

# FIRST REPORT

OF THE

## SELECT COMMITTEE ON PUBLIC LANDS.

To the Honourable the Speaker of the Legislative Assembly:—

Your Committee appointed to enquire into all matters relating to lands, have the honour to report the evidence and documents produced to the present time.

CHAS. E. POOLEY,

26th February, 1886.

Chairman.

## MINUTES AND EVIDENCE.

WEDNESDAY, 10TH FEBRUARY, 1886.

The Chairman read application from reporter of *Daily Times* to be admitted to report the proceedings of the Committee.

Mr. Beaven referred to the report, *re* Graving Dock Committee, in the *Colonist* of 5th March, 1882, by which it appeared that the Committee decided to admit reporters.

Mr. Martin referred to Bourinet on Parliamentary Practice, p. 449, which says that to report proceedings of a Committee before they are laid before the House is a breach of privilege.

Mr. T. Davie moved, seconded by Mr. Martin, that the question be referred to the House, and that reporters be not admitted until the decision of the House be arrived at. Carried—Mr. Beaven dissenting.

Mr. Beaven asked for production of applications to pre-empt land on Island Railway line, of Hoggan, Brodie, and Waddington, and papers in connection therewith.

MR. GORE called:—

To Mr. Beaven—The applications referred to would come from the Nanaimo office to this office. The money for Island lands does not come through our office. I can produce the documents referred to; also any applications for pre-emption or purchase of lands west of Port Moody.

To Mr. Semlin—There are some papers in the office in reference to Henry Woodward's claim, which I can produce; also Ronald Campbell's claim at Okanagan.

W. S. GORE.

Documents referred to to be produced at 2 P. M. to-morrow, to which hour the meeting is adjourned.

Confirmed,

CHAS. E. POOLEY,  
Chairman.

THEODORE DAVIE,

Secretary.

SECOND DAY—FEBRUARY 11TH, 1886—2:45 P. M.

W. S. GORE—First letter *re* Hoggan was a letter from C. C. McKenzie, dated 31st August, 1885. This letter was referred to agent at Nanaimo on September 3rd, 1885. McKenzie's letter referred to a previous application on 19th March, 1882. September 7th, 1885, Bray reports that he had instructions not to allow pre-emption or record for any land embraced in townsites or Government reserves—instructions dated 20th May, 1884; that James Harvey had made a similar application, which he had refused. The land applied for by Hoggan is part of the Newcastle townsite reserve, which consists of 700 acres, odd. The way this

land came to be reserved was, that in 1855, when it belonged to the Hudson's Bay Company, they dedicated 1,074 acres, *i. e.*—Public purposes, 724 acres; Indian reserves, 250 acres; public roads, 100 acres. *Vide* Nanaimo District Register, folio 37.

Mr. Smith's letter in answer to McKenzie's application is on folio 291 of vol. 23, letter book, 29th October, 1885. Hoggan's application of 19th March, 1882, was not referred to this office or received here. I can find no application of Brodie at all for lands in this vicinity. The only two we have reference to in regard to the townsite are Waddington and Hoggan.

October 21st, 1885, received a communication (produced) from C. C. McKenzie, on behalf of S. Waddington, requesting record in Waddington's name of the land he claimed (without naming what that land was), and stating that in 1870 he had purchased lots 50, 51, 52 and 53 from the Government, and had applied and had permission granted him to take up the land adjoining his purchase, and claiming now to locate as a squatter under the Settlement Act.

Letter (produced) from B. W. Pearse, dated November 7th, 1870, saying there was no objection to his increasing his quantity, as shown upon rough sketch, on his getting his land surveyed and paying for same at rate first agreed upon.

Letter (produced) of December 2nd, 1870, acknowledging receipt of letter of 25th November, and informing applicant that it is in contemplation by the Government to survey a number of suburban lots in Newcastle and to sell by auction. He can purchase, but will not go further in the matter. This letter by Mr. Trutch.

Letter (produced) of 18th November, from Mr. Pearse, acknowledging receipt of \$70, in payment of certain lots of suburban land at Nanaimo, and informing him that the four lots laid out by Mohun—50, 51, 52, 53—contain 12 acres, the price of which is \$60, and refunding him the other \$10.

Mr. Smith's answer is 29th October, 1885, referring McKenzie to answer to Hoggan's letter.

Instructions to Bray *re* squatters, by Chief Commissioner of Lands and Works, folio 355, No. 20.

There are no other persons that I am aware of who have applied to pre-empt and been refused. Land above the 50th parallel has been thrown open to pre-emption and sale. Besides the claims which were before Squatters' Committee last year, and which I now produce, *viz.*—Wm. Sterling, John Irving, R. T. Williams, J. M. Stewart, James Cash, John Maquire, J. P. Walls, C. R. Ralston, J. Jocklin, Joseph Long, J. J. Hayden, A. H. Byram, A. C. Worthy, R. H. Taylor. Indian claims in connection with the Greer and Spinks claim and enquiry:—Preston, Mackay, J. K. Lockhart, J. A. Raymur, H. V. Edmonds, W. N. Eole. There is a claim of L. A. Agassiz not enquired into by the Committee. Mr. Agassiz squatted on lot 461, group 1, New Westminster District. Produced letter from him January 20th, 1885, calling attention to his application to purchase, and the answer was calling his attention to the frequent answers that the land was not open.

Letter (produced) from R. Campbell to Chief Commissioner of Lands and Works, dated November 2nd, 1882. Campbell got his Crown grant for 320 acres, S.  $\frac{1}{2}$  section 11, township 7, Osoyoos Division.

