

UNO ARCHIVES

Saint John - January 23^d 1810.

Sir,

I have the honor to inform you that prosecutions were instituted by me in the Court of Vice Admiralty of this Province against the several quantities of white pine timber seized during the last summer by Messrs Harrington & Hatch, Deputy Surveyors of the King's Woods in the Counties of Westmorland and Charlotte respectively, immediately upon my receiving your instructions for that purpose.

A Decree of condemnation and sale passed by default, no claim having been preferred, against the timber seized in Westmorland, consisting of one hundred & twenty eight sticks, and containing by admeasurement about one hundred & forty eight tons on the 27th July last; and a Commission of sale was immediately thereafter forwarded to Mr. Clarke the Deputy Marshal of the Admiralty in that District. He being, as I have been since informed, at that time absent at Halifax, and not expected to return till the time limited for the execution of the Commission would expire, Mr. Harrington the Deputy Surveyor of Woods took upon himself the execution of the Commission, and made a sale of the timber, which he struck off at the very low price of one shilling & six pence per ton. Conceiving that the whole object of these prosecutions would be evaded unless the timber seized & condemned should be sold for somewhat more like its real value, as, otherwise the prosecutions themselves, by becoming the means of giving to offenders a legal title to the timber cut by them, for a very trifling consideration, would serve as an encouragement to future trespasses, I thought it my duty to take no notice of this irregular sale, and immediately

Wm. d. Chipman jun. Esq.
Advocate General.
January 23^d 1810.
Surveyor of Timber &c.