of contestations which they cannot decide themselves, agents may call for the direct action of the Department, setting forth the facts as they know them, giving at the same time their opinion and indicating the best method to be followed for settling the matter and doing justice to all parties concerned.

66. In certain special cases of important conflicting claims, it may be necessary to have the contestation looked into within as brief a delay as possible. If application be made to the agent, the applicant or applicants must deposit in the hands of that officer a sufficient sum of money to cover the probable cost of such investigation, say an amount of \$4.00 per day while occupied on this special duty. The agent must account to the Department for all moneys so received by him.

67. When none of the interested parties is in a position to pay this deposit in advance, the agent may (provided it be a matter of real urgency and his other important duties do not suffer by it) proceed to hold the investigation asked for: and, in such case, he must in his report, establish what sum is to be charged to cover the expenses against the lot which is the object of the investigation; such amount shall be paid with the following instalment of the purchase price, or before the issuing of letters-patent if the purchase price is paid in full.

68. Any party who considers himself aggrieved by the action of the agent on these conflicting claims, inspections or valuations has the right to have the case re-considered by applying to the Commissioner of Crown Lands. These appeals must, however, be made, as a rule, through the agent, and not be encouraged except in cases of manifest error or injustice.

### Letters Patent.

69. When a settler wishes to obtain letters patent for a lot, the agent must apply for the same to the Department by special letter.

70. The agent must not forget, either, that the letters patent can be issued only when the price of the lot is fully paid and on production of a certificate establishing that the settlement conditions have been fulfilled.

If the agent has not the necessary information to enable him to give his opinion on the two latter points, then an inspection must first be made at the expense of the applicant and such inspection shall be made either by the agent, by a forest ranger or by a surveyor. A report of such inspection shall be sent in to the Department.

71. This certificate of settlement conditions must be signed, either by the agent or by the forest-ranger, by a surveyor or by another person specially authorized by the Department.

### Cancelling of Sales.

72. When the agent recommends the cancelling of the sale of a lot he must in the letter which he sends to the Department (with a printed form) give the reasons for which such cancellation is demanded: that is to say whether it is on account of non-fulfilment of settlement conditions, default of payment, etc.

73. It is understood that the person applying for the cancelling of the sale of a lot must first have the inspection, necessary to establish whether the settlement conditions required by law have been fulfilled, made at his own expense by the agent or forest ranger.

74. As soon as the cancellation of the sale of a lot is advertized in the "Official Gazette" the Crown Lands agent must notify the occupant or purchaser by letter or post card. If this notice can not be given, owing to the absence of the person against whom the cancelling of the sale is solicited, the agent must mention the fact in the certificate which he sends to the Department.

### Squatters.

75. Settlers and all other persons occupying public lands without authority must, when the opportunity offers, be notified that such occupation confers no rights upon them and that the only way in which they can retain the property in question is by purchasing at once.

76. To obviate difficulties which may arise, no lot on which a squatter shall have made considerable improvements, which the agent shall ascertain by himself or by others, can be sold to any one but the squatter himself. If the agent considers that he should act differently he must first notify the Department.

77. If the squatter wishes to purchase the lot on which he is settled, he must pay the occupation rent for the whole time he has occupied the lot, together with the price of the lot by yearly and equal payments.

### Free Grants.

78. When the head of a family of twelve children applies to the agent for a free grant of one hundred acres, the latter shall communicate

with the Department and forward to it all the documents establishing the right of such head of a family to such free grant.

79. If the application of the head of a family is granted by the Department and the choice of the lot has been made, it is the duty of the agent to notify the Department whether the lot is suitable for farming, whether there is merchantable timber on it and, if so, what quantity.

#### Accounts, Claims, etc.

81. All the accounts of agents against the Department must be sent in duplicate and made out separately for each particular expenditure.

82. Accounts for agents' travelling expenses must be made out according to printed form No. 3.

83. Agents must not, in any case, retain out of their receipts any amount whatever for any claim or account which they might have against the Department either for themselves or for others; they must notify the Department and when their claim is annulled, the amount claimed will be put on their credit and a cheque be sent to them in payment thereof.