Letter (produced) of April 30th, 1884, to Chief Commissioner of Lands and Works, from R. Campbell. Campbell took up S.  $\frac{1}{2}$  of section 11, township 17, November, 1880. He took it up under "Land Amendment Act, 1879."

Letter (produced) of 10th September, 1883, from Mr. Lambly, which explains matters. Answer (produced), September 24th, 1883.

*Re* Kootenay Bill—Produces letter from the Surveyor-General to G. B. Wright, dated 23rd May, 1884, concerning manner of survey of lands, and showing the blocks of the land to be surveyed.

There have been some lands sold at the Second Crossing of the Columbia River. It has always been understood in the department that no land is reserved except that which is upwards of twenty miles from the line of the Canadian Pacific Railway. I can produce applications for the different purchases.

W. S. GORE.

Mr. Gore is required to produce all the papers in the Agassiz matter.

Adjourned until Tuesday next at 10:30 A. M.

CHAS. E. POOLEY,  
*Chairman.*

THEODORE DAVIE,  
*Secretary.*

### THIRD SITTING—FEBRUARY 16TH, 1886.

Minutes of previous meeting read.

Mr. Beaven objected that part of Mr. Gore's statement is omitted.

MR. GORE, recalled, says:—The official map of the town of Newcastle, V. I., does not take in by twenty chains, more or less, as much land as is shown upon the reserve of the official map of Nanaimo District.

Subject to this addition, the minutes of last meeting are confirmed *nem. con.*

MR. GORE continued:—The Newcastle townsite map above referred to was made by F. W. Green in 1860; the map of the District of Nanaimo in 1859.

Mr. Beaven—What does the District Register of Nanaimo state the reserve of 724 acres is made for? *Ans.*—For public purposes.

Mr. Beaven—What is the acreage surveyed into lots as the Newcastle town? *Ans.*—According to the official map of Newcastle town deposited in the office, about 126.62 acres were laid out in lots and streets, including twelve acres sold to Samuel Waddington 6th October, 1871.

Mr. Pooley—What quantity of land is contained in the Newcastle townsite map? *Ans.*—In order to tell that I must measure from border to border. About 648 acres are contained on the map, to the north of the Millstone River; that is, not measuring from border to border, but measuring such lands as could be laid off in lots.

To Mr. Beaven—The object of colouring portion of the map green is to designate the land surveyed by Mr. Green into lots in 1860. Green's survey is 114.62 acres, including streets, but not including twelve acres sold to Waddington.

Mr. Pooley—Have you on record in the office any documents showing that this reserve has always been dealt with as a whole as the Newcastle townsite reserve? *Ans.*—Yes; I think so. There is a memo. made out by Farwell which speaks of it in this way. There's a letter from Mr. T. E. Peck, dated 31st August, 1870, referring to application for a lease of a tract of land containing ten acres, adjoining the Vancouver Coal Company's line at head of Exit Passage; and memo. of B. W. Pearse, recommending favourable consideration, and referring to the land as Government reserve; and memo. of Governor that it would be inexpedient to part with portion of Government reserve at present, but that, any way, consideration must be deferred until after the return of the Chief Commissioner of Lands and Works, Mr. Trutch. Memo. in Mr. Beaven's writing, addressed apparently to Farwell:—"How and at what date did T. E. Peck obtain leave to occupy land in the Newcastle townsite? State how was Newcastle townsite reserved; date, &c. How much of the townsite is reserved into lots? Is Peck's in the land surveyed into lots? Are there any other occupiers on this reserve?" Endorsed in Mr. Beaven's writing—"Wrote G. A. Walkem 22nd November, 1873." In reply to these queries is a memo. of Farwell for information of the Chief Commissioner of Lands and Works, dated November 21st, 1873. There is no other official map of Newcastle town except the one I have produced, that I am aware of.

W. S. GORE.

Day's proceedings read over, as was the case on previous days, and the Committee adjourned until 10:30 A. M. Thursday.

CHAS. E. POOLEY,  
*Chairman.*

THEODORE DAVIE,  
*Secretary.*

#### FOURTH SITTING—THURSDAY, 18TH FEBRUARY, 1886.

Minutes previous meeting read and confirmed.

Present—Messrs. C. E. Pooley, R. Beaven, C. Semlin, G. B. Martin, and T. Davie.

MR. GORE, re-examined—Produced memo. of lots sold in Newcastle townsite. Read letter from Mr. Beaven, Chief Commissioner, to Mr. Walkem, Attorney-General, dated 22nd November, 1873. I cannot find a reply to this letter.

Mr. Pooley—Is the land applied for by David Hoggan and Samuel Waddington part of the land shown upon the official map of the town of Newcastle? *Ans.*—Yes.

Mr. Semlin—Is the land applied for by Hoggan part of the land set aside for public purposes? *Ans.*—It is.

Mr. Beaven—Will you produce Hoggan's application? *Ans.*—We have no application in this office from Hoggan, other than Mr. McKenzie's letter dated 31st August, 1885. The application had been made to the district office and had been refused.

Mr. Gore produced the papers referring to the application of Robert Wingate for right of way through Newcastle Reserve, between sections 13 and 14, with the eastern boundary of range 8, to a point on the coast opposite Newcastle Island, and to acquire a tract of five acres at sea-end of proposed railway.

Letter read from Eberts & Irving, dated July 13th, 1882, to Hon. R. Beaven, Chief Commissioner. Also letter from Chief Commissioner to Messrs. Eberts & Irving, dated July 20th, 1882. Mr. Gore to furnish copies of these letters; also of further letters outward, showing how the matter had been finally dealt with by the Executive Council.

