

Telegram from Mr. Brown to President, C. P. R.

December 14th, 1899.

Ninth inst. Cotton wrote you confirming proposition for settlement Columbia Western matters, contained my wire 27th November, and in addition propose settle Rossland-Trail portion by two thousand per mile in Government debentures. Cannot consent debentures bearing higher than three per cent. interest, as House would not support him. His opinion present quotation British Columbia security (incumbrance) general depression and only temporary. Thinks we should accept without question. If you approve think can close matter early in week. If desired Rossland-Trail settlement may remain in abeyance. Please wire.

G. McL. B.

T. G. Shaughnessy, Vice-President Columbia and Western Railway Co., to Hon. F. Carter-Cotton, Minister of Finance, Victoria, B. C.

MONTREAL, December 18th, 1899.

MY DEAR SIR,—Referring to your letter of Dec. 9th, I have to-day telegraphed Mr. Brown authorising him to deal with the land grant applying to the line from Robson west on the basis proposed in your letter, explaining, at the same time, that we cannot give an answer about the land grant between Robson and Rossland, because, under our contract of purchase, Mr. Heinze retained a half interest in the lands, and we must, of course, secure his concurrence before agreeing to any arrangement with reference to these particular lands.

With the graduated payments after five years I am afraid that these debentures will not realise more than eighty, but I told Mr. Brown that we preferred to make the sacrifice rather than raise any difficulty about carrying out your policy with reference to the land grant. I trust that by the time this letter reaches you the transaction may be arranged.

Yours truly,
(Signed) T. G. SHAUGHNESSY.

CANADIAN PACIFIC RAILWAY Co.,
MONTREAL, 1st January, 1900.

*Geo. McL. Brown, Esq.,
Executive Agent, Vancouver, B. C.:*

DEAR SIR,—I have just wired you as follows:—

“Hamilton wires me that if we agree to withdraw from our proposal question of deficiency lands, leaving that for future consideration, proposal number three is practically that of May, ninety-eight, excepting that blocks extend beyond thirty-two mile limit, and south-east corner is left off. He recommends that if it would facilitate getting patents, we might, in meantime, limit the depth of blocks to thirty-two miles. What he aims at chiefly is that western limit of block one should be as shown on map accompanying proposal of May, ninety-eight. You are authorised to deal with matter on that basis if Government will leave subject of deficiency lands and south-east corner open for future consideration. Presume you understand just what Hamilton means, but if not, please communicate with him direct, so that matter may not be unnecessarily delayed.”

which I now beg to confirm.

Yours truly,
(Signed) T. G. SHAUGHNESSY,
President.

(Personal.)

CANADIAN PACIFIC RAILWAY CO.,
VANCOUVER, Feb. 17th, 1900.*T. G. Shaughnessy, Esq.,*
President, Montreal :

DEAR SIR,—In confirmation of my telegram of 15th, I enclose herewith a draft copy of the Columbia and Western Subsidy Act, which will, I am told by Mr. Cotton, be introduced on Monday next.

Yours faithfully,
(Signed) GEO. McL. BROWN,
Executive Agent.

HON. MINISTER OF FINANCE.

BILL.

No. . .

WHEREAS the Columbia and Western Railway Company has constructed a line of railway of the uniform gauge of four feet eight and one-half inches from Trail to Robson and from Robson to Midway :

And whereas by the provisions of the "Columbia and Western Railway Subsidy Act, 1896," being chapter 8 of the Statutes of 1896, the said Company is entitled to receive from the Lieutenant-Governor in Council as a subsidy for the construction of the said railway 20,000 acres of land in the Districts of Kootenay and Yale for each mile of said railway :

And whereas the grant of so large an area of land to said Company would seriously retard the settlement of the said districts, and it is, therefore, desirable to grant to the said Company a cash subsidy in lieu of said land subsidy :

Therefore, Her Majesty, etc.:

Short title.

1. This Act may be cited as the "Columbia and Western Railway Cash Subsidy Act, 1900."

Cash subsidy of \$4,000
per mile, Trail to
Midway.

2. The Minister of Finance is hereby authorised to pay out of the Consolidated Revenue Fund to the said Railway Company a sum not exceeding four thousand dollars for each mile of railway of the uniform gauge of four feet eight and one-half inches constructed by said Company between Trail and Robson and Robson and Midway.

Company to surrender
claim to land grant.

3. The said cash subsidy shall be paid to said Company only when it shall give up its claim to the land grant for the said portion of its line authorised by the "Columbia and Western Railway Subsidy Act, 1896," or by any other Act.

[Letter, Hon. Mr. Wells to G. Watt, 21st August, 1900, *see* page cccxiii.]

(TELEGRAM. Quick answer, please.)

VICTORIA, B. C., 7/9/1900.

Sir T. G. Shaughnessy :

Referring my first message yesterday, alternate blocks to be given us same as shown on the last plan I sent you. Deficiency lands to be taken out of two blocks, one bounded on the west by the Kootenay Lake, its eastern boundary abutting on our most westerly block, as per plan. The other deficiency block lies to north of reserve, as shown on plan. This arrangement would knock out as deficiency lands the land west of Elk River and at south-east corner

of Province. My second telegram advised that land along and to west of Elk River might possibly be given for deficiency purposes in place of the block on Kootenay. If former proposition satisfactory, matter can be closed at once. If I am stick out for latter there will be further delay. Please instruct quickly.

(Signed) G. McL. B.

[TELEGRAM.]

VICTORIA, B. C., Sept. 7th, 1900.

T. G. Shaughnessy :

Rush very important. Please reply my wire filed nine-forty this morning. If Government proposition as to deficiency land acceptable, can close matter to-day. If I am to hold out for one deficiency block on west of Elk River there is likely to be delay, and I should know at once. Executive separating and leaving for their homes to-morrow.

(Signed) GEO. McL. BROWN.

[TELEGRAM.]

MONTREAL, 7th Sept., 1900.

Geo. McL. Brown, Vancouver, B. C.:

As between the block on Kootenay Lake and that lying west of Elk River, for one of the deficiency blocks, would prefer the latter. Presume proposition outlined in your telegram best that can be carried through, therefore you have authority to accept.

(Signed) T. G. SHAUGHNESSY.

CANADIAN PACIFIC RAILWAY Co.,

MONTREAL, 7th September, 1900.

*Geo. McL. Brown, Esq.,
Executive Agent, Vancouver, B. C.:*

DEAR SIR,—I am this morning in receipt of your two telegrams as follows :—

“Executive reached decision few minutes ago. Right to full quantity land conceded, alternate block system as shown on last plan sent you to be observed. Block to east of Elk River and that to south-east corner Province not allowed as deficiency land, and we are to be allowed only to look to block extending from eastern shore of Kootenay Lake to western boundary of our western block, and another of sufficient size lying north to both of alternate blocks. Not yet informed officially, but will be this afternoon. Of course I cannot accept without your sanction. Am told that it is a ‘take it or leave it’ proposition.”

Also,

“Matter not yet decided. There is hope of getting land west of Elk River as one of deficiency blocks in place of that on Kootenay Lake, of which I wired you to-day.” Say quickly which prefer. Meeting again in morning.”

To which I have replied,

“As between the block on Kootenay Lake and that lying west of Elk River for one of the deficiency blocks, would prefer the latter. Presume proposition outlined in your telegram best that can be carried through. Therefore you have authority to accept.”

I do not understand exactly what is meant by “block to the east of Elk River and that to south-east corner of Province,” which you say will not be allowed as deficiency land. The block on the east bank of the Elk River has already been patented to us, so that I take it for granted you only refer to the piece in the south-east corner of the Province. It is our opinion that the land along the west bank of the Elk River will be better for all purposes than that along Kootenay Lake ; hence my answer to your inquiry.

Yours truly,

(Signed) T. G. SHAUGHNESSY,

President.

Order in Council No. 519, 1900.

AT THE EXECUTIVE COUNCIL CHAMBER, VICTORIA, B. C.

The 10th day of September, A.D. 1900.

PRESENT :

The Honourable Mr. Turner (in the Chair), Mr. Wells, Mr. Eberts, Mr. Prentice, Mr. McBride.

On the recommendation of the Honourable the Chief Commissioner of Lands and Works, and under the provisions of 53 Victoria, chapter 40, and 56 Victoria, chapter 36,

His Honour the Lieutenant-Governor of British Columbia, by and with the advice of the Executive Council, doth order as follows :—

That the lands described in the Report, dated 10th September, 1900, of the Chief Commissioner of Lands and Works, hereto attached, be granted to the British Columbia Southern Railway Company :

And it is further ordered that upon the receipt and acceptance of surveys of the said lands Crown grants be issued to the Company, subject to the provisions of the "Land Act" :

And it is further ordered that a copy of the said Report be delivered to the Executive Agent of the said Railway Company.

(Signed) A. CAMPBELL REDDIE,
Deputy Clerk, Executive Council.

Approved and ordered this eighteenth day of September, A.D. 1900.

(Signed) HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

519

To His Honour the Lieutenant-Governor in Council :

The undersigned has the honour to report, for the consideration of the Council, the following :—

That the British Columbia Southern Railway Company constructed a line of standard gauge railway extending between the eastern boundary of British Columbia, at the Crow's Nest Pass, and Kootenay Lake, a total distance of, approximately, 180 miles, being the eastern and central sections of said railway :

That in accordance with the provisions of the Company's Subsidy Acts they are entitled to a land grant of 20,000 acres for every mile of railway built on the main line. The Company has, therefore, earned 3,600,000 acres :

That on the 18th August, 1899, a Crown grant was made to the Company of their initial block, comprising 611,533 acres and situated at the eastern end of the first section of the road :

That this initial block, which is indicated by a blue margin on the map enclosed with this Minute, establishes the position of the remaining alternate blocks along the line of railway :

That the said alternate blocks to be granted to the Company, marked 2, 3 and 4 upon the map above referred to and thereon coloured yellow,* aggregate 1,646,600 acres, which, together with the area of the initial block, makes up a total of 2,258,133 acres, which, deducted from the gross area the Company is entitled to, leaves a deficiency of 1,341,867 acres, to which must be added 78,124 acres which had been previously alienated within blocks 1, 2, 3 and 4, leaving a total deficiency of 1,419,991 acres :

And to recommend that the Company be permitted to make up the said deficiency out of the blocks indicated by pink colour on the accompanying map, and thereon marked "Deficiency Block A & B" : †

And further to recommend that, upon the receipt and acceptance of surveys of the said alternate blocks and deficiency lands, made by duly qualified Provincial Land Surveyors acting under instructions from the Lands and Works Department, Crown grants be issued to the Company, subject to the provisions of the Land Act :

And that a copy of this Minute be handed to Mr. Geo. McL. Brown, Executive Agent for the Company.