84. No expenditure will be admitted unless it has been previously authorized by the Department.

85. Postage paid by agents on letters sent to them on official business shall be repaid them. They must therefore send in every three months, at the end of March, June, September and December of each year, a return of the postage so paid by them and the amount paid for each letter. These accounts must be certified. All letters so paid must be preserved in the office and produced, if necessary.

86. Agents must not charge the Department for postage on the letters they send unless they are written by the order or in the interest of the Department or of of the agency.

#### Fire-wood Lots.

87. The agent cannot sell any fire-wood lot without first obtaining authority from the Department. He sends in a special application to the Department and if the latter authorizes him to effect the sale, an inspection of the fire-wood lot which is to be purchased must then be made by the agent, or by a forest-ranger or land surveyor at the expense of the person applying for the lot.

88. From the report sent to it by the agent the Department will determine the price of the fire-wood lot and communicate its decision.

89. The price of fire-wood lots is determined by orders-in-council, copies of which are sent to the agents.

The price is always payable in cash.

PART SECOND

## CROWN TIMBER AGENTS

### The Law.

90. The law governing the administration of woods and forests is contained in section 5, chapter 6, title 4, of the Revised Statutes of Quebec (articles 1309 and following) as amended and in certain orders-in-council, consolidated in 1892 under the title of "Revised Regulations of the Department of Crown Lands, Woods and Forests Branch." Since this consolidation, new orders-in-council have slightly altered these regulations.

91. The first duty of a Crown Timber Agent is to know the law and the regulations. He must make himself familiar with them and note all amendments which may be made to them.

92. Letters or circulars from the Department must also receive special attention from the agent who must keep them together in a special book with an index, so as not to forget the instructions they contain and to follow them.

### The Agent must know his Agency.

93. When he has made himself thoroughly acquainted with the law, the agent will see how necessary it is for him to know his agency well with reference to the timber it contains. He must know the extent of wooded territory it covers, the kinds of timber on it; what part of territory is under timber license and what part is vacant; the lots occupied without title or under location tickets and the circumstances of such lots; whether the settlers are *bona fide* working at their clearings, how much work they have done, etc., the saw-mills in it and the places whence they get their supply of saw-logs.

All this knowledge is necessary to enable him to properly apply the law and the regulations.

### Lumbering Operations.

94. The agent must keep himself posted as to all lumbering operations in his agency. Not a single infringement of the law must be overlooked. The Department relies upon him to see that all the timber cut in his agency be dealt with according to law and that not a single piece of timber subject to stumpage dues be taken off it without his knowledge. The agent must therefore constantly watch over lumbering operations of all kinds, to prevent unlawful operations and collect the dues at the proper time. He must get full reports of all the timber cut in his agency, either

by license-holders, by settlers on their clearings, or in trespass on Crown Lands, to apply the law and regulations as the case may be. He is also supposed to keep himself informed as to the quality, kind, dimensions and destination of the timber, the names of the lumberers, etc. (Art. 17 R.)


### Contraventions and Prosecutions.

95. All timber cut without authority on Crown Lands is subject to seizures and confiscation.

96. When an agent learns that timber has been cut in contravention of the law he must at once notify the trespasser to stop. If the order is obeyed, the agent may allow the timber to be removed on immediate payment of double fees and of the costs incurred for stopping the trespass.

97. If the trespasser persists in cutting timber or refuses to immediately pay double fees and costs, it is the agent's duty to seize the timber and report without delay to the department. (Art. 31, 32, 33 and 34 R.)

### Seizures.

98. Before effecting a seizure, the agent must obtain the affidavit of one or more persons according to Art. 1324 R. S. Q. establishing the fact that a certain quantity of timber has been cut without authority on public lands and describing where the timber is. The seizure is made by marking the timber with the mark . Persons in possession of the timber are notified of the seizure and the removal of the timber is forbidden under penalty of the law.

### Stumpage Dues.

99. All timber is presumed to be subject to stumpage dues until proof to the contrary is adduced.

The agent must notify persons cutting timber in his agency that dues will be charged on each piece of timber found in their possession. To avoid paying the dues, they must establish to his satisfaction that the timber is not cut on public lands, indicate the lots on which it was cut, and state the exact number of pieces of wood cut on each lot or part of a lot. The agent has forms of sworn statements to facilitate this proof.