Re L. A. Agassiz's application to purchase or record as homestead settler lot 461, group 1, New Westminster District. Date of application, April 8th, 1884, by writing of letter stating he had already applied to Hon. J. W. Trutch on 14th January, 1844, to purchase land known as lot 461, group 1, New Westminster District. Answered by circular dated 16th April, 1884.

Mr. Gore to furnish copies of letters as follows:—Letter from Agassiz to the Chief Commissioner, May 3rd, 1884; letter from the Chief Commissioner to Agassiz, May 15th, 1884; letter from Agassiz to the Chief Commissioner, November 30th, 1885; letter from the Chief Commissioner to Agassiz, December 8th, 1885; letter from Agassiz to the Chief Commissioner, January 20th, 1885; letter from Surveyor-General to Agassiz, January 22nd, 1885.

W. S. GORE.

Mr. Beaven moved, seconded by Mr. Semlin, that Mr. Hoggan be invited to attend before the Committee on Friday, 26th February, at 10:30 A. M. Carried.

Meeting adjourned to 10:30 A. M. Friday, February 26th, 1886.

CHAS. E. POOLEY,  
*Chairman.*

FIFTH SITTING—FRIDAY, FEBRUARY 26TH, 1884.

Present—Messrs. Martin, Pooley, Davie, Beaven, Semlin, and Gore.

Last minutes read and accepted.

Mr. Pooley read sundry papers.

Mr. Semlin moved that the Chief Commissioner of Lands and Works be asked to forward all correspondence between Mr. H. Woodward, of Nicola, and also between the department and Ed. Dougherty. Seconded by Mr. Beaven and carried.

Mr. Gore produced copies of letters between Mr. Agassiz and the Land Office. Also, applications of John Dick, James Dick, Henry P. Smith, David Hoggan, Jessie Sage, G. Sage and Joseph Sage for certain lands near the Millstone River, Nanaimo District.

LOUIS ARTHUR AGASSIZ examined:—I am a farmer, at present residing at Fernicombe, near Harrison River. Mr. Trutch published notice with regard to railroad lands on the Mainland about the 24th November, 1883. I applied to Mr. Trutch for lot 461, group 1, New Westminster District, on the 14th January, 1884. [Application, marked "A," handed in. Reply, marked "B," produced and read.] The reply is the same reply to all applicants for land in the railroad belt on the Mainland, which has been sent by Mr. Trutch. I went on the land on the 24th January, 1884, and put up a house, and continued to reside there until June, 1885. Cleared about ten acres; had about three acres in crop in 1885, and about one acre the year before. I had an acre of land fenced with a picket fence, and about 100 fruit trees planted in the fall of 1884. The first year I put up a barn about 22x34 feet, kept a pair of horses and about 300 chickens. After the Provincial Government refused to recognize my claim, sold the chickens and went to reside at Fernicombe, in June, 1885. When I left this claim in June I left an agent to represent me, who has not been residing there continuously since, but has not been absent any one time, to my knowledge, more than two months. I can't recollect the name; he is now assistant tally-man at the Hastings Saw-Mill. When my first agent left I appointed a new man, whose name is Thomas Greer. Last winter put up a barn 100x18 feet. I put up this barn after I knew that the Provincial Government had disputed my claim. I have five cows and two horses there at the present time. Three of the cows have been there about three months; the other two only lately. The horses have been there, off and on, since I had the place. The Hon. John Robson advised me to continue improving the place, after the refusal of the Provincial Government to recognize my claim. Mr. Robson said I should always be paid for my improvements. I explained it might be years before I was paid for these improvements, and that in the meantime they might disappear, from pines or brush growing up. He said the only advice he could give me was to go on improving the place. In addition to the improvements are a number of small chicken houses. I consider the value of the improvements at \$2,000—that is, reckoning my own time. I have applied to the Local Government, but they have always refused to recognize my claim.

Mr. Semlin—Do you recollect the time that elapsed between the establishment of Port Moody as the terminus and the notice of the reserve by the Provincial Government? *Ans.*—I cannot state the difference of time.

Mr. Semlin—Are you aware of other applicants for land who have been refused? *Ans.*—Yes; the Rev. Mr. Dichein.

Mr. Beaven—Do you know the acreage of lot 461, group 1? *Ans.*—In the New Westminster office it is stated to be about 130 acres; in the Land Office in Victoria about 180 acres.

Mr. Beaven—In what part of the lot are your improvements? *Ans.*—Some of them in the centre, and some of them in the corner of the lot that comes out to the Granville road.

Mr. Beaven—In what portion of the lot is your house situated? *Ans.*—In the centre.

Mr. Beaven—You said you took up this land when the Dominion Government assumed control of it. Why did you apply to the Provincial Government for a record of it? *Ans.*—The first application to the Provincial Government was made because I heard that the land was likely to revert to the Provincial Government, so that they should know I was on this lot. The second one was made in consequence of a notice in the paper, May 2nd, 1884, referring to squatters.

Mr. Beaven—Did you appear before the Squatters Committee on squatters' rights last session? *Ans.*—No. I came down for the purpose of appearing before them, but was told by Mr. Smithe and the chairman of the Committee that my evidence could not be taken, as the land I claimed was not included in the grant proposed to be made to the syndicate.

Mr. Beaven—Have any member or members of the Provincial Government given you any reason for your not having the land, other than what appears in the correspondence? *Ans.*—Not to myself. I was shown a letter by Mr. Dichein from Mr. Gore, in which Mr. Gore stated the land had another value besides an agricultural one, and would not be sold as agricultural land.