Dated this 10th day of Sept., A.D. 1900.

(Signed) W. C. WELLS,
Chief Commissioner of Lands and Works.

Approved 10th day of September, A.D. 1900.

(Signed) J. H. TURNER,
Presiding Member of the Executive Council.

*NOTE.—These blocks are marked L. 4,590, 4,591, 4,592 on the annexed map.

†NOTE.—These blocks are marked L. 4,595, and L. 4,596 on the annexed map.

[TELEGRAM.]

VICTORIA, B. C., 10 [Sept., 1900.]

T. G. Shaughnessy :

Matter closed if can see you on arrival and get right back. Will leave for Montreal Thursday. Certain matters wish discuss before you come out. Please say.

(Signed) GEO. McL. BROWN.

CANADIAN PACIFIC RAILWAY CO. LAND DEPARTMENT,
WINNIPEG, MAN., Oct. 22nd, 1900.

T. G. Shaughnessy, Esq.,
President, Montreal.

B. C. SOUTHERN LANDS.

DEAR SIR,—Since my return from British Columbia I have discussed with Mr. Hamilton the question of survey of the blocks which fall to the Company, and I attach copy of memo. which he has to-day handed me on the subject.

Mr. Doupe is leaving for British Columbia in connection with some other survey matters in a few days, and will take the matter up with Mr. George McL. Brown and Mr. Gore on the lines of Mr. Hamilton's memo., and we shall endeavour to come to a satisfactory arrangement by which some substantial progress can be made in the surveys this season. It is quite possible that some of the work can be done to advantage during the winter.

Yours truly,
(Signed) F. T. GRIFFIN,
Land Commissioner.

(Enc.)

Order in Council No. 717, 1900.

AT THE EXECUTIVE COUNCIL CHAMBER, VICTORIA, B. C.

On the recommendation of the Honourable the Chief Commissioner of Lands and Works, and under the provisions of 59 Victoria, chapter 8 (1896), His Honour the Lieutenant-Governor of British Columbia, by and with the advice of the Executive Council, doth order as follows:—

That plan No. 3, deposited by the Columbia and Western Railway Company, indicating the alternate blocks of land earned by the said Company under its Subsidy Act in consideration of the construction of the railway from Rossland to Trail and thence to Robson, be approved

and adopted, and that Crown grants of such land be issued to the Company after the completion by it of the survey of said alternate blocks and the acceptance of such surveys by the Lands and Works Department.

(Signed) A. CAMPBELL REDDIE,
Dep. Clerk, Executive Council.

Approved and ordered this 19th day of December, A. D. 1900.

(Signed) HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

To His Honour the Lieutenant-Governor in Council :

The undersigned has the honour to report, for the consideration of the Council, the following :—That on the 19th day of November, 1898, the Columbia and Western Railway Company filed plans of the located line of railway between Rossland and a point 12 miles west of Midway, upon which were defined the projected boundary lines of alternate blocks of land fronting upon each side of said railway, and having a frontage of 6 miles by a depth of 16 miles, as nearly as practicable.

That the said projected alternate blocks, indicated upon the plan numbered 3 and thereon defined by a red margin, represent, approximately, the land the Company has earned under its Subsidy Act for the construction of the railway from Rossland to Trail and thence to Robson, the particulars of which are detailed in the Report of the Deputy Commissioner of Lands and Works dated 28th December, 1898, which is annexed to this Minute, and to recommend the approval and adoption of the said Plan No. 3 as a basis on which Crown grants of land earned by the Company, with respect to the construction of the railway between Rossland and Robson, shall be issued, after the completion by the Company of surveys of said alternate blocks of land and the acceptance of such surveys by the Lands and Works Department.

Dated this 17th day of Dec., A. D. 1900.

(Signed) W. C. WELLS,
Chief Commissioner of Lands and Works.

Approved this 17th day of Dec., A. D. 1900.

(Signed) JAMES DUNSMUIR,
Presiding Member of the Executive Council.

Memo. re the Columbia and Western Railway Land Grant.

The Columbia and Western Railway Company has, in accordance with section 4 of the "Columbia and Western Railway Subsidy Act, 1896," submitted for approval by the Honourable the Chief Commissioner of Lands and Works a number of maps, upon which has been indicated the located line of railway and the boundary lines of alternate blocks of land fronting upon each side of the line of railway. Plan No. 3 is preferable to the others.

The blocks upon plan No. 3 seem to be laid off, as nearly as the sinuosities of the line of railway will permit, in the manner intended by the Act.

The Company has earned a grant of 517,312 acres (for constructing a line of railway from Trail to Robson), which is made up as follows :—

From Rossland to Trail, 13.8 miles at 10,240 acres per mile for a narrow gauge road.....	141,240
From Trail to Robson, 18.8 miles at 20,000 acres per mile for a standard gauge road.....	376,000
	517,312

The Railway Company estimate that the area embraced by the alternate blocks (*i. e.*, the Government and the railway blocks) include—

Lands already alienated at.....	50,000
Mineral claims " ".....	75,000

Assuming this estimate to be approximately correct, and that the alternate blocks 2, 4, 6, etc., etc., indicated on plan No. 3 by a red margin, are granted to the Company, then we have the following statement :—

Columbia and Western Railway Company, by—		
13.8 miles of road at 10,240 acres		141,312
18.8 miles of road at 20,000 acres		376,000
		517,312
To alternate blocks 2, 4, 5, etc	531,200 acres	
" " 25	34,560 acres	
	565,760 acres	
Less lands already alienated.....	25,000	
" mineral claims	37,500	
" area of Arrow Lake.....	5,000	
" " Christina Lake	5,000	
	72,500	
		483,260
Deficit		34,052

This deficit the Company would be entitled to select elsewhere, as provided by section 6 of the Subsidy Act (59 Vic., ch. 8).

If the Railway Company was granted the blocks coloured blue, then they would be entitled to a larger area somewhere else for lieu lands, as block one is the property of the Nelson and Fort Sheppard Railway Company.

The approximate areas of the different blocks, etc., are given on the annexed sheet.

(Signed) W. S. GORE,
Deputy Commissioner of Lands and Works.

December 28th, 1898.

Block 2.....	6 sq. miles.	Block 1.....	20 sq. miles.
" 4.....	75 "	" 3.....	96 "
" 6.....	96 "	" 5.....	117 "
" 8.....	96 "	" 7.....	96 "
" 10.....	96 "	" 9.....	96 "
" 12.....	96 "	" 11.....	42 "
" 14.....	3 "	" 13.....	96 "
" 16.....	96 "	" 15.....	17 "
" 18.....	65 "	" 17.....	96 "
" 20.....	96 "	" 19.....	30 "
" 22.....	10 "	" 21.....	96 "
" 24.....	96 "	" 23.....	18 "
	830—531,200 ac.		830 "
" 25.....	54— 34,560 ac.		

Order in Council No. 721, 1900.

AT THE EXECUTIVE COUNCIL CHAMBER, VICTORIA, B.C.,

The 19th day of December, A.D. 1900.

On the recommendation of the Honourable the Chief Commissioner of Lands and Works, His Honour the Lieutenant-Governor of British Columbia, by and with the advice of the Executive Council, doth order as follows:—

That the Order in Council numbered 519, relating to the British Columbia Southern Railway Company's land grant, which was approved on 18th December, 1900, be and is hereby rescinded.

(Signed) A. CAMPBELL REDDIE,
Dep. Clerk Executive Council.

Approved and ordered this 20th day of December, A.D. 1900.

(Signed) HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

To His Honour the Lieutenant-Governor in Council :

The undersigned has the honour to recommend that the Order in Council numbered 519, relating to the British Columbia Southern Railway Company's land grant, which was approved by His Honour the Lieutenant-Governor on 18th September, 1900, be rescinded.

Dated this 19th day of December, A.D. 1900.

(Signed) W. C. WELLS,
Chief Commissioner of Lands and Works.

Approved this 19th day of December, A.D. 1900.

(Signed) JAMES DUNSMUIR,
Presiding Member of the Executive Council.

Order in Council No. 722, 1900.

AT THE EXECUTIVE COUNCIL CHAMBER, VICTORIA, B.C.,

The 19th day of December, A.D. 1900.

On the recommendation of the Honourable the Chief Commissioner of Lands and Works, and under the provisions of 53 Victoria, chapter 40 (1890); 56 Victoria, chapter 36 (1893), His Honour the Lieutenant-Governor of British Columbia, by and with the advice of the Executive Council, doth order as follows:—

That the lands described in the Report dated 19th December, 1900, of the Chief Commissioner of Lands and Works, hereto attached, be granted to the British Columbia Southern Railway Company.

And it is further ordered that a copy of the said Report be delivered to the Executive Agent of the said Railway Company.

(Signed) A. CAMPBELL REDDIE,
Deputy Clerk Executive Council.

Approved and ordered this 20th day of December, A.D. 1900.

(Signed) HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

To His Honour the Lieutenant-Governor in Council :

The undersigned has the honour to report for the consideration of the Council the following:—

That the British Columbia Southern Railway Company constructed a line of standard gauge railway extending between the eastern boundary of British Columbia, at the Crow's Nest Pass, and Kootenay Lake, a total distance of, approximately, 180 miles, being the eastern and central sections of said railway.

