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Historical Review of Canada's Timber Industry

by

JAMES LAWLER

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Historical Review of Canada's Timber Industry

by

JAMES LAWLER.

When the adventurous sailors from Europe first visited the part of North America now known as Canada they were not looking for timber. They were seeking a passage to India and China and, failing that, desired to carry back in their ships large value in small compass — gold, silver, precious stones, furs. But though they did not seek them the forests were there, covering the shores of bay and headland and the banks of rivers, — forests of pine, spruce, hemlock, oak, maple and birch. They stretched away as far as the eye could see from the most lofty lookout. They were dark and sombre and presented a maze which none but a native could thread and — worst of all — they effectually concealed those natives and their intentions, leaving the pioneers a prey at once to loneliness and fear.

Some writers have lamented that North America on the east side was found by the earliest settlers covered with these heavy forests which rendered life exceedingly difficult and precarious for the colonists, while the interior was a vast treeless plain or prairie whereon the settler might have secured abundant crops in one or two seasons. By the time that settlement had reached the prairies, the timber had largely been destroyed and part of the energy of several generations had been wasted in trying to make farms on certain areas of inhospitable non-agricultural land along the sea-coast. It is idle to speculate in this manner and, doubtless, had the forests been in the interior and the prairies on the shores of the continent the early settlers would have suffered as much from lack of fuel and building material as they actually did from lack of arable land in which to grow crops.

CONDITIONS DURING THE FRENCH REGIME.

The country was taken for the king of France by JACQUES CARTIER in 1534, but it was over a century later before anything began to be heard about the timber as an asset. The first timber regulations, as appears from a grant of land made in 1683, were made in regard to the reservation of oak to build the King's ships. The remainder of the timber was of no consequence. In fact, as the first need of the colonists was food, the endeavour was to get cultivated land upon which crops might be raised, and the forest was deemed an enemy to be conquered and obliterated. During the French regime the timber was not considered apart from the land. The colony was divided up into large blocks of land, from 100 to 500 square miles in extent, which were granted to seigniors or feudal lords upon conditions involving the settlement of these lands with tenants or retainers, commonly called "habitants", who held whatever rights they had, not from the Crown but from the seignior, under feudal tenure.

Timber formed such a negligible part of the commerce of that day that the only question considered was its apportionment among the different parties to these land grants, the Crown, the seignior and the "habitant".

The determination of the pioneer settlers to get rid of the trees which encumbered their lands and their use of fire for this purpose was later felt in the shortage of timber for fuel in the immediate neighbourhood of centres of population, so that by 1720 stringent laws were passed against trespassing by the inhabitants of towns and villages on the lands of their neighbours to cut fuel.

NEW REGULATIONS WITH BRITISH OCCUPATION.

When the British took possession of New France in 1763 their solicitude, like that of the French, was to secure timber for the building and repairing of the royal navy — oak (*Quercus alba*, or *Q. rubra*) for hulls and pine (*Pinus strobus* or *P. resinosa*) for masts. But their views went a step further than those of their predecessors. They desired not only to secure existing stands of oak and pine, but also deemed it advisable that any areas particularly suited to the growing of these species should be set apart and protected, so that they might supply timber in perpetuity. The instructions of the British Government to the first Governor, JAMES MURRAY, are clear on this point and these instructions were repeated when Governor GUY CARLETON took up his duties in 1775.

If this policy had been followed, and non-agricultural lands reserved for timber as settlement advanced into the country, the whole history of timber regulations and the development of the timber industry in Canada would have been changed and Canada would have been better off in regard to both agricultural and forest development, but this was not to be. Such a policy of examination, segregation and conservation was over a century in advance of the time. Nor, regrettable as was this falling away from an

ideal, could an adhesion to such a policy be expected under the circumstances. When over one hundred years later men supplied with the latest information were still talking about "illimitable" and "inexhaustible" forests it was not to be expected that in 1775, before the days of systematic surveys, men would have the foresight to persist in conserving what seemed almost too cheap and too abundant.

The trade in timber for the British navy began practically with the British occupation of the country. The commercial trade followed in the wake of this business. In fact it was begun by the contractors who received licenses to cut timber for the navy. This commercial trade, however, grew very slowly, chiefly owing to the opposition of British builders who claimed that timber from the Baltic region was much superior to that from Canada.