Mr. Beaven—In what direction is the land claimed by Mr. Dichein from yours? *Ans.*—Half a mile south.

Mr. Semlin—Did any member of the Provincial Government make any proposition to you in reference to this land? *Ans.*—Mr. Smithe proposed that the land be surveyed into lots, about 5-acre lots, and offered at public auction at an upset price of \$25 per acre; that the value of my improvements which would be found on certain lots should be added to the upset prices of both lots, on condition of my buying them in myself at a slight advance on the upset original price.

Mr. Pooley—Is the land which you have taken up all good agricultural land? *Ans.*—It is, in great part.

Mr. Pooley—What is the character of the soil? *Ans.*—It is not a gravelly soil, but some of the ridges are rocky.

Mr. Pooley—Is the land heavily timbered? *Ans.*—No; the timber is lying down. There is only one green fir tree standing.

Mr. Pooley—Is it land you would have taken up if it had not had a speculative value? *Ans.*—Yes, I would.

Mr. Pooley—How long have you resided in British Columbia? *Ans.*—I have resided here twenty-four years.

Mr. Pooley—Have you any land near Harrison River, of your own? *Ans.*—I have.

Mr. Beaven—Had lot 461, group 1, any speculative value when you first squatted upon it? *Ans.*—The lot next to me was offered for about \$3,000, but could not be sold for that price, including improvements. There were about five acres of timothy on the land at that time.

Mr. Pooley—Who owned that land? *Ans.*—Mr. Miller, the constable at the Inlet.

Mr. Pooley—What price does Mr. Miller now ask? *Ans.*—About \$10,000. He has had the land cut up into lots.

Mr. Pooley—Have you a Crown grant of the land you took up at Fernicombe? *Ans.*—Yes.

L. A. AGASSIZ.

Committee adjourned to 10:30 Tuesday, the 2nd March, 1886.

A.

14th January, 1884.

SIR,—I have the honour to inform you that I intend to settle on a piece of surveyed land lying between the head of False Creek and the North Arm of the Fraser River, in the New Westminster District, and marked Lot 461 (four hundred and sixty-one) in Woods & Turner's map, and to request that you will be so good as to record my application to do so.

I have, etc.,

(Signed) L. A. AGASSIZ.

To the Hon. Joseph Trutch, C.M.G., &c., &c.,  
Dominion Agent,  
Victoria, B. C.

P. S.—My address will be New Westminster, B. C.

(Initialed) L. A. A.

I hereby certify that I have compared and examined this copy with the original, and that the same contains a true and faithful copy of such original.

In testimony whereof, I have hereunto set my hand and affixed my seal of office, at Victoria, B. C., this eighteenth day of October, A.D. 1884.

(Signed) E. M. JOHNSON,  
Notary Public, B. C.

[L. s.]

B.

OFFICE OF DOMINION GOVERNMENT AGENT,  
VICTORIA, B. C., 11th February, 1884.

SIR,—I am directed to acknowledge receipt of your letter of 14th January last, on the 15th of the same month, and to inform you that Mr. Trutch is not in a position at the present time to take any action in the matter, but that your application has been placed on file and will be considered in due course.

I have, &c.,

(Signed) H. S. ROEBUCK,  
Secretary.

L. A. Agassiz, Esq.,  
New Westminster, B. C.

## APPENDICES TO FIRST REPORT.

### NEWCASTLE RESERVE.

NANAIMO, B. C., 31st August, 1870.

W. B. Pearse, Esq.

SIR,—Having settled upon a portion of land adjoining the V. C. Co.'s line at the head of Exit Passage, built a dwelling house, fenced and cleared an acre, and cut two miles and a half of road to town, we are desirous of enlarging our claim to the extent of ten acres, and request a lease of said land from the Government at the nominal rental of two dollars an acre per annum; provided we are allowed to purchase said land when thrown into market.

We are, &c.

(Signed) THOS. ERIC PECK.  
ARTHUR E. ALPORT.

MEMO.—Submitted for the consideration of His Excellency the Governor. This is part of the Government Reserve, and is between Nanaimo and Departure Bay, and opposite the stone quarry. I would recommend this application to His Excellency's favourable consideration. Applicant should, of course, pay for the survey.

(Signed) B. W. PEARSE.  
2nd Sept., 1870.

The Hon. Colonial Secretary.

Under the present circumstances of the Colony it appears to me inexpedient to part with the Government Reserves, or suffer encroachment upon them. At all events consideration of the application must be postponed until after return of Chief Commissioner of Lands and Works.

(Signed) A. M.  
6th Sept., 1870.

Forwarded for the information of Mr. Pearse.

(Signed) P. J. H.  
Sept. 15th.

LANDS AND WORKS DEPARTMENT, B. C.,  
15th September, 1870.

GENTLEMEN,—I have the honour to acknowledge the receipt of your letter, dated 31st ultimo, applying for a lease of certain tract of land near Departure Bay, and in reply to inform you that the Governor will postpone the consideration of your letter till the return to the Colony of Mr. Trutch.

I have, &c.,  
(Signed) B. W. PEARSE.

Messrs. Peck & Alport, Nanaimo.

*Memorandum of the Chief Commissioner of Lands and Works for the Surveyor-General.*

- How and at what date did T. E. Peck get permission to occupy land on Newcastle Townsite?
- State how was Newcastle Townsite reserved, date, &c.?
- How much of the Townsite is surveyed into lots?
- Is Peck's in the land surveyed into lots?
- Are there any other occupiers on this reserve?