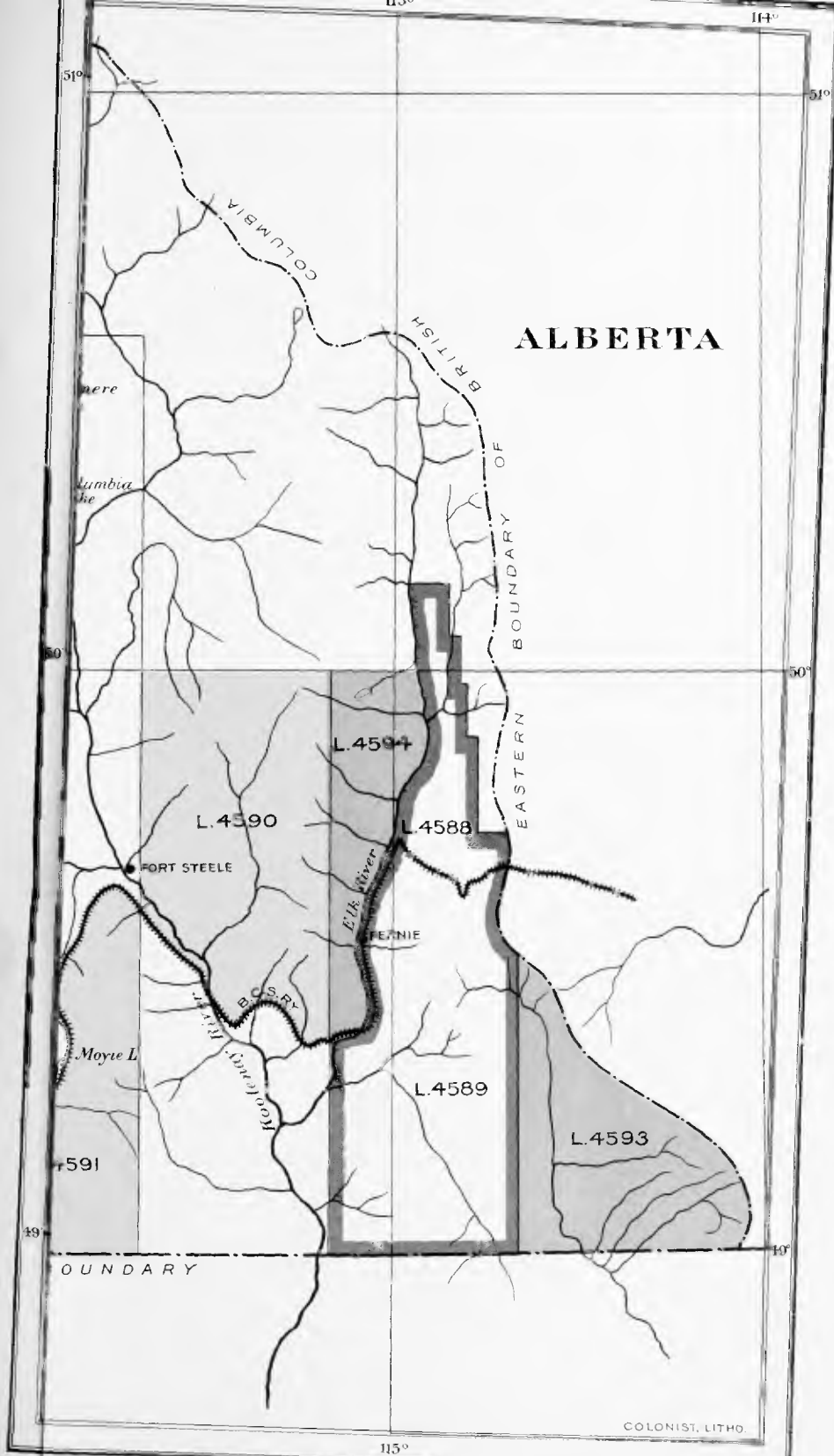
That in accordance with the provisions of the Company's Subsidy Acts they are entitled to a land grant of 20,000 acres for every mile of railway built on the main line. The Company has, therefore, earned 3,600,000 acres.

That on the 18th August, 1899, a Crown grant was made to the Company of their initial block, comprising 611,533 acres and situated at the eastern end of the first section of the road.

That this initial block, which is indicated by a blue margin on the map enclosed with this Minute, establishes the position of the remaining alternate blocks along the line of railway.

That the said alternate blocks to be granted to the Company, marked 2, 3 and 4 upon the map above referred to and thereon coloured yellow,* aggregate 1,646,600 acres, which, together with the area of the initial block, makes up a total of 2,258,133 acres, which, deducted from the gross area the Company is entitled to, leaves a deficiency of 1,341,867 acres, to which must be added 78,124 acres which had been previously alienated within blocks 1, 2, 3 and 4, leaving a total deficiency of 1,419,991 acres.

And to recommend that blocks "A," "B" and "C," coloured pink on the enclosed plan,† (which for purposes of identification is dated this day and signed by the Chief Commissioner of Lands and Works and the Presiding Member of the Executive Council), containing an aggregate area of 1,252,960 acres, be granted to the Company in full and final satisfaction of



ALBERTA

51°

51°

50°

50°

49°

49°

BOUNDARY

115°

COLONIST, LITHO.

all land earned under the Subsidy Act, including all deficiency in area, or for lands alienated prior to the approval of this Order, and that Crown grants be prepared to the above blocks "A," "B" and "C," and also to blocks 2, 3 and 4, according to the descriptions thereof, herewith enclosed, and dated and initialled as above for identification, and that the grants be subject to all existing royalties, or such royalties as may hereafter be imposed by the Legislature.

The Minister further recommends that the Crown grants aforesaid shall not be delivered to the Company until after they have given a written guarantee, to the satisfaction of the Chief Commissioner of Lands and Works, that they will, on or before the 1st day of May, 1901, commence the surveys to define the boundaries of the blocks so granted, and carry on said surveys to completion to his satisfaction within two years from the date of this Order.

The Minister further recommends that a copy of this Minute, together with a copy of the plan and description herein referred to, similarly dated and initialled, be handed to the Company.

Dated this 19th day of December, A.D., 1900.

(Signed) W. C. WELLS,
Chief Commissioner of Lands and Works.

Approved this 19th day of December, A.D., 1900.

(Signed) JAMES DUNSMUIR,
Presiding Member of the Executive Council.

*NOTE.—These blocks are marked L. 4,590, L. 4,591 and L. 4,592 on the annexed map.

†NOTE.—These blocks are marked L. 4,593, L. 4,594 and L. 4,595 on the annexed map.

Description of Blocks 2, 3 and 4, and Deficiency Blocks "A," "B" and "C," British Columbia Southern Railway Land Subsidy, as shown on a map of the southern portion of British Columbia, hereto attached; Blocks 2, 3 and 4, being coloured "yellow," and deficiency blocks being coloured "red" :—

BLOCK 2.

Commencing at the intersection of the westerly limit of Lot 4,589, Group 1, Kootenay District, with the centre line of the British Columbia Southern Railway, said point being station zero of a traverse of a portion of the said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works in Victoria on 15th December, 1900; thence due north to the fiftieth parallel of north latitude; thence west along said parallel of latitude fifteen hundred and eighty-three chains and fifty-nine links (1583.59) more or less, to a point due north from station 80 + 123.69 of a traverse of a portion of said railway made by Jos. Doupe, P. L. S., and recorded in the Department of Lands and Works; thence due south to the centre line of said railway; thence easterly along said centre line of railway to the place of beginning.

(Signed) J. D.
" W. C. W.

19th December, 1900.

BLOCK 3.

Commencing at a point on the centre line of the British Columbia Southern Railway, being station 291 + 12.15 of a traverse of a portion of said railway, made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works at Victoria on the 15th December, 1900; thence due south to the International Boundary; thence east along the International Boundary sixteen hundred and sixteen chains and twenty-eight links (1,616.28), more or less, to a point due south from station 80 + 123.69 of a traverse of a portion of said railway made by Jos. Doupe, P. L. S., and recorded in the Department of Lands and Works; thence due north to the centre line of said railway; thence westerly along said centre line of railway to the place of beginning.

(Signed) J. D.
" W. C. W.

19th December, 1900.

BLOCK 4.

Commencing at a point on the centre line of the British Columbia Railway, being station 291 + 12.15 of a traverse of a portion of said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works at Victoria on the 15th December, 1900; thence due north to the fiftieth parallel of north latitude; thence west along said parallel of latitude fifteen hundred and eighty-three chains and fifty-nine links (1,583.59), more or less, to a point due north from station 464 + 23.50 of said traverse of railway; thence due south to the centre line of said railway; thence easterly along the said centre line of railway to the place of beginning.

(Signed) J. D.
" W. C. W.

19th December, 1900.

DEFICIENCY BLOCK "A."

Commencing at a point on the International Boundary, being the S. E. corner of Lot 4,589, Group 1, Kootenay District; thence north along the easterly limit of said Lot 4,589 to the eastern boundary of the Province of British Columbia; thence south-easterly along the eastern boundary of B. C. to the International Boundary; thence west along the International Boundary to the place of beginning.

(Signed) J. D.
" W. C. W.

19th December, 1900.

DEFICIENCY BLOCK "B."

Commencing at the intersection of the westerly limit of Lot 4,589, Group 1, Kootenay District, with the centre line of the B. C. Southern Railway, said point being station zero of a traverse of a portion of said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works at Victoria on the 15th December, 1900; thence due north to the fiftieth parallel of north latitude; thence easterly along said parallel of latitude to the west bank of the Elk River; thence southerly along said west bank of the Elk River to its intersection with the centre line of the British Columbia Southern Railway; thence westerly along said centre line of railway to the place of beginning.

(Signed) J. D.
" W. C. W.

19th December, 1900.

DEFICIENCY BLOCK "C."

Commencing at a point on the centre line of the British Columbia Southern Railway, being station 464 + 23.50 of a traverse of a portion of said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works at Victoria on the 15th December, 1900; thence due north to the fiftieth parallel of north latitude; thence west along said parallel of latitude to the east shore of Kootenay Lake; thence southerly along the east shore of Kootenay Lake and River to its intersection with the centre line of the British Columbia Southern Railway aforesaid; thence easterly along said centre line of railway to the place of beginning.