During and after the Napoleonic wars, however, the British government imposed heavy duties to pay for those wars, and in these duties gave substantial preference to the colonies. In 1803 Great Britain imported 12,133 loads (a load equalled 50 cubic feet) of timber from British North America and 280,550 loads from European countries. In 1820 the figures had changed to 335,556 loads from the colonies and 166,600 loads from European countries.

In the early years of the nineteenth century, timber was imported from the United States into Canada, but only for the purpose of shipping out again to Britain in order to take advantage of the preference granted to colonial timber. Duties on such timber coming into Canada were imposed by an Act passed by the British Parliament in 1820. Shortly after this, Canada began to export lumber to the eastern United States and from that time onward the trade grew very rapidly, until in 1867, the year when the British North American colonies were confederated into the Dominion of Canada, the value of timber exported to Great Britain was \$ 6,889,783, while the value of that exported to the United States was \$ 6,831,252. The growth in the home use of timber has been even more rapid than that of the export trade.

GENESIS AND DEVELOPMENT OF CANADIAN TIMBER REGULATIONS.

In the military, political and commercial exigencies of the nineteenth century the policy of conserving any natural resources was almost completely forgotten. There were individuals who had more information than their neighbours on this subject, but, speaking generally, the idea of all people in Canada was that the sooner the adjacent and circumjacent forest was removed the better, because then the area of agricultural settlement would be increased and this was the hope and aim of the legislators and the people alike. In the settlement of Eastern Canada from the Atlantic to Lake Huron the progress of settlement was practically always from a waterway into the interior. The settlement was founded on a seacoast, bay, river or lake, and townships or parishes, ranging from three to ten miles square, were marked off extending landward from the water's edge. Behind

the front row of townships came another, and, so on, into the interior, as far as the need of the day demanded. The people saw the first and second rows of townships cleared and filled with farmers, and reasoning from these totally insufficient data, they imagined that the timber administration would settle itself. They thought that all that was necessary was to give the lumberman the right to take off the timber and that the farmer, ever on his heels, would press him further into the interior where it was believed more and better timber existed. In fact this idea of getting the lumberman to take off the timber without delay was so strong in the minds of early legislators that a clause was inserted in all contracts in Upper Canada and Lower Canada (Ontario and Quebec) that they must cut at least one thousand feet per acre per year. This was later reduced to five hundred feet per year, but the underlying idea remained as the spirit of the regulations. In the public mind the real and natural occupier of the land was the farmer and the lumberman was viewed as a necessary evil, who must be tolerated because he paved the way for the farmer. When anything like lack of markets or transportation interfered with the operations of the lumberman the settlers did not hesitate, even long after the timber trade was established, to cut and burn the most magnificent timber in huge piles containing thousands of feet.

LANDS LEASED, NOT SOLD TO LUMBERMEN.

This being the state of affairs, the system of leasing tracts of land to lumbermen for sufficient time to enable them to take off the timber was the natural outcome. When a settlement was begun, say at the mouth of a river, a lumberman would be given in the spring the lease of a block of land technically known as a "limit" (1), either back of the settlement or farther up the river, with the understanding that he would take off the timber during the following autumn and winter, so that farmers might enter upon the land the next spring. Thus in a great part of Eastern Canada to-day the timber is cut by lumbermen who lease the ground upon which the timber grows from the government, under an annual lease which terminates on the first day of May. Since the lumberman was viewed as a bird of passage, always being pushed farther back into the unknown interior where in the public mind the timber was always "illimitable and inexhaustible", he did not gain possession outright of the land on which the timber grew. While in the province of Nova Scotia the great proportion of the timber land is held by purchase or grant in fee simple yet, viewing the whole of Canada, the proportion of timberland held in fee simple is so small that practically the leasing system may be said to be the rule. Probably less than 5 per cent. of the timberlands of Canada are owned in fee simple, the remainder being owned by the different provincial governments or by the Dominion Govern-

(1) So called because the lessee must not cut timber outside certain stated limits or boundaries.

ment, and such areas as are now being worked are leased to the lumbermen, the revenue arising from leases and timber dues going to these governments and amounting at the present time (1916) to about \$7,500,000 per year.

The point that is overlooked in the theory that the lumberman is to be regularly pushed back as settlement advances is that all soils are not suited for agriculture. If it had been conceived by the general public in Canada, say in 1840, that there were tracts of land near the first settled parts of all the eastern provinces that would grow fine timber but would never grow profitable grain or root crops, then provision, probably, would have been made for managing these areas permanently as forests. The law would not have been based on the supposition that timber was but a passing resource but a classification of soils would have permitted the two industries, farming and lumbering, to be developed side by side to the best advantage of both.