*The Surveyor-General's answer.*

NEWCASTLE RESERVE, NANAIMO.

On May the 5th, 1855, the Hudson Bay Company purchased 6,193 acres at Nanaimo. The whole district contains—

Sections I., II., and III .....	6,322	acres.
Cameron, and other small Islands .....	31	„
Newcastle Island .....	752	„
Douglas Island .....	162	„
Total .....	7,267	„
Deduct for Public purposes .....	724	acres.
„ Indian Reserves .....	250	„
„ Public Roads .....	100	„
	1,074	„
	6,163	„

The 724 deducted for public purposes has been called the Newcastle Townsite, but there appears to be no Gazette notice authorizing such a title.

On the 23rd July, 1860, the Colonial Surveyor entered into an agreement with F. W. Green, Esq., to lay out a portion of the said tract of land, “and distinctly mark on the ground all those lots, blocks, and streets, and suburban lots shown on maps of Newcastle Town lying at the Land Office, including about 80 lots, 25 suburban lots, and the streets to the water, here shewn, &c., &c.”

According to the official map deposited in this office, about 126 acres <sup>62</sup>/<sub>100</sub> were laid out in lots and streets, including 12 acres sold to Samuel Waddington on the 6th October, 1871. The lots were advertised to be sold by auction on the 1st October, 1860, in the Victoria Weekly Gazette. The sale took place, and several lots were disposed of. In the advertisement the property was described as Newcastle Town.

Mr. T. E. Peck applied, 31st August, 1870, for a lease of ten acres of the said reserve opposite Exit Passage, stated he had “settled upon a portion of land adjoining the V. C. Co.'s line at the head of Exit Passage.”

The land applied for by Mr. Peck is not in the portion of the reserve laid out in lots.

Mr. Peck received an answer from this department, dated the 15th September, 1870, postponing a definite answer until the return of the Chief Commissioner of Lands and Works. The correspondence appears to have stopped here; there being no record of any more letters on the subject.

The date of the Newcastle Reserve I am unable to ascertain. The Vancouver Island correspondence on record commencing in the spring of 1856, and the reserve is shown in the record book of Nanaimo District to have existed prior to the 5th May, 1855.

The land owned by the V. C. Co. was conveyed to them by the Hudson's Bay Company.

November 21st, 1873.

(Signed) STANOPE FARWELL.

LANDS AND WORKS OFFICE, VICTORIA,  
22nd November, 1873.

SIR,—In reference to the Newcastle Reserve, Nanaimo, I have the honour to inform you that on 5th May, 1855, the Hudson's Bay Company purchased 6,193 acres of land at Nanaimo.

That the whole district contains—

Sections I., II., and III. ....	6,322 acres.
Cameron, and other small Islands.....	31 „
Newcastle Island.....	752 „
Douglas Island.....	162 „
	7,267 „
Deducted for Public purposes.....	724 acres.
„ Indian Reserves.....	250 „
„ Public roads.....	100 „
	1,074 „
	6,193 „

That the 724 acres deducted for public purposes has been called the “Newcastle Townsite;” but there appears no Gazette notice of the same.

That about twenty-six acres (26) of this townsite has been laid off into lots and streets, and offered at auction, under the name of Newcastle Town, and several lots were sold on 1st October, 1860.

That the last sale in Newcastle Town appears to have been twelve (12) acres to Samuel Waddington on 6th October, 1871.

That T. E. Peck applied, on 31st August, 1870, for a lease of ten (10) acres of land on the Reserve outside Newcastle town, with the right to purchase as soon as land could be purchased.

That he has been in occupation of, and made improvements on, and now desires to purchase.

Under these circumstances should this Government apply to the Dominion Government for a transfer of the Newcastle Town, 126 acres, or for the Newcastle Townsite, 724 acres, deducting the portions sold in either case, and can T. E. Peck purchase the ten acres (which he occupies) from this Government?

I have, &c.,

(Signed) ROBERT BEAVEN,

Chief Commissioner of Lands and Works.

Hon. Attorney-General, &c.

LANDS AND WORKS DEPARTMENT,  
VICTORIA, Nov. 21st, 1873.

SIR,—I have the honour to request that you will be good enough to inform me on what grounds you base your claim for a certain tract of land, being a portion of the Government Reserve, Nanaimo District. Also set forth any documentary or other evidence you may possess in support of the same.

I have, &c.,

(Signed) ROBERT BEAVEN,

Chief Commissioner of Lands and Works.

T. E. Peck, Esq.,  
Nanaimo, B. C.

*Memorandum respecting the Sale of Lots in Newcastle Town site.*

Town Lots.—In October, 1860, fifty-one (51) lots were sold at prices ranging from £5 to £23 per lot. The average price being about £8 10s. per lot, or about \$200 per acre.

Suburban Lots.—On the 25th May, 1865, four (4) suburban lots were sold at auction at the rate of \$25 per acre.

In 1871 and 1872, eight (8) suburban lots (including Waddington's) were sold at the rate of \$5 per acre.

NANAIMO, B. C., 31st Aug., 1885.

SIR,—On 19th March, 1882, Mr. David Hoggan of this city made the following application, accompanied by a plan, to the Government Agent here:—

“SIR,—I beg herewith to apply for one hundred and sixty (160) acres of land, coloured pink, and “marked with the letters A, B, C and D on the accompanying plan, containing one hundred and sixty “acres, bounded on the north by the land occupied by W. Henry Jenkins, on the south by Newcastle town- “site and Government Reserve, and on the east by exit Passage.