(Signed) J. D.
" W. C. W.

19th December, 1900.

[TELEGRAM.]

(Private.)

VICTORIA, B. C., December 18th, 1900.

T. G. Shaughnessy, Montreal, Que.

Modified B. C. Southern settlement passed. After settlement necessary details will leave for East, probably in day or two.

GEO. McL. BROWN.

10:12 P.M.

Order in Council No. 205, 1901.

The Committee of Council submit for the consideration of His Honour the Administrator of the Government a Bill intituled "An Act to amend the Columbia and Western Railway Subsidy Act, 1896."

The Committee advise that this Bill be transmitted by Message to the Legislative Assembly.

Victoria, 11th May, 1901.

Approved 11th of May, 1901. (Signed) JAMES DUNSMUIR,
President Executive Council.

(Signed) GEO. A. WALKEM,
Administrator.

HON. CHIEF COMMISSIONER.

BILL.

No. 113.] [1901.

An Act to amend the "Columbia and Western Railway Subsidy Act, 1896." 1896, c. 8.

WHEREAS the Columbia and Western Railway Company have completed section four of their railway mentioned in section 5 of Chapter 8 of the Statutes of 1896, being the "Columbia and Western Railway Subsidy Act, 1896," and have thereby earned the land subsidy provided by said Act: Preamble.

And whereas section 5 of said chapter 8 provides that the said land subsidy in respect of said section four of the railway shall not be granted to the Company until section five of the railway shall have been completed:

And whereas it is deemed advisable to grant said subsidy in respect of said section four of said railway to said Company, although the Company have not completed said section five of said railway:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1. This Act may be cited as the "Columbia and Western Railway Subsidy Act, 1896, Amendment Act, 1901." Short title.

2. It shall be lawful for the Lieutenant-Governor in Council forthwith to issue Crown grants in favour of the said Company for the lands earned by the construction and completion of said section four of said railway, although the said Company have not yet constructed section five of the said railway. Land subsidy may be forthwith granted in respect of section four of railway.

[Letter, Hon. J. Dunsmuir to G. McL. Brown, 15th May, 1901, see p. excvii.]

4426/01

(Stamp—Lands and Works Department,
Victoria, B. C., July 22, 1901.

CANADIAN PACIFIC RAILWAY COMPANY,
VANCOUVER, B. C., July 19, 1901.

W. S. Gore, Esq.,
Deputy Commissioner of Lands and Works, Victoria.

SIR,—I would be very much obliged if you would kindly send me, at your convenience, blue prints of the plans accepted by the Government for the defining and projecting of the Columbia and Western alternate blocks between Rossland and Pentiction.

Thanking you in anticipation,

I have, etc.,
(Signed) G. McL. BROWN,
Executive Agent.

(Dict.)

[TRANSLATION.]

T. G. S.

23rd July, 1901.

Feel now that with prompt decision south-east corner and probably section lying between B. C. Southern block two and Elk River might be secured as lieu land third section Columbia Western, and at same time finally close B. C. Southern matters. Provided make extremely liberal cession acreage Columbia Western would obtain full acreage area contiguous. This would preclude obtaining full area third section. In any event, in view advantage establishing lieu land precedent very necessary in fourth section settlement and in view land commissioner opinion land contiguous to line no value anyway. Would like your approval go ahead on these lines.

(Signed) G. McL. BROWN.

[TELEGRAM.]

G. McL. Brown, Vancouver, B. C.

July 24th, 1901.

First and second sections cover land between Rossland and Robson. You understand nature of agreement between Heinze and Company with reference to lands earned by construction of these two sections. We can make no bargain that will interfere with delivery full quantity of land without giving Heinze ground for claim, and he will have undivided half interest in any land received in connection with these two sections. So that the arrangement will be confined to third and fourth sections. Do not quite understand your message, and would like further information after you have read this message.

(Signed) T. G. SHAUGHNESSY.

4426/01.

VICTORIA, B.C., July 24th, 1901.

Sir,—I have the honour to acknowledge the receipt of your letter of 19th inst., and, as requested, I have forwarded to your address to-day by Dominion Express four blue prints of the accepted plans for the defining and projecting of the Columbia and Western alternate blocks between Rossland and Penticton. Kindly remit \$10.00 to cover the office charge for same.

I have, etc.,

(Signed) W. S. GORE,
Deputy Commissioner of L. & W.

Geo. McL. Brown, Esq.,
Executive Agent, C. P. R., Vancouver, B.C.

[TRANSLATION.]

T. G. Shaughnessy, Montreal.

VICTORIA, B.C., 25th, July, 1901.

Have never seen agreement, but understand Heinze interested subsidy accruing that portion line between Rossland and Robson only. This became section one. See Order in Council, 30th June, '97; passed under authority sec. 37, chap. 54 of Act 96. No subsidy granted section 2, nor was section built (?). See sec. 12, chap. 8, Subsidy Act '96. Sec. 3 extends from Robson to Christina Lake. Assume Heinze not interested in this. Please say. Propose endeavour get full area first section under separate and distinct settlement. This will merely exhaust available alternate blocks along line of railway. Would then proceed negotiate on lines suggested my cipher for settlement subsidy third section, Robson to Christina Lake. Is proposed course action satisfactory.

(Signed) GEO. McL. BROWN.

George McL. Brown, Esq.,
Executive Agent, Vancouver, B.C.

31st July, 1901.

DEAR SIR,—Herewith please find an extract from the agreement with Heinze. Inasmuch as we purchased from him the line between Robson and Rossland and, I think, a land grant attached to both the portion between Trail and Rossland and Trail and Robson, he will be entitled to an interest in any lands earned and received from the Government with reference

to these two sections of the line. I may be wrong about this, and it is possible that there was no land grant for the line between Robson and Trail. If so, he would, of course, be entitled only to a moiety of the land earned by the construction of the Trail-Rossland section.

You might consult our solicitors about this, and get their report in writing. This is a matter of such vital importance that no mistake must be made.

Heinze has no interest whatever in any lands earned by the construction of the line between Robson and Christina Lake, or between the latter point and Midway.

I have just wired you as follows:—

“Heinze’s interest in land grant confined entirely to the portion of the line between Robson and Rossland. He has no interest in any land grant earned by construction of line from Robson to Christina Lake or between the latter point and Midway. Sending you extract from agreement by this mail.”

which I now beg to confirm.

Yours truly,
(Signed) T. G. SHAUGHNESSY.

[TELEGRAM.]

MONTREAL, 31st July, 1901,

G. McL. Brown, Vancouver, B.C.

Heinze’s interest in land grant confined entirely to the portion of the line between Rossland and Robson. He has no interest in any land grant earned by construction of line from Robson to Christina Lake or between latter point and Midway. Sending you extract from agreement by this mail.

(Signed) T. G. SHAUGHNESSY.

(Personal.)

COLUMBIA AND WESTERN RAILWAY COMPANY,
VICTORIA, B. C., July 31, 1901.

To the Honourable

The Chief Commissioner of Lands and Works,
Victoria, B.C.:

SIR,—I am instructed and have the honour to again call your attention to the matter of the Columbia and Western subsidy. The Company has no wish to unduly press the Government, but as the line has been constructed and in operation for some time, it is felt that the settlement should be no longer delayed. The failure to close these matters has, as you can well imagine, occasioned more than inconvenience, and, I respectfully submit, has not been in the best interests of the Province, inasmuch as the delay must necessarily retard the carrying out of other plans. The Company is willing to treat fairly and reasonably, and under all the circumstances I am satisfied that I may anticipate the exercise of your good offices in bringing about an early consideration of the question by the Government.

Apologising for my importunity, which I trust you will understand and pardon.

I have, etc.,
(Signed) GEO. McL. BROWN.

[Letter, Hon. J. H. Turner to G. McL. Brown, 2nd Aug., 1901; see p. ccxxxi.]

[TELEGRAM.]

VICTORIA, B. C., Aug. 2/01.

T. G. Shaughnessy, Montreal, P. Q.:

Personal. Please say exact date of formal transfer by Heinze to you of Columbia and Western and how much line constructed at that time, state points from and to and mileage. Reply Vancouver.

9:19 p.m.

(Signed) GEO. McL. BROWN.

[TELEGRAM.]

MONTREAL, 3rd Aug., 1901.

G. McL. Brown, Vancouver :

Heinze formally transferred Columbia and Western to us March fifteenth, eighteen hundred and ninety-eight, and at that time main line constructed from Le Roi mine to point near Castlegar, thirty-three and nine-tenths miles.

(Signed) T. G. SHAUGHNESSY.

Order in Council No. 393, 1901.

AT THE EXECUTIVE COUNCIL CHAMBER, VICTORIA, B. C.

The Tenth day of August, A. D. 1901.

On the recommendation of the Honourable the Chief Commissioner of Lands and Works, and under the provisions of 59 Victoria, chapter 8, 1896, His Honour the Lieutenant-Governor of British Columbia, by and with the advice of the Executive Council, doth order as follows:—

That the lands described in Memoranda "A" and "B" of the Report of the Chief Commissioner of Lands and Works, dated 10th August, 1901, made in pursuance of instructions from the Executive Council of the 2nd day of August, 1901, which report is hereto attached, together with accompanying plan and descriptions, be granted to the Columbia and Western Railway Company in full satisfaction of its subsidy in respect of the first and third sections of the railway, and that Crown grants therefor be issued accordingly; the said grants to be subject to all existing royalties, or such royalties as may hereafter be imposed by the Legislature, and that there shall be excepted thereout all such parcels of land as were, prior to the date of the approval of this Order, alienated by sale, or were then and are now legally and validly held against the Crown by pre-emption, lease, license or as mineral claims.

(Signed) A. CAMPBELL REDDIE,
Deputy Clerk, Executive Council.

Approved and Ordered this 4th day of September, A.D. 1901.

(Signed) HENRI G. JOLY DE LOTBINIÈRE,
Lieutenant-Governor.

393.