When the lease was executed, since the timber was the object of the lessee, the ground rent was set at a figure comparatively trifling. There was then a stumpage tax (1) (or dues) of so much per thousand feet, which was collected annually after the timber had been cut and measured. It was later seen, however, that one limit might be much more advantageously situated as to transportation or have a better quality of timber than another and that a uniform stumpage tax alone was unfair. This was got over by auctioning off these leases to the highest bidder. The dues and ground rent being fixed, the government asked for a premium or "bonus" over and above these fixed charges and the lumberman who offered the highest premium got the limit. Starting at an average of about five dollars per square mile of limit in the sales of 1849, these premiums rose steadily with the advance in the price of timber until in the Ontario sale of 1903 the average premium over a large number of limits was over \$4,000 per square mile and the highest premium paid was \$31,500 per square mile for a limit ten miles in extent.

Since the underlying idea of the present timber regulations is that the land will eventually be occupied by the farmer, there is generally a provision in the older leases whereby upon notice being given the lumberman must, at the date fixed, abandon part or even all of his limit to allow farmers to settle and begin operations. These farmers can use the timber, or certain parts of it, without paying stumpage dues or rents. The result has been that again and again men who had no intention of farming secured the right to settle on lands for the ostensible object of cultivating them when their real object was to cut the timber and sell it. This class of men is known as the "bogus settler"; and the drawing of a fair line between the lumberman and the real settler on the one hand, and the bogus settler

(1) "Stumpage tax" gets its name from the fact that in the early years the collector of timber revenue counted the number of stumps and from this estimated the amount of timber cut and the amount of the tax. In recent years a government measurer or "scaler" measures the actual logs as they are cut.

on the other has for half a century been one of the difficulties of Canadian forest administration.

This plan of annual leases, with ground rent dues and bonuses, continued to be the method for many years in Canada, and, generally speaking, when the interior provinces and British Columbia came to be opened up it was the method applied to the forests therein.

Canada, it must be remembered, existed previous to 1867 as a group of British Colonies each independent of all the rest, though all owing allegiance to Great Britain. When the colonies on the eastern side of the continent were federated into the Dominion of Canada in 1867 an apportionment of assets and liabilities, rights and duties, was made as between the colonies (which at that time became provinces) and the new Dominion or federal government. By this apportionment the provinces retained the possession and management of their lands and forests. British Columbia, which was a British Colony on the Pacific coast, came into the federation later under the same arrangement. One of the objects British Columbia had was to get railway connection with the Atlantic coast and, to assist in securing this, British Columbia granted to the Dominion Government a strip of territory forty miles wide and about five hundred miles long through the province from east to west — twenty miles on each side of the railway which should be built.

Canada consisted then of the old colonies of Nova Scotia, Prince Edward Island, New Brunswick, Quebec and Ontario (Lower Canada and Upper Canada) on the Atlantic Seaboard. British Columbia on the Pacific joined the confederation a little later. In the interior was a stretch of prairie country, roamed over by bison and redmen (North American Indians), and, since 1670, under the control of a British trading company — the Hudson's Bay Company. The Dominion of Canada, for a cash payment and other considerations, bought out the rights of the Hudson's Bay Company, and after a period of direct federal control, created three provinces in this territory: Manitoba, Saskatchewan and Alberta. These provinces were given a cash subsidy in lieu of their lands, minerals and forests. The result is that the older provinces, that were originally colonies, retain the management of their lands and forests, while in the newer provinces of Manitoba, Saskatchewan and Alberta, and in the forty-mile-wide strip through British Columbia on each side of the Canadian Pacific Railway, the Dominion Government manages the lands and forests.

The settlement and commercial and governmental development of Canada from the Atlantic coast to the Rocky Mountains has been uniform from east to west, and throughout this region the selling of the timber and the leasing of the land under it by the government to the lumberman has been the basis of the timber administrative system. British Columbia, the only province which lies west of the Rocky Mountains, was settled by people who reached it from Great Britain and Eastern Canada by way of Cape Horn or the Isthmus of Panama or by the overland route through the United States. Lumbering in this province was begun in 1827 by DR. JOHN McLAUGHLIN, a Chief Factor of the Hudson's Bay Company, who

set up a saw-mill which sawed one thousand feet, board measure, a day. Even here, however, the leasing system was the basis.