“I have, &c.,

(Signed) “DAVID HOGGAN.”

Mr. Hoggan has, on the strength of this application (since repeatedly renewed, and within a month of the date of this letter) made considerable improvements in clearing and in buildings, and to the extent of at least \$1000 on the land in question. His claim has not, however, so far been recognized by the Govern- ment, nor can he obtain a satisfactory explanation of the delay in the recognition of his claim.

Mr. Hoggan has therefore instructed me to apply to the Honourable Chief Commissioner of Lands and Works for a definition of the position he holds with respect to the said lands, namely:—

1. As to whether he is a "squatter," and whether his claim is one to be considered among the other claims of squatters on the Island Railway lands.

2. Whether he is a pre-emptor under the conditions of sale of the same lands under the Act of 1884, chapter 14; and

3. If not recognized under both or either of these heads, whether his claim is recognized at all by the Department of Lands and Works, and, if not, the reasons of the Department for its action in the premises.

Mr. Hoggan himself claims that he is entitled under the law to at least all the rights of a pre-emptor on the Island Railway lands, and equally so with any other pre-emptor on the said lands, and that he is prepared to pay the price fixed by law upon the said lands, namely, one dollar per acre, and to prove up his claim to pay that sum.

Mr. Hoggan further claims as a first step, that he is entitled to have made and issued to him from the Government of British Columbia, as the agents of the Dominion of Canada for administering for the purposes of settlement the said Railway lands, a pre-emption record as being an actual settler on the said land.

I have, &c.,

(Signed) C. C. McKENZIE,  
Agent for David Hoggan.

*The Chief Commissioner of Lands and Works,  
Victoria.*

NANAIMO, B. C., Sept. 7th, 1885.

SIR,—I have the honour to acknowledge receipt of your letter from F. G. Richards, Jr., enclosing a copy of letter from C. C. McKenzie, in reference to D. Hoggan's application to record land in the Government Reserve north and joining Newcastle Townsite.

My letter of instructions dated the 20th of May, 1884, in reference to my issuing records for Island Railway Lands, was to the effect that I should not issue any records for any land embraced in townsites or Government Reserves, and when the Hon. Mr. Smithe was up here last fall, he gave me instructions to the same effect, and told me not to issue any records for any land in Newcastle Townsite, or the Government Reserve to the north of same, until I received instructions from the Government to do so. Several parties have applied to me to pre-empt in this same reserve, and I have informed them that until I received instructions, I cannot issue records for any land included in said reserve. I informed Mr. Hoggan of this, and told him as soon as the land was open for pre-emption I would let him know, so that he could get in his application at once; I also gave same information to Mr. McKenzie.

I also informed Mr. Hoggan that he could not claim a squatter's right as under section 23, "Island Railway, Graving Dock, and Railway Lands, Act, 1884," he to claim such would have to be in continuous occupation of said land one year prior to the 1st of January, 1883. Now he did not occupy said land until after date of his application filed in this office, 19th March, 1882. Hoggan has done considerable improvements on the land, not as a farmer; he is a butcher here, and has built his slaughter-house and other buildings appertaining thereto, and fenced in a small piece of land to keep his beef cattle in before killing the same.

When Hoggan made the application and put up his buildings on the land in 1882, he was well aware that the land was not at that time open for pre-emption, as I took pains to inform him on that point; and I also informed him that in building on the land he took the risk, as the land might never be thrown open for settlement. And to follow the Land Act, Hoggan has never strictly occupied the land he claims, as he has never lived on any portion of the land, either himself, his agent, or his family; he only slaughters his beef cattle on the land in the slaughter-house which he has built.

Please to inform me if this reserve is likely to be thrown open for settlement soon, as James Harvey has also made application for some land in this reserve.

I have, &c.,

(Signed) M. BRAY,  
Government Agent.

*W. S. Gore, Esq., Surveyor-General,  
Victoria.*

NANAIMO, 21st Oct. 1885.

SIR,—I am instructed by Mr. Samuel Waddington, of this city, to communicate with the Honourable the Chief Commissioner of Lands and Works, in relation to the land he claims near the Newcastle Townsite in this District. Mr. Waddington informs me, that in 1870, or thereabouts, he purchased from the Government of British Columbia four suburban lots in that neighbourhood, namely, lots numbered 50, 51, 52 and 53. That subsequently to that period, finding his holding to be insufficient in size to maintain himself and his increasing family, he asked for and obtained permission from the Lands and Works Department to take up the land adjoining his purchase. It seems that that permission was afterwards revoked. Mr. Waddington has, however, remained in possession of and has continued to cultivate and improve the said land ever since. On the 27th August, 1883, in reply to a communication from him respecting the same land, dated 22nd of that month, Mr. Waddington was informed by direction of the Chief Commissioner of Lands and Works as follows: "At the next meeting of the Provincial Legislature, a Bill will be introduced to deal with the lands now reserved for railway purposes, and until that time you can only continue as a "squatter."

Mr. Waddington therefore claims that, having taken up this land long prior to the first day of January, 1882, and having been recognized by the Government as a squatter, and being in terms of the Act 1884, chapter 14, a *bona fide* squatter who has continuously occupied and improved the said land, he is entitled to a grant of the freehold of the surface rights of the said squatted land, to the extent of his application as filed in the Lands and Works Office, at the rate of one dollar an acre.



I have now the honour to request that you will cause to be recorded in Mr. Samuel Waddington's name as a squatter, or as a pre-emptor under the Act intituled "An Act Relating to the Island Railway, the Graving Dock, and Railway Lands of the Province," the land he claims, or otherwise to inform me, as his agent, of your reasons for refusing to do so.