(Stamp—Provincial Secretary's Office,
3rd Sept., 1901.)*To His Honour the Lieutenant-Governor in Council :*

The undersigned has the honour to report, for the consideration of the Council, the following:—

That the enclosed memorandum "A" shows the acreage to which the Columbia and Western Railway Company is entitled in respect of the first section of the line from Rossland to Trail, and from Trail to Castlegar, and the deficiency arising after exhausting the area available in alternate blocks along the first, third and fourth sections, and embodies a suggestion that the necessary acreage be made up from the even-numbered blocks from 2 to 24, inclusive*, alternating with the Government blocks along the first, third and fourth sections of the line, as per accompanying plan and thereon bordered in red, together with Blocks 26 and 28 similarly bordered on such plan†.

That the enclosed memorandum "B" shows the acreage to which the Company is entitled in respect of the third section of its railway, and the deficiency arising after the area available in alternate blocks, bordered and coloured red on accompanying plan and numbered 30, 32, 34 and 36‡ has been exhausted to the terminus of the located line through its fourth, fifth and sixth sections, and proposes that this deficiency be made up from the lands indicated on the accompanying plan, marked C. and W. Deficiency Blocks I. and II., with descriptions thereof herewith enclosed.§

* NOTE.—These blocks are marked L. 4,597 to L. 4,599, L. 5,816, 5,817, L. 2,698 to L. 2,704 on the annexed map.

† NOTE.—These blocks are marked L. 2,705 and L. 2,706 on the annexed plan.

‡ NOTE.—These blocks are marked L. 2,707 to L. 2,710 on the annexed map.

§ NOTE.—These blocks are marked L. 4,594 and L. 4,593 on annexed map.

115°

114°

51°

51°

ALBERTA

BOUNDARY OF BRITISH EASTERN

L.4594

L.4590

L.4588

FORT STEELE

Elk River

FERNIE

BC S.R.Y.
Kootenai River

L.4589

L.4593

Moyie L.

4591

49°

49°

BOUNDARY

COLONIST. LITHO

115°

COLUMBIA

here

Columbia
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50°

50°

●

50°

49°

BOUNDARY

And to recommend that the alternate and even-numbered blocks, from 2 to 24, inclusive, indicated by a red border on the accompanying plan, which, for the purpose of identification, is dated and signed by the Chief Commissioner of Lands and Works, be granted to the Company, and that the Company be permitted to make up the deficiency in area to which it is entitled by a grant of the blocks referred to in the memoranda "A" and "B" hereto annexed, and indicated therein respectively as Blocks numbered 26 and 28 and as C. & W. Ry. Deficiency Blocks I. and II., and the said grants be in full and final compensation and satisfaction of all lands earned by the Company under the terms of its Subsidy Act in respect of the first and third sections of the railway, and that Crown grants of the said alternate and deficiency blocks be prepared according to the descriptions herewith enclosed, and that the said Crown grants be subject to all existing royalties, or such royalties as may hereafter be imposed by the Legislature, and that there shall be excepted thereout all such parcels of land as were, prior to the date of the approval of this Order, alienated by sale, or were then and are now legally and validly held against the Crown by pre-emption, lease, licence, or as mineral claims.

The Minister further recommends that a certified copy of this Minute, if approved, together with a copy of the plan and description herein referred to, similarly dated and initialled, be handed to the Company.

Dated this 10th day of August, A.D. 1901.

(Signed) W. C. WELLS,
Chief Commissioner of Lands and Works.

Approved this 10th day of August, A.D. 1901.

(Signed) J. H. TURNER,
Presiding Member of the Executive Council.

" A "

Memo. re the Columbia and Western Railway Land Grant.

FIRST SECTION.

There has been constructed from—

Rossland to Trail 13.8 miles of road at 10,240 acres ..	141,312 acres
Trail to Castlegar, 20.1 miles of road at 20,000 acres ..	402,000 acres

Total acreage earned, first section..... 543,312 acres

The area in alternate blocks, even-numbered from 2 to 24 inclusive and bordered red on the plan attached to this memo. aggregate

531,200 acres

Lands already alienated:—

Pre-emption, purchase, etc.....	25,000
Mineral claims	37,500
Area Arrow Lake.....	5,000
Area Christina Lake.....	5,000

Total alienations

72,500

Total available area.....

458,700

458,700

Deficiency, First Section..... 84,612 acres

This deficiency, it is proposed, should be made up out of blocks, one 6x6 miles square, and one 6x16 miles square, and shown on plan as numbers 26 and 28.

6x16 = 96 square miles	61,440 acres
6 x 6 = 36 square miles	23,040 acres

84,480

Deficiency unprovided for

132 acres

“B”

Memo. re the Columbia and Western Railway Land Grant.

SECTION THREE.

There has been constructed from—

Castlegar to a point near Christina Lake, 53 miles of road at 20,000 acres per mile 1,060,000 acres

Available area in alternate blocks, as shown on plan of located line from Rock Creek to Penticton, as follows:—

Block No. 30	12,480	
" " 32	68,480	
" " 34	30,720	
" " 36	67,160	
		178,840 acres

Alienations:—

Block 30	320	
" 32	1,500	
" 34	5,760	
" 36	7,748	
		15,328 acres

Total available in alternate blocks 163,512 acres

Deficiency 896,488 acres

This deficiency is proposed to be made up by blocks one and two, indicated on accompanying plan and thereon tinted red, and containing approximately 625,760 acres.*

*NOTE.—These blocks are marked L. 4,594 and L. 4,593 on the annexed map.

COLUMBIA AND WESTERN RAILWAY SUBSIDY SETTLEMENT, FIRST SECTION.—EVEN-NUMBERED BLOCKS 2 TO 28, INCLUSIVE.

Block 2.

Commencing at a point on the northern boundary of the Columbia and Western Railway right of way at station 629 plus 25, being the terminus of said railway at Le Roi Mine, Kootenay District; thence north-easterly, following the north boundary of said railway right of way to a point at its intersection with the eastern boundary of Lot 230, Kootenay District; thence due north to the north-west corner of said lot; thence due west six miles; thence due south one and one-half miles, more or less, to a point due west of station 629 plus 25, C. W. R.; thence due east to the point of commencement, the said block containing six square miles, more or less.

Block No. 4.

Commencing at the north-east corner block 12, Kootenay District, of the Nelson and Fort Sheppard land grant; thence due north for a distance of eighteen miles; thence due west for a distance of six miles; thence due south to the north boundary of the Columbia and Western Railway right of way; thence following to the north and eastern boundary of said railway right of way to a point opposite station 85 plus 70 of Trail Creek branch of said railway; thence along the western bank of Columbia River to the point of intersection with eastern boundary of Lot 230, Kootenay District; thence due south along said boundary of Lot 230 to the north boundary of block twelve, N. and F. S. land grant; thence due east along said northern boundary of block twelve to point of commencement. This block contains seventy-five square miles, more or less.

Block No. 6.

Commencing at a point on the north boundary of the Columbia and Western Railway right of way, said point being 1,684 feet west of west boundary of Lot 301, Kootenay District, C. & K. grant; thence due north for a distance of 16 miles; thence due west for a distance of 6 miles; thence due south for a distance of 16 miles, more or less, to the north boundary of the Columbia and Western Railway right of way; thence easterly and following the said northern boundary of said railway to point of commencement. This block contains 96 square miles, more or less.

Block No. 8.

Commencing on the southern boundary of the Columbia and Western Railway right of way at station 1,207 plus 78; thence due south $14\frac{1}{2}$ miles; thence due west 6 miles; thence due north 18 miles, more or less, to the southern boundary of the Columbia and Western Railway right of way; thence easterly and following said southern boundary of said railway to point of commencement. This block contains 96 square miles, more or less.

Block No. 10.

Commencing on the north boundary of the Columbia and Western Railway right of way opposite station 842 plus 90; thence due north for a distance of 14 miles; thence due west far a distance of 6 miles; thence due south for a distance of 18 miles, more or less, to the north boundary of the Columbia and Western Railway right of way; thence easterly and following said northern boundary of said railway to point of commencement. This block contains 96 square miles, more or less.

Block No. 12.

Commencing at a point on the northern boundary of the Columbia and Western Railway right of way, said point being 1,320 feet west of the western boundary of Lot 349, Township 73, Osoyoos District; thence due north for a distance of 20 miles; thence due east for a distance of $5\frac{1}{2}$ miles, more or less, to the western boundary of the Columbia and Western Railway right of way; thence along and following the said western boundary of the said railway to its crossing at Kettle River opposite station 1,214 plus 30; thence westerly along the northern boundary of Columbia and Western right of way to a point on the Kettle River opposite station 1,288 plus 90; thence along north boundary of said railway right of way to point of commencement. This block contains 96 square miles, more or less.

Block No. 14.

Commencing at a point on the southern boundary of the Columbia and Western Railway right of way, said point being 2,112 feet east of the west boundary of Lot 351, Township 72, Osoyoos District; thence due south to the International Boundary Line; thence due east along said International Boundary Line for a distance of 6 lines; thence due north to the south boundary of the Columbia and Western Railway right of way; thence westerly along said southern boundary of said railway to point of commencement. This block contains 3 square miles, more or less.

Block No. 16.

Commencing at a point on the north boundary of the Columbia and Western Railway right of way, said point being 2,112 feet east of the west boundary of Lot 351, Township 72, Osoyoos District; thence due north for a distance of 19 miles; thence due west for a distance of 6 miles; thence due south for a distance of $9\frac{1}{2}$ miles, more or less, to the northern boundary of the Columbia and Western Railway right of way; thence easterly, along and following said northern boundary of said railway right of way, through the City of Grand Forks, and crossing the Kettle River at a point opposite station 760 plus 37, C. W. R.; thence easterly to the point of commencement. This block contains 96 square miles, more or less.

Block No. 18.

Commencing at a point on the southern boundary of the Columbia and Western Railway right of way, said point being west 2,112 feet, more or less, of east boundary of Lot 252, Township 79, Osoyoos District; thence due south to International Boundary, being a distance of 9 miles, more or less; thence due east along said International Boundary for a distance of

6 miles ; thence due north for a distance of 11 miles, more or less, to the southern boundary of the Columbia and Western Railway right of way ; thence westerly along and following the said southern boundary of said railway to point of commencement. This block contains 65 square miles, more or less.