100. The agent must exact from each person cutting timber in his agency a detailed statement, under oath, of all the timber cut by him or on his account, both under license and otherwise. (Art. 12 and following R.)

101. Whether it be for the purpose of determining the total quantity of timber cut or of distinguishing the timber exempt from dues, it is very important that the agent should obtain without fail these statements and declarations and ascertain their accuracy as far as possible.

**Returns by License-holders— (Arts. 12 and following.)**

102. The better to enable license-holders to account to the agent for all the timber cut, the Department places at their disposal various forms, especially shanty-books, which they must take care to have regularly kept by the foremen or persons in charge of the various lumbering operations. In this book the number of pieces of timber cut is to be entered day by day. At the close of the operations the person having charge of the book must attest its accuracy on oath.

103. It is the strict duty of license-holders to see that these books be kept regularly and sworn to without delay at the end of the lumbering season, and to send them immediately to the agent with the general report of their operations as required by art. 12 and following of the regulations.

104. It must be thoroughly understood that this duty of collecting the shanty-books and handing them over to the agent with all the other accounts and statements required and of complying generally with the provisions of the above articles, devolves upon the lumbermen interested, under all the penalties of the law, and the Crown Timber Agent must make this known to them by all possible means.

105. It is entirely irregular for the forest-rangers of the Department to spend weeks and months in collecting, with great difficulty, these books and sworn statements which the license-holders are the first interested in producing without delay.

106. The agent must therefore, before the opening of the lumbering season, provide himself with all the books and forms which the Department places at the disposal of the lumbermen and make a judicious distribution of the same amongst the license-holders in his agency, calling their attention every time to the obligation imposed on them of keeping these books, of having them sworn to, of collecting and sending them in to the agent as above stated and generally of making all the returns required by law. At the close of the lumbering season the agent must insist upon those in default doing their duty and he must report any neglect or refusal to the Department.

**Forest-Rangers.**

107. For the purpose of obtaining all the information required as to lumbering operations, the Department places at the disposal of the agent forest rangers who are entitled to a certain remuneration *per diem* when they perform their duties. Of course their services are not as a rule required throughout the year, but during the lumbering season and for a longer or shorter period according to the extent of the division under their charge and of the operations they have to watch. (See Instructions to Forest-Rangers.)

108. Strict supervision on the part of the agent is absolutely required in this connection, to avoid unnecessary expense. The agent who

is supposed to know the particular circumstances and requirements of his agency, must employ his forest-rangers with discretion, give them precise instructions, provide them with a list of the lots under patent and of the lots under location-ticket in the division under their charge, etc., with the view of obtaining all the information he needs for drawing up his various reports and generally for applying the law and the regulations. It is therefore for him to choose the proper time for putting them on active service and for recalling them so as to avoid all unnecessary expense on this head.

109. Before putting his forest-rangers on duty, the agent must always come to an understanding with the Department.

#### **Forest-Rangers' Accounts.**

110.—The Department requires that the forest-rangers' accounts be checked and approved by the agent. In fact as the latter has required their services, given the instructions, received the reports on the work and knows the local circumstances, he is better able to check these accounts. The agent must be in a position, if necessary, to justify his approval of accounts.

#### **Agents' Reports.**

##### **GENERAL REMARKS.**

111. As the Crown Timber Agent serves as intermediary for Departmental business with the persons in his agency, he must endeavour to facilitate the settlement of the same. From the information he obtains by himself or through his forest-rangers, he must make out and diligently forward, within the specified time, the various reports which the Department requires him to make.

112. There are very complete forms for all these reports. The agent has to study them and give clear and precise answers to all the questions they contain. All reports are made out in duplicate; the agent keeps a copy of each and classifies them by order of date for reference when necessary.

113. All the columns of figures, the quantities and values, must be added up at the bottom of each page and the amounts carried over to the next page.

All reports must be dated, be signed by the agent, be carefully folded and be endorsed according to the form.

In the case of the transfer of a limit, the name of the person obtaining the transfer is entered in the subsequent reports with mention of the person who has granted the transfer and the date of the same.

#### **Monthly Returns.**

114. These returns must be sent in to the Department within the five days following the end of each month :

FORM 4.—Detailed statement of amounts collected for ground rent and licenses granted during the month.