I am also instructed by Mr. Waddington to make application for the return to him, through me, of a letter from the Lands and Works Department, in which permission was given him to occupy the land he now claims, and which was left by him in the Lands and Works Office.

I have, &c.,

(Signed) C. C. MCKENZIE,  
Agent for Samuel Waddington.

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

VICTORIA, B. C., Oct. 29th, 1885.

SIR.—I have the honour to acknowledge your letter of the 22nd instant, respecting land claimed by Mr. Waddington within the Newcastle Townsite Reserve, and in reply, I beg to refer you to my letter to you of this date on the subject of Mr. Hoggan's claim to land at the same place. I know nothing either of the permission alleged to have been granted to Mr. Waddington to take up land there or its revocation.

I have, &c.,

(Signed) WM. SMITHE,  
Chief Commissioner of Lands and Works.

*C. C. McKenzie, Esq.,  
Nanaimo, B. C.*

NANAIMO, October 19th, 1885.

SIR,—I take the liberty of reminding you that on the 31st August last I addressed you a communication respecting Mr. D. Hoggan's claim to certain lands in this district, and that I have not as yet received an answer to it.

On the 13th instant Mr. Robert Dunsmuir informed me that you had submitted this matter to his consideration, and that on his request you had delayed sending me an answer, so as to give him an opportunity of seeing Mr. David Hoggan and myself in relation thereto. On the occasion referred to, Mr. Dunsmuir made certain verbal propositions, but these were of so vague and indefinite a character as to preclude all idea of their being entertained by Mr. Hoggan.

I now venture to say, on Mr. Hoggan's behalf, that Mr. Hoggan claims neither more nor less than that to which the Act of 1884 entitles him in respect to these lands, and he furthermore presumes that your Government are equally well prepared to accord him neither more nor less than his due under the same Act.

I have, &c.,

(Signed) C. C. MCKENZIE,  
Agent for David Hoggan.

*The Honourable the Chief Commissioner of Lands and Works.*

VICTORIA, Oct. 29th, 1885.

SIR,—I have the honour to acknowledge your letter of the 19th instant, relative to a claim preferred by Mr. David Hoggan, to be allowed to pre-empt 160 acres of land within the limits of the Newcastle Townsite Reserve. In reply, I beg to say that the Newcastle Townsite, which was set apart in 1855 for public purposes, has been regarded ever since as having been withdrawn from sale for agricultural settlement. Under the Act which you quote, I have authority only to issue pre-emptions for agricultural purposes. The reserve has a special value for other than agricultural purposes, and has been exceptionally treated for thirty years. Not a single acre of it has ever been sold at the price or under the conditions provided by the law of the country for the acquisition of land for farming purposes. Certain suburban lots were sold in 1871, to Mr. Waddington at special rates, as was provided in the Land Act then in force might be done in the case of town or suburban lands. A few town lots were sold under the same authority. An application to lease a small area by Mr. Peck in 1870 was declined by Governor Musgrave. It seems perfectly clear that, having been set apart so long as urban and suburban land, it cannot now be regarded as land open for agricultural settlement at one dollar per acre. Under the Settlement Act, as I interpret it, Mr. Hoggan is not entitled to the land you claim for him, and I decline to authorize a pre-emption record to be made in his favour.

I have, &c.,

(Signed) WM. SMITHE,  
Chief Commissioner of Lands and Works.

*C. C. McKenzie, Esq.,  
Nanaimo, B. C.*

NANAIMO, Nov. 2nd, 1870.

SIR,—The instructions you gave Mr. Mohun, limiting me to twelve acres, cuts off a portion of the swamp I intended to purchase, viz: the southern and western portion. It will be necessary for me to cut a drain through that part in order to drain the other portion. Mr. Mohun will be better able to tell how it lays than I can describe it; however, I will make a rough sketch, so that you may have a little idea. I suppose it will be necessary to have it surveyed before I shall be allowed to purchase it; but if you will grant me the privilege of occupying it until it is surveyed, I can proceed at once to cut the drain. The whole only comprises about twenty acres. Hoping you will give me an answer as early as possible, I remain,

Yours respectfully,

(Signed) S. WADDINGTON.

*B. W. Pearse, Esq., Surveyor-General,  
Lands and Works Department, Victoria, B. C.*

VICTORIA, Nov. 7th, 1870.

SIR,—In reply to your letter dated 2nd instant, I have the honour to inform you that I see no objection to your increasing your quantity as shown on rough sketch, upon you getting your land surveyed and paying for the same at the rate first agreed upon.

I have, &amp;c.,

(Signed)

B. W. PEARSE,

*Assistant Surveyor-General.*

*Samuel Waddington, Esq.,  
Nanaimo, B. C.*

NANAIMO, B. C., Nov. 9th, 1870.

SIR,—I am in receipt of your welcome letter, dated November 7th, stating that "you see no objection to my increasing my quantity of land as shown on rough sketch." I am sorry that Mr. Mohun has left here; it prevents me from having an accurate survey made at present. However, if you are willing to let me purchase the whole of the swamp, calling it, say, twelve acres of swamp and two acres of bush, I am willing to pay for the same at the price first agreed upon. If you would let my swamp be the boundary line of the outside lots, it would cover all my present difficulty. I enclose \$70; if it should meet with your kind approbation to agree to these terms, you will please take the payment out of this, and return what is due to me together with the land conveyance, &c.