Block No. 20.

Commencing at a point on the north boundary of the Columbia and Western Railway right of way, said point being 2,112 feet, more or less, west of the eastern boundary of Lot 252, Township 79, Osoyoos District ; thence due north, for a distance of 12 miles ; thence due west, for a distance of 6 miles ; thence due south, for a distance of $20\frac{1}{4}$ miles, more or less, to the northern boundary of the Columbia and Western Railway right of way ; thence easterly, along and following the said northern boundary of the said railway right of way to point of commencement. This block contains 96 square miles, more or less.

Block No. 22.

Commencing at a point on the southern boundary of the Columbia and Western Railway right of way, said point being 1,056 feet, more or less, west of the prolongation due south of the eastern boundary of Lot 560, Township 69, Osoyoos District, thence due south to the International Boundary ; thence due west along the said International Boundary for a distance of six miles ; thence due north $3\frac{1}{2}$ miles, more or less, to the southern boundary of the Columbia and Western Railway right of way ; thence south-easterly, along and following the said southern boundary of said railway to point of commencement. This block contains 10 square miles, more or less.

Block No. 24.

Commencing at a point on the northern boundary of the Columbia and Western Railway right of way, said point being 2,376 feet due west of the western boundary of Lot 513, Township 68, Osoyoos District ; thence due north a distance of 16 miles ; thence due west for a distance of 6 miles ; thence due south for a distance of $16\frac{1}{2}$ miles, more or less, to the north boundary of the Columbia and Western Railway right of way ; thence easterly along said north boundary of said railway to point of commencement. This block contains 96 square miles, more or less.

Block 26.—First Deficiency Block.

Beginning at a point on the north boundary of the Columbia and Western Railway right of way, said point being 2,112 feet, more or less, due west of the east boundary of Lot 252, Township 79, Osoyoos District ; thence due north, following the west boundary of Government Block 17 for a distance of 18 miles, to point of commencement ; thence west along north boundary of Government Block 17 for a distance of six miles ; thence due north and following west boundary of Block 29 for a distance of six miles ; thence due west for a distance of six miles ; thence due south for a distance of six miles to point of commencement. This block contains 36 square miles, more or less.

Block No. 28.—Second and Final Deficiency Block, First Section.

Beginning at a point on the north boundary of the Columbia and Western Railway right of way, said point being 2,112 feet, more or less, east of west boundary of Lot 351, Township 72, Osoyoos District ; thence due north and following the west boundary of Government Block 13 for a distance of 16 miles to the north-west corner of Government Block 13, said point being point of commencement ; thence due east along north boundary of Government Block 13 for a distance of six miles ; thence due north for a distance of 16 miles ; thence due west for a distance of six miles ; thence due south to point of commencement. This block contains 96 square miles, more or less.

COLUMBIA AND WESTERN RAILWAY SUBSIDY SETTLEMENT, THIRD SECTION.—EVEN-NUMBERED BLOCKS 30 TO 36, INCLUSIVE.

Block No. 30.

Commencing at a point on the International Boundary Line, said point being 1,188 feet east of the eastern boundary of Section 3, Township 67, Osoyoos District ; thence due north to the southern boundary of the right of way of the Columbia and Western Railway, as

located (plan on file in Lands and Works Department, Victoria, B. C.); thence westerly, following and along the southern boundary of said railway, to a point 1,188 feet east of eastern boundary of Section 22, Township 66, Osoyoos District; thence due south to the International Boundary; thence due east, following and along the said International Boundary, to point of commencement. This block contains 12,160 acres, more or less.

Block No. 32.

Commencing on the north boundary of the right of way of the Columbia and Western Railway, as located and shown on plan on file in the Department of Lands and Works, Victoria, said point being 1,188 feet east of the east boundary of Section 27, Township 66, Osoyoos District; thence due north $16\frac{1}{2}$ miles; thence due west six miles; thence due south $16\frac{3}{4}$ miles, more or less, to the northern boundary of the said railway; thence westerly, following and along the northern boundary of the said railway, to point of commencement. This block contains 66,980 acres, more or less.

Block No. 34.

Commencing on the International Boundary line at a point 1,188 feet east of the eastern boundary of section three, township 65, Osoyoos District; thence due north to the southern boundary of the right of way of the Columbia and Western Railway, as located (plan on file in Lands and Works Department, Victoria); thence westerly, and along said southern boundary of said railway to a point 3,432 feet, more or less, east of the east boundary of the Indian Reserve, Township 51, Osoyoos District; thence due south to the International Boundary, to a point on said boundary, being six miles due west of the point of commencement; thence due east along said International Boundary to point of commencement. This block contains 24,960 acres, more or less.

Block No. 36.

Commencing on the northern boundary of the right of way of the Columbia and Western Railway, as located (plan on file in Lands and Works Department, Victoria, B. C.), at a point 3,432 feet due east of the eastern boundary of the Indian Reserve, in Township 51, Osoyoos District; thence due north twenty-three and one-half miles, more or less; thence due west to the eastern boundary of the right of way of said Columbia and Western Railway, opposite station 2,778 plus 16, C. W. R., said point being on the southern shore of Okanagan Lake; thence south-easterly, following and along the said eastern boundary of the said railway to point of commencement. This block contains 59,412 acres, more or less.

COLUMBIA AND WESTERN RAILWAY SUBSIDY SETTLEMENT, THIRD SECTION.

Deficiency Block First.

Commencing at a point on the International Boundary, being the south-east corner of Lot 4,589, Group 1, Kootenay District; thence north along easterly limit of said lot 4,589 to the eastern boundary of the Province of British Columbia; thence south-easterly along the eastern boundary of British Columbia to the International Boundary; thence west along the International Boundary to the point of beginning.

Deficiency Block Second.

Commencing at the intersection of the westerly limit of Lot 4,589, Group 1, Kootenay District, with the north boundary of the B. C. Southern Railway right of way, said point being opposite station zero of a traverse of a portion of said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works at Victoria; thence due north to the 50th parallel of north latitude; thence easterly along said parallel of latitude to the west bank of the Elk River; thence southerly along said west bank of the Elk River, to its intersection with the north boundary of the British Columbia Southern Railway right of way; thence westerly along said north boundary of said railway to the place of beginning.

Order in Council, No. 394, 1901.

AT THE EXECUTIVE COUNCIL CHAMBER, VICTORIA, B. C.

The 10th day of August, A. D. 1901.

On the recommendation of the Honourable the Chief Commissioner of Lands and Works, and under the provisions of 56 Victoria, chapter 36, 1893, His Honour the Lieutenant-Governor of British Columbia, by and with the advice of the Executive Council, doth order as follows:—

That the lands described in the Report of the Chief Commissioner of Lands and Works, dated 10th August, 1901, hereto attached, be granted to the British Columbia Southern Railway Company, in full and final compensation and satisfaction of all lands earned by the Company under the terms of its Subsidy Act, and that Crown grants be issued accordingly, excepting thereout such portions as were, prior to the 4th day of September, alienated by sale and purchase, or were then and are now legally and validly held against the Crown as pre-emptions, leases, licences, or mineral claims.

(Signed) A. CAMPBELL REDDIE,
Deputy Clerk, Executive Council.

Approved and ordered this 4th day of September, A. D. 1901.

(Signed) HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

(Stamp—Provincial Secretary's Office,
3 Sept., 1901.)

To His Honour the Lieutenant-Governor in Council:

The undersigned has the honour to report for the consideration of the Council the following:—

That the British Columbia Southern Railway Company constructed a line of standard gauge railway extending between the eastern boundary of British Columbia, at the Crow's Nest Pass, and Kootenay Lake, a total distance of, approximately, 180 miles, being the eastern and central sections of said railway.

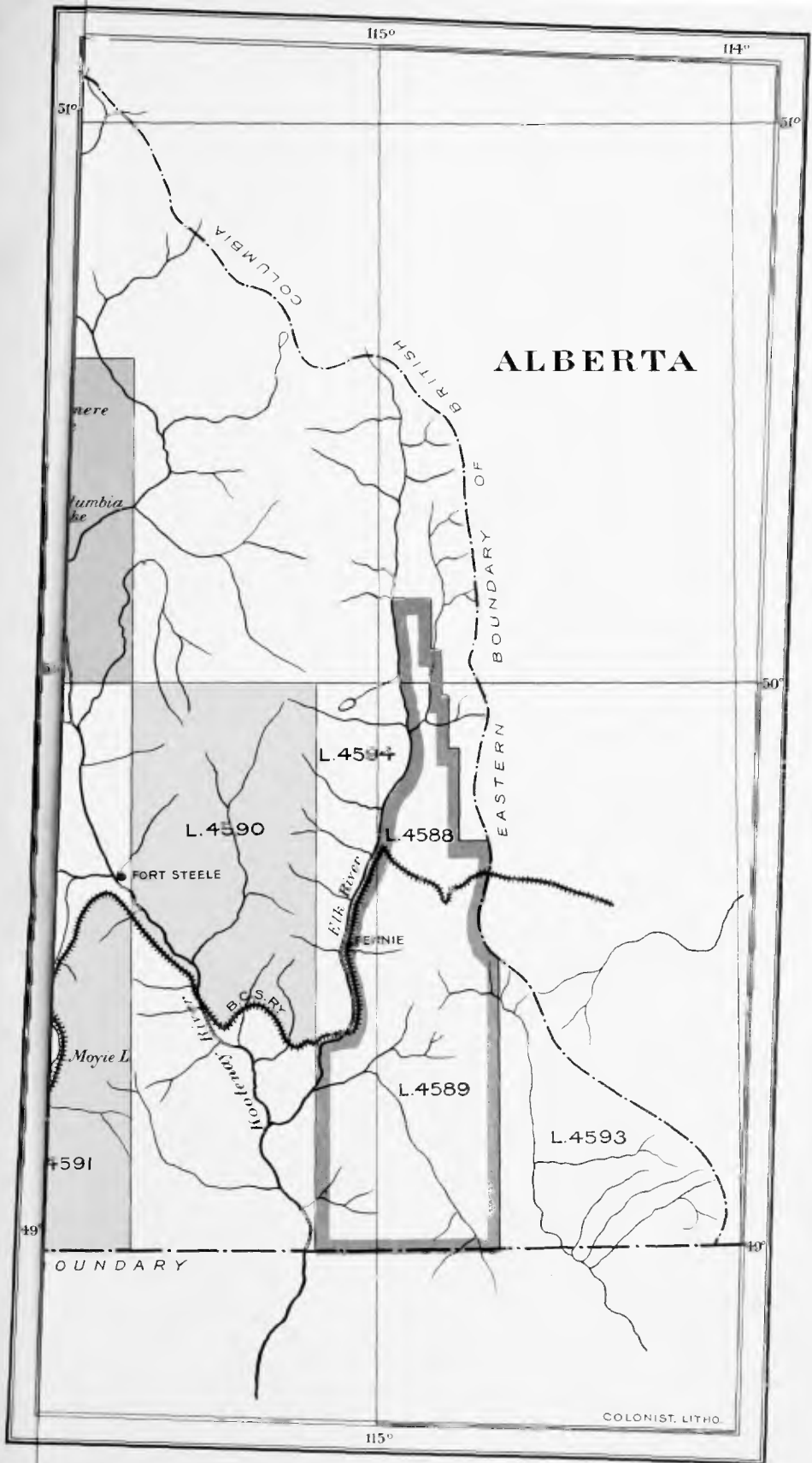
That in accordance with the provisions of the Company's Subsidy Act, they are entitled to a land grant of 20,000 acres for every mile of railway built on the main line. The Company, therefore, earned 3,600,000 acres.