**FORM 5.**—Return of timber dues collected during the month on the timber of various kinds. This statement also shows the dues accrued and not collected

In the case of timber cut in trespass the amount of ordinary dues is shown in the column of dues, and on the following line the amount of the penalty imposed is entered.

**FORM 8.**—Statement of amounts deposited to the credit of the Commissioner of Crown Lands in the Bank of Montreal or its agencies during the month by the persons whose names figure in the monthly returns and who reside in the vicinity of one of the branches of the Bank of Montreal. These payments must necessarily agree with the amounts entered in the monthly returns. This return is made out only by the agents to whom it applies.

**FORM 5A.**—Return of timber dues collected during the month and applicable under article 1342 R. S. Q., to the payment of the balance of the price of the stulers' lauds on which the timber was cut. This article 1342 reads as follows :

" 1342. No timber dues are to be exacted on any timber cut by settlers on lots regularly acquired by location ticket from the Crown, and which are paid up in full, provided such lots are occupied in good faith and the settlement duties necessary for obtaining letters-patent are performed thereon.

" (b) Timber dues, as fixed by the regulations of the Department, are however exacted on all timber cut, for the purpose of clearing, by settlers residing on lots regularly acquired by location ticket from the Crown and which are not paid for in full, and the proceeds of such dues are imputed upon the balance due in capital and interest upon the price of the lot for which they are paid in, up to the amount of such balance, and the surplus, if any, shall be returned to such settlers, should the Lieutenant-Governor in Council so determine.

" (c) In the case of settlers who have heretofore not taken out their location tickets, but who are occupants in good faith of lots belonging to the Crown, and on which they have performed the settlement duties required before the issue of letters-patent, the Lieutenant-Governor in Council may, in his discretion, impute the timber dues, chargeable on timber cut by such occupants in the process of clearing only, upon the sum due the Crown for the price of such lots and the occupation thereof, and may return the balance of such dues, if any, to such occupants."

To make out this report properly, the agent must be thoroughly acquainted with the law. He must state in the return that all the conditions required for such imputation have been fulfilled and in particular that the timber was cut in the process of clearing and for the purpose of settlement. He must first obtain from his forest-rangers or otherwise all the information he requires for making out this important return accurately.

### Annual Returns.

115 These returns must be sent in to the Department in the first fifteen days of January, except form 4A.

**FORM 1.**—Return of timber licenses granted during the year. This is a compilation of the monthly returns, form 4.

**FORM 2.**—Return showing the quantity of timber of all kinds cut during the year, the amount of dues accrued on such timber, the amount



of dues collected, and the amount of dues accrued and not collected. This is a compilation of the monthly returns, Form 5.

The number of logs remaining in the rivers must be mentioned in a marginal note.

FORM 3.—Return of outstanding timber dues with a statement of the reasons which have prevented their collection.

FORM 3½.—Return of outstanding ground rents

FORM 4A.—Statement of amounts due for ground rents and fire tax on the various limits for the season about to commence. (Art. 4 R.)

This report must be sent in to the Department in the first week of May and the agent must at the same time send the accounts for ground rents and fire tax to the proper persons.

FORM 10.—Return of the limits for which the ground rent has not been paid for the current season, ending the 30th April following the date of the return.

FORM 11.—Return of timber cut, made up from the sworn statements of license-holders in accordance with articles 12 and following of the regulations respecting woods and forests.

This report must be accompanied by the statements in question which are made out in duplicate according to a special form provided by the Department and with which the agent must see that the license holders are supplied in proper time.

#### Special Return.

116. FORM 4½.—A special return made out after every sale of timber berths. It sets forth the limits sold, the price paid, etc., etc.

#### Quarterly Accounts.

117. FORM 6.—The debit side must contain the amount of collections for the quarter according to the monthly returns; the total for each month is sufficient. The agent must also enter in it any other sum he may have received in his capacity of Crown Timber Agent.

On the credit side he must enter the total amount of the bank deposit certificates and the amounts remitted by him to the Department for each month of the quarter.

#### Licenses—(Art. 4 and following R.)

118. The agent makes out the licenses to cut timber on the printed forms which he receives from the Department. He makes out three copies; one for the license-holder, another for the Department and the third for his office. (Art. 30 R.)