The underlying theory that the farmer would soon push back the lumberman from his present limits into the unexplored hinterland is the probable reason for the indefinite character of these leases in regard to termination. In the first instance they were all yearly leases and to-day the great majority retain this form. In Nova Scotia the small amount of forest land held by the Crown is leased for varying terms from one year up to 99 years; in New Brunswick there is now a fixed term of twenty years with the right to renew for ten or twenty years under certain conditions; in Quebec, Ontario and the Prairie Provinces the leases are all annual in form. In Quebec, it is stated that where the land is unquestionably non-agricultural the leases have, through custom, become practically perpetual and the government has announced that it will not change the terms oftener than once in ten years. In Ontario, the Crown has always contended that the leases were for one year only and that while it renews them from year to year on non-agricultural land, it can at any time terminate the lease by giving six months' notice. It has also announced that it will not alter its dues and ground rents oftener than once in ten years. Recent sales in Ontario have been by auction for a rate per thousand feet, board measure, of the standing timber. There are no dues or bonuses and the purchaser is given a limited time in which to take off the timber, after which the land reverts to the Crown.

British Columbia has recently made an elaborate revision of its system. By this revision most of the leases become perpetual but the government takes power to revise the terms every five years. These dues are fixed on a basal price for lumber at the mill. If at the end of any five year revision period the price shall have risen above this base price then the government will take an increased royalty or tax in proportion to the increased price.

All the governments make provision for fire protection and have called upon the lumbermen to pay an increasingly large proportion of the cost of this protection on lands leased to lumbermen; the governments, of course paying the whole cost of protection on the areas of forest land where the Crown has not yet parted with the right to cut the timber.

The policy of forest reserves, that is of land unsuited to agriculture set apart to grow timber for ever, is a recent development in Canada and the method of conducting operations on these reserves is one of the administrative problems now being worked out in this country.

METHODS OF CANADIAN LUMBERING.

All of Eastern Canada drains into the Atlantic through great lakes and rivers. The great forests were on the banks of these rivers and their tributaries. This was also largely true of British Columbia in respect to the Pacific, so that with comparatively small exceptions all of Canada's lumbering operations have been carried on by water. Under this system the trees are felled in the autumn and winter, drawn by horses to the rivers and

streams and piled on the ice which at that time covers the surface. When the rivers break up in the spring the freshet carries the logs with it out to the mouths of the rivers, where they empty into the great rivers like the St Lawrence or Ottawa or the great lakes like Huron or Ontario. Here the logs are boomed (1) and the logs of the different owners separated by means of the timber brands on the ends of the logs. The logs thus separated are sawn into boards and planks in the mills located along the river bank.

The practice is now prevalent of bringing the mills as close as possible to the forest and shipping out only the finished product, but in the early days the mills were located at lumber centres on the great rivers and the logs were formed into rafts and these rafts were floated down the rivers, run over rapids and towed across lakes to the mill. For many years the export trade consisted largely of square timber, that is timber squared by the axe in the woods. This trade, which employed many hundred sailing ships, had its centre at the port of Quebec, where sometimes as many as three hundred ships were to be seen loading at one time. It reached its highest point about 1870 and since that, owing to the wastefulness of the trade and the dangerous condition in which it left the woods, owing to the chips and debris, it has been attacked from both the commercial and legislative sides and had dwindled away to almost nothing.

Nowadays the steamer, schooner or barge carries the sawn lumber from the lake port or river town to the seaport where it is loaded on ocean-going ships. The method thus differs from those employed in the United States, where the transportation is largely done by logging railways. This water transportation feature with the risks and dangers attending the "driving" of the logs down the small streams and, attending the "booming" and "rafting" and "shooting" of rapids and running of "log-chutes", has bred up a hardy, adventurous class of men equally skilful in the use of the axe, the pikepole (2) and the paddle, and has developed a literature in prose and verse which has forever given a touch of romance to Canadian lumbering.

(1) "Boomed"; that is floated into great enclosures formed of floating logs chained together end to end and anchored to piers set in the river. As the logs float through a narrow entrance the river men or "log drivers" skilfully direct them into the enclosures of the different owners as indicated by the brands or marks on the logs.

(2) The pike pole is a pole fifteen or twenty feet long fitted with a sharp spike and hook at one end, which pole the river "driver" uses to balance himself as he walks along the floating, rolling logs, and to draw the logs into the desired channels or away from rocks.

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