That on the 18th August, 1899, a Crown grant was made to the Company of their initial block, comprising 611,533 acres, and situated at the eastern end of the first section of the road.

That this initial block, which is indicated by a blue margin on the map enclosed with this Minute,* established the position of the remaining alternate blocks along the line of railway.

That the said alternate blocks to be granted to the Company, marked 2, 3 and 4 upon the map above referred to, and thereon coloured yellow,† aggregate 1,646,600 acres, which, together with the area of the initial block, makes up a total of 2,258,133 acres, which, deducted from the gross area the Company is entitled to, leaves a deficiency of 1,341,867 acres, to which must be added 78,124 acres which had been previously alienated within blocks 1, 2, 3 and 4, leaving a total deficiency of 1,419,991 acres.

And to recommend that the Company be permitted to make up the said deficiency out of the blocks indicated by pink colour on the accompanying map and thereon marked Deficiency Block "A" and "B,"‡ which contain an aggregate available area, after deducting alienations, of 1,419,991 acres, in full and final compensation and satisfaction of all lands earned by the Company under the terms of its Subsidy Act, and that Crown grants be prepared to the above Blocks "A" and "B" and also to Blocks 2, 3 and 4, according to the descriptions thereof, herewith enclosed, dated and initialled for the purpose of identification, and that the Crown grants be subject to all existing royalties, or such royalties as may hereafter be imposed by the Legislature, and that there shall be excepted thereout such parcels of land as were, prior to the date of the approval of this Order, alienated by sale, or were then and are now legally and validly held against the Crown by pre-emption, lease, licence, or as mineral claims.



ALBERTA

L.4591

L.4590

L.4588

L.4589

L.4593

FORT STEELE

FERNIE

Moyie L.

B.C.S. Ry.
Kootenai River

Elk River

COLUMBIA

BOUNDARY OF
BRITISH COLUMBIA
BOUNDARY OF EASTERN

BOUNDARY

COLONIST. LITHO.

The Minister further recommends that a certified copy of this Minute, if approved, together with a copy of the plan and description herein referred to, similarly dated and initialled, be handed to the Company.

Dated this 10th day of August, A.D. 1901.

(Signed) W. C. WELLS,
Chief Commissioner of Lands and Works.

Approved this 10th day of August, A.D. 1901.

(Signed) J. H. TURNER,
Presiding Member of the Executive Council.

*NOTE.—See maps attached to Order in Council 519, 1900.

†NOTE.—See map attached to Order in Council 519, 1900, on which these blocks are marked L. 4,590, L. 4591 and L. 4,592.

‡NOTE.—See map attached to Order in Council 519, 1900, on which these blocks are marked L. 4,595 and L. 4,596.

Description of blocks 2, 3 and 4 and deficiency blocks "A" and "B," British Columbia Southern Railway Land Subsidy, as shown on map of the southern portion of British Columbia hereto attached; blocks 2, 3 and 4 being coloured "yellow," and deficiency blocks being coloured "pink":—

BLOCK No. 2.

Commencing at the intersection of the westerly limit of Lot 4,589, Group 1, Kootenay District, with the centre line of the British Columbia Southern Railway, said point being station zero of a traverse of a portion of the said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works in Victoria on the 15th day of December, 1900; thence due north to the 50th parallel of north latitude; thence west along said parallel of latitude fifteen hundred and eighty-three chains and fifty-nine links (1583.59), more or less, to a point due north from station 80 + 123.69 of a traverse of a portion of said railway made by Jos. Doupe, P. L. S., and recorded as above in the Lands and Works Department, Victoria; thence due south to the centre line of said railway; thence easterly along said centre line of railway to the place of beginning.

BLOCK No. 3.

Commencing at a point on the centre line of the British Columbia Southern Railway, being station 291 + 12.15 of a traverse of a portion of said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works at Victoria on the 15th December, 1900; thence due south to the International Boundary; thence east along the International Boundary sixteen hundred and sixteen chains and twenty-eight links (1,616.28), more or less, to a point due south from station 80 + 123.69 of a traverse of a portion of said railway made by Jos. Doupe, P. L. S., and recorded in the Department of Lands and Works; thence due north to the centre line of said railway; thence westerly along said centre line of railway to the place of beginning.

BLOCK No. 4.

Commencing at a point on the centre line of the British Columbia Railway, being station 291 + 12.15 of a traverse of a portion of said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works at Victoria on the 15th December, 1900; thence due north to the 50th parallel of north latitude; thence due west along said parallel of latitude fifteen hundred and eighty-three chains and fifty-nine links (1,583.59), more or less, to a point due north from station 464 + 23.50 of said traverse of railway; thence due south to the centre line of said railway; thence easterly along the said centre line of railway to place of beginning.

DEFICIENCY BLOCK "A."

Commencing at a point on the centre line of the British Columbia Southern Railway, being station 464 + 23.50 of a traverse of a portion of said railway made by N. B. Gauvreau, P. L. S., and recorded in the Department of Lands and Works at Victoria on the 15th day of December, 1900; thence due north to the 50th parallel of north latitude; thence west along said parallel of latitude to the east shore of Kootenay Lake; thence southerly along the east

shore of Kootenay Lake and River to its intersection with the centre line of the British Columbia Southern Railway aforesaid; thence easterly along said centre line of railway to the place of beginning.

DEFICIENCY BLOCK "B."

Commencing at a point on the 50th parallel of north latitude, such point being due north of station 80 + 123.69 of a traverse of a portion of the British Columbia Southern Railway made by Jos. Doupe, P. L. S., and recorded in the Department of Lands and Works at Victoria on the 15th of December, 1900; thence due north for a distance of 40 miles; thence due west for a distance of 34 miles; thence due south to the 50th parallel of north latitude; thence east and following said parallel of north latitude to point of commencement.

MEMO *re* DEFICIENCY BLOCKS "A" AND "B."

Deficiency Block "A"	627,200	
Alienations	17,000	
		610,200
Deficiency Block "B"	870,400	
Alienations	60,609	
		809,791
		1,419,991

Order in Council No. 412, 1901.

AT THE EXECUTIVE COUNCIL CHAMBER, VICTORIA, B. C.,

The 10th day of August, A. D. 1901.

On the recommendation of the Honourable the Chief Commissioner of Lands and Works, His Honour the Lieutenant-Governor of British Columbia, by and with the advice of the Executive Council, doth order as follows:—

That the Order in Council numbered 722, relating to the British Columbia Southern Railway Company's lands, which was approved the 20th day of December, 1900, be and is hereby rescinded.

(Signed) A. CAMPBELL REDDIE,
Dep. Clerk Executive Council.

Approved and ordered this 9th day of September, A. D. 1901.

(Signed) HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

(Stamp—Provincial Secretary's Office,
Sept. 9th, 1901.)

To His Honour the Lieutenant-Governor in Council:—

The undersigned has the honour to recommend that the Order in Council numbered 722, relating to the British Columbia Southern Railway Company's lands, which was approved the 20th day of December, 1900, be rescinded.

Dated this 10th day of August, A. D. 1901.

(Signed) W. C. WELLS,
Chief Commissioner of Lands and Works.

Approved this 10th day of August, A. D. 1901.

(Signed) J. H. TURNER,
Presiding Member of the Executive Council.

[TRANSLATION.]

VANCOUVER, September 6th, 1901.

T. G. S.

Am not yet officially advised about Orders in Council providing immediate preparation B. C. Southern grants and Columbia and Western grants, to and including third section approved by Governor yesterday. Instructions (informers) prospect grants have been issued.

(Signed) G. McL. BROWN.

[Letter Hon. W. C. Wells to G. McL. Brown, 11th Sept., 1901 ; see p. cccxlv.]

[TELEGRAM.]

VICTORIA, Sept. 11, 1901.

T. G. Shaughnessy, Montreal :

In response to my letter 31st July asking early settlement Columbia and Western Land Subsidy, first and third sections, received yesterday from Chief Commissioner copy of Order in Council setting out settlement determined upon by Government. Order provides for immediate preparation of grants. Particulars by mail unless you wish them wired.

(Signed) GEO. McL. BROWN.

[TELEGRAM.]

VICTORIA, 11th Sept., 1901.