119. The agent must obtain special authorization from the Department in order to grant a new license. Every application for a license received by him must be forwarded to the Department.

120. Before renewing licenses already granted, the agent must ascertain that the holders of such licenses have complied with all the require-

ments of the law. If there be any doubt, he must consult the Department.

121. The description of the limit on the back of the license requires particular care. It specifies the ranges and lots in the surveyed townships and it is of the greatest importance that no lot be contained which should not be in it. It is for the purpose of avoiding errors of this kind, the consequences whereof may be very serious, that the Crown Timber agent must keep himself posted as to all sales and cancellations of sales of lots. For that purpose the Crown Land agents must, each month, notify the Crown Timber agent within their respective agencies of the sales of lots made and approved by the Department as well as of the cancellations of sales of lots. The Crown Timber agent on his part is obliged to inform the license-holders of such sales and cancellations and he must, when the licenses are renewed, withdraw or insert such lots, as the case may be, and calculate the superficial area of the limits accordingly.

122. Licenses are numbered according to the order of their issue from the 1st May to the 30th April.

#### Registers of Licenses.

123. The Crown Timber agent must keep a register in which are entered all the licenses issued in his agency with mention of the transfers effected.

This register, as well as the plan of the limits under license and of vacant lots, is open to the public. (Art. 27 R.).

#### Receipt Blanks.

124. The Department supplies the agent with books of receipt blanks which are numbered and have an annex or counter foil. Every receipt given by the agent for timber dues, ground rent, etc., must be numbered and copied on the annex which bears a corresponding number. This book is really a receipt-book which enables the agent to make out his monthly returns to the Department.

#### Making out Accounts.

125. The duty of making out accounts for ground rents, fire tax and timber dues devolves upon the agent.

The accounts are made out in triplicate. One is sent to the Department, the other to the debtor and the third remains at the agency.

126. Accounts for ground rents and fire-tax must be sent to the license holders in the first week of May. (Art. 5 R.)

127. Accounts for timber dues payable on the 30th November must be made out and sent without delay as soon as the lumbermen have forwarded to the agent the statements required by articles 12, 13 and following of the regulations on or before the 30th June. The agent must insist upon obtaining these statements from the license-holders and at

once inform the Department if there be any default on their part. These statements must be carefully compared with the reports of the forest-rangers in order that the accounts may be made out as accurately as possible. ( Art. 26 R.)

#### **Ledger.**

128. The agent must keep a book in which he opens a separate account for each license-holder or for any other person cutting timber in his agency.

129. As he sends the accounts, of which he keeps copies numbered and classified by order of date, he enters the amount of each lumberman's account to his debit, with a note of reference to such account.

All payments made in money or by note are entered to his credit.

#### **Lands and Forests.**

130. Matters connected with the sale of lands and matters connected with woods and forests must be dealt with separately and be always the object of separate communications with the Department, as if matters containing two different departments were concerned.

131. Thus, for instance, the services of a forest-ranger for the inspection of a lot and his service for supervision over lumbering operations are two different matters and separate account must be made out for each of such services.

#### **Remitting moneys to the Department.**

132. All letters containing bank-notes, cheques, drafts or other securities must be registered by the agent at the post office where the same are mailed.

133. When there is a bank in the place where the agency is situated, the agent must deposit his receipts there as they come in and remit to the Department monthly by cheque to the order of the Commissioner of Crown Lands, together with his returns or statements, but in a separate envelope, with a letter of transmission to avoid the cost of postage for the registration of such returns or statements.

134. If, during the course of the month, one or more considerable amounts are paid to the agent for timber dues, ground rents or otherwise, he must not wait until the end of the month to remit the same to the Department but must remit these amounts as soon as possible with an explanatory letter.

135. It is preferable, when possible, that these amounts be deposited in the bank by the persons paying the same and to whom the bank delivers a deposit certificate which is remitted to the agent by the depositor.

136. When the agent sends remittances to the Department consisting of cheques payable to his order, he must, in every case, endorse them to the order of the Commissioner of Crown Lands.

By order,

E. E. TACHÉ,  
Assistant-Commissioner.

Quebec, 15th October 1895.

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