T. G. Shaughnessy :

Received to-day from Chief Commissioner copy Order in Council rescinding former Orders and setting out final settlement B. C. S. land subsidy as determined on by Government. It is same as that of Order in secretary's office, except that most northerly deficiency block made smaller. This settlement provides full acreage, former arrangement gave something in excess. Order provides immediate preparation grant. Will be out of town until to-morrow evening.

(Signed) GEORGE McL. BROWN.

[TELEGRAM.]

VICTORIA, Sept. 11, 1901.

T. G. Shaughnessy, Montreal :

Received to-day from Chief Commissioner copy Order in Council rescinding former Orders and setting out final settlement of B. C. S. lands subsidy as determined by Government. It is same as that of Order in Council in Mr. Drinkwater's office except most northerly deficiency block made smaller. Settlement provides full acreage, former arrangement gave something in excess.

(Signed) G. McL. BROWN.

Order in Council No. 432, 1901.

AT THE EXECUTIVE COUNCIL CHAMBER, VICTORIA, B. C.,

The 13th day of September, A. D. 1901.

On the recommendation of the Honourable the Chief Commissioner of Lands and Works, His Honour the Lieutenant-Governor of British Columbia, by and with the advice of the Executive Council, doth order as follows :—

That the draft form enclosed with the attached memorandum from the Chief Commissioner of Lands and Works, for the Crown grants to be issued to the British Columbia

Southern Railway Company and to the Columbia and Western Railway Company in pursuance of Orders in Council Nos. 394 and 393, which were approved on 4th September, 1901, be and is hereby approved.

(Signed) A. CAMPBELL REDDIE,
Deputy Clerk, Executive Council.

Approved and ordered this 23rd day of September, A. D. 1901.

(Signed) HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

(Stamp—Provincial Secretary's Office,
23rd Sept., 1901).

To His Honour the Lieutenant-Governor in Council :

The undersigned has the honour to recommend approval of the enclosed draft form for the Crown grants to be issued to the British Columbia Southern Railway Company and to the Columbia and Western Railway Company, in pursuance of Orders in Council Nos. 394 and 393, which were approved on 4th September, 1901.

Dated this 13th day of Sept., A. D. 1901.

(Signed) W. C. WELLS,
Chief Commissioner of Lands and Works.

Approved this 13th day of September, A.D. 1901.

(Signed) JAMES DUNSMUIR,
Presiding Member of the Executive Council.

(Then follows blank form of Crown grant, as afterwards used in conveying lands to the Columbia and Western Railway Co., and as appears in the cases of the two cancelled Crown grants to Lots 4,593 and 4,594, dated 3rd October, 1901, hereinafter set out.)

[TRANSLATION.]

VANCOUVER, 15th Sept., 1901.

T. G. S.

Certified copy Orders in Council and maps of Columbia and Western settlement, determined on by Government, will be delayed, as I am making copies for file here. Columbia and Western settlement first section exhausts all the alternate even-numbered blocks from two to twenty-four, inclusive, deficiency for that section being made up of two additional blocks, one 6 by 6 miles and the other 6 by 16 miles. Settlement for third section exhausts balance even-numbered blocks to Penticton, leaving deficiency which Government says shall be made up of (?) two blocks, one the south-east corner of Province, the other lying west of Elk River bounded on west by eastern boundary of B. C. Southern block two.

(Signed) G. McL. BROWN.

[TELEGRAM.]

Geo. McL. Brown, Vancouver :

23rd Sept., 1901.

Have you sent copy of Order in Council *re* B. C. S. lands referred to in your message to president of 11th inst.

(Signed) C. DRINKWATER.

[TELEGRAM.]

C. Drinkwater :

VICTORIA, 24/9, 1901.

Will not go forward before Saturday.

(Signed) G. McL. BROWN.

CANADIAN PACIFIC RAILWAY COMPANY,
Vancouver, B. C., Oct. 1st, 1901.

*Sir Thomas Shaughnessy, K. B.,
President, Montreal.*

DEAR SIR THOMAS,—I enclose herewith certified copies of the Order in Council dealing with the Columbia and Western and B. C. Southern settlements, approved on the 4th September, together with copies of my letter of 31st July to the Hon. the Chief Commissioner of Lands and Works, reply under date August 2nd, by Mr. Turner, then acting President of the Council, and a further letter covering the Orders in Council from the Hon. the Chief Commissioner of Lands and Works, sent me on September 11th, together with copies of my telegrams to you of 11th, 15th of September.

The maps accompany under separate cover under Value No. 53460 X.

Yours faithfully,
(Signed) GEO. McL. BROWN,
Executive Agent.

P. S.—The memorandums attached to the Order in Council are indistinct. The Lands and Works Department have promised to furnish me with other copies, which I will send you as soon as received.

(Initialled) G. McL. B.

[L. S.]

CROWN GRANT.



HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

W. S. GORE,
Deputy Commissioner of Lands and Works.

No. $\frac{1523}{127}$.

PROVINCE OF }
BRITISH COLUMBIA. }

EDWARD VII., by the Grace of God, of the United Kingdom of Great Britain and Ireland, KING, Defender of the Faith, &c., &c.

To all to whom these presents shall come, Greeting:

KNOW YE, that in pursuance of the Order in Council approved on the 4th day of September, A. D. 1901, by His Honour the Lieutenant-Governor, We do by these presents, for Us, Our Heirs and Successors, in consideration of the fulfilment of the provisions of the "Columbia and Western Railway Subsidy Act, 1896," and amending Acts, give and grant unto the Columbia and Western Railway Company, its successors and assigns, in full settlement of all claims for subsidy under said Acts, or otherwise, all that Parcel or Lot of Land situate in Kootenay District, bounded as follows:—

Commencing at a point on the International Boundary, being the S. E. corner of Lot 4,589, Group one (1), Kootenay District; thence north along easterly limit of said Lot 4,589 to the eastern boundary of the Province of British Columbia; thence south-easterly along the eastern boundary of British Columbia to the International Boundary; thence west along the International Boundary to the point of beginning; said to contain two hundred and forty-five thousand seven hundred and sixty acres, more or less, and more particularly indicated on the sketch plan, hereto annexed, coloured red and numbered Lot four thousand five hundred and ninety-four (4,594), Group one (1), Kootenay District, in the Province of British Columbia, to have and to hold the said parcel or lot of land, and all and singular the premises hereby granted, with their appurtenances, unto the said Columbia and Western Railway Company, its successors and assigns forever.

Provided, also, that it shall at all times be lawful for Us, Our Heirs and Successors, or for any person or persons acting in that behalf by Our or their authority, to resume any part of the said lands which it may be deemed necessary to resume, for making roads, canals, bridges,

towing paths, or other works of public utility or convenience; so nevertheless that the lands so to be resumed shall not exceed one-twentieth part of the whole of the lands aforesaid, and that no such resumption shall be made of any lands on which any buildings may be erected, or which may be in use as gardens or otherwise, for a more convenient occupation of any such buildings.

Provided, also, that it shall at all times be lawful for Us, Our Heirs and Successors, or for any person or persons acting under Our or their authority, to enter into and upon any part of the said lands, and to raise and to get thereout any minerals, precious or base (other than coal) which may be thereupon or thereunder situate, and to use and enjoy any and every part of the same land, and the easements and privileges thereto belonging, for the purpose of such raising and getting and every other purpose connected therewith, paying in respect of such raising and getting and use reasonable compensation.

Provided, also, that there shall be and there is hereby reserved to Us, Our Heirs and Successors, the royalty upon and in respect of each and every ton of coal and barrel of petroleum raised or gotten from the lands hereby granted, now in force or from time to time reserved by the Legislature.

Provided, also, that there shall be and there is hereby reserved to Us, Our Heirs and Successors, the royalty upon and in respect of all timber suitable for spars, piles, saw-logs or railroad ties, props for mining purposes, shingle or other bolts of cedar, fir or spruce, and cordwood cut upon said lands, now in force or from time to time reserved by the Legislature.

Provided, also, that the royalties herein mentioned shall not be construed as taxation, within the meaning of any provision exempting the Company or its property, real or personal, or any part thereof, from taxation.

Provided, also, that it shall be lawful for any person duly authorised in that behalf by Us, Our Heirs and Successors, to take and occupy such water privileges, and to have and enjoy such rights of carrying water over, through, or under any parts of the hereditaments hereby granted, as may be reasonably required for mining or agricultural purposes in the vicinity of the said hereditaments, paying therefor a reasonable compensation to the British Columbia Southern Railway Company, its successors or assigns.

Provided, also, that it shall be at all times lawful for any person duly authorised in that behalf by Us, Our Heirs and Successors, to take from or upon any part of the hereditaments hereby granted, without compensation, any gravel, sand, stone, lime, timber, or other material which may be required in the construction, maintenance, or repair of any roads, ferries, bridges, or other public works.

Provided, also, that in the event of any of the lands hereby granted being divided into town lots, one fourth of all the blocks of lots shall be re-conveyed to Us, or to Our Heirs and Successors.

Provided, also, that all travelled streets, roads, trails and other highways existing over or through said lands, at the date hereof, shall be excepted from this grant.

Provided, also, that the cost of surveying the said lands shall be borne by the Company.

Provided, also that this grant shall not include any lands held by grant, lease, agreement for sale, or other alienation by the Crown, nor shall it include Indian reserves or settlements, Military or Naval reserves, or lakes, or lands in which any person other than the Crown has a vested interest.

IN TESTIMONY WHEREOF we have caused Our Letters to be made Patent, and the Great Seal of Our Province of British Columbia to be hereunto affixed:
WITNESS, His Honour The Honourable Sir Henri Gustave Joly de Lotbinière, K. C. M. G., Lieutenant-Governor of Our said Province of British Columbia, and its Dependencies, at Our Government House, in Our City of Victoria, this third day of October, in the year of Our Lord one thousand nine hundred and one, and in the First year of Our Reign.

By Command,

(Signed) J. D. PRENTICE,
Provincial Secretary.

[Across the first page of this Crown grant (containing the description) are written in red pencil,—“Cancelled, W. C. W.” The signatures “W. S. Gore” and “J. D. Prentice” have pen marks written through same.]