Yours respectfully,

(Signed)

S. WADDINGTON.

*B. W. Pearse, Esq., Surveyor-General,  
Lands and Works Department, Victoria.*

P. S.—Mr. Mohun says he does not think there is two acres of swamp left outside of my present lines.

(Signed)

S. WADDINGTON.

VICTORIA, 2nd Dec., 1870.

SIR,—I have the honour to acknowledge the receipt of your letter dated 25th ultimo, and in reply to inform you that it is in contemplation by the Government to survey a number of suburban lots in Newcastle in the spring, and to offer the same for sale by public auction, and that then you will have an opportunity of purchasing the land you seek.

The Governor made a special exception in your favour in granting you the right to purchase the four lots already sold to you, and does not feel disposed to go any further in the matter.

I have, &amp;c.,

(Signed)

J. W. TRUTCH.

*Samuel Waddington, Esq.,  
Nanaimo, B. C.*

NANAIMO, November 25th, 1870.

DEAR SIR,—I am in receipt of your letter dated November 15th, acknowledging the receipt of \$70 (seventy dollars), forwarded by me in payment for suburban land; also the \$10 you returned. Since I received your letter dated November 2nd, I took it for granted that I should be allowed to purchase the remaining 2 acres (two acres) of swamp as shown on rough sketch. I had, therefore, commenced to fence on the outside of the swamp, it being the only work I can do at present on the place. The swamp is at present inundated and it will be late in the season before I can fence or anything on the lines laid out by Mr. Mohun on the swamp. That being the case the remaining land the next season will be almost worthless. I am now at a perfect stand. Since my application was made previous to you deciding not to sell any more land by private sale (and the privilege granted me to purchase the same), I hope you will reconsider the matter so that I can commence work as usual.

It is a matter of great importance to me, as on your decision my success or failure wholly depends.

Yours respectfully,

(Signed)

S. WADDINGTON.

*W. B. Pearse, Esq., Assistant Surveyor-General,  
Lands and Works Department, Victoria, B. C.*

VICTORIA, 18th Nov., 1870.

SIR,—I have the honour to acknowledge the receipt of your letter dated 9th instant, enclosing the sum of \$70 in payment of certain lots of suburban land at Nanaimo. I have also to inform you that the four lots laid out by Mr. Mohun, viz: L, LI, LII, LIII, contain 12 acres, the price of which will therefore be \$60. I return you \$10 herewith, as no more land can be sold by private sale in this neighbourhood.

I have, &amp;c.,

(Signed)

B. W. PEARSE,

*Assistant Surveyor-General.*

*Samuel Waddington, Esq.,  
Nanaimo, B. C.*

NANAIMO, B. C., Feb. 19th, 1886.

SIR,—I have the honour to acknowledge the receipt of your letter of the 18th instant, and beg to state in reply, that the following named are the parties to whom I declined to issue records of pre-emption:—

John Dick, <i>et al</i> , application enclosed, .....	480 acres
David Hoggan, ,, ,, .....	160 ,,
Jesse Sage & Sons, ,, ,, (acreage not specified) .....	
James Harvey .....	160 ,,
Peter Brodie .....	160 ,,
Samuel Waddington .....	160 ,,

The above named parties have all wished to apply for land in the Newcastle Townsite Reserve, but I informed them that the land in the said reserve (according to my instructions from the Lands and Works Department), was not open for settlement yet, and that it was useless to leave their applications with me until said land was declared open for such settlement; hence they all took thier applications away with them, viz: applications for Island Railway Lands, 1834.

I enclose herein applications made to me prior to the passing of the Settlement Bill. I also beg to state that these reserve lands are the only lands that I have declined (by order) to issue records for.

Please to return the enclosed applications when you have done with them, as they may be of service in this office in the event of the land being thrown open.

I have, &c.,

(Signed)

MARSHAL BRAY,

Government Agent.

W. S. GORC, *E q.*, Surveyor-General,  
Victoria, B. C.

NANAIMO, March 1st, 1882.

We, the undersigned make application for 480 acres of land in Nanaimo District, and situate north of the Millstone River, to be bounded by a line on the north running due west from the shore. Said line to be defined to enclose the above quantity, exclusive of that portion of land allotted to the township of Newcastle, and those portions already taken up and recorded.

This application is made with the intention of pre-empting or purchasing the above land when the question of reserve shall have been settled and the land thrown open for settlement.

(Signed)

{ JOHN DICK,  
JAMES DICK,  
HENRY P. SMITH.

NANAIMO, March 19th, 1882.

SIR,—I beg herewith to apply for one hundred and sixty (160) acres of land coloured pink, and marked with the letters A, B, C and D on the accompanying plan, containing one hundred and sixty acres, bounded on the north by the land occupied by William Henry Jenkins, on the south by Newcastle Townsite and Government Reserve, and on the east by Exit Passage.

I have, &c.,

(Signed)

DAVID HOGGAN.

NANAIMO, May 21st, 1883.

SIR,—We, the undersigned, beg herewith to apply for leave to pre-empt the land coloured pink on the enclosed sketch whenever the said land is open for pre-emption.

We have, &c.,

(Signed)

{ JESSE SAGE,  
GEORGE SAGE,  
JOSEPH SAGE.  
per W. L.

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

Re AGASSIZ'S CLAIM TO LOT 461, GROUP I., NEW WESTMINSTER DISTRICT.

BURRARD INLET, GRANVILLE,

April 8th, 1884.

SIR,—I have the honour to state that on the fourteenth of January last, I applied to the Honourable Joseph Trutch, to purchase that piece of land known as Lot 461, G. I., situated upon the False Creek and New Westminster road, New Westminster District.

In the event of these lands returning to the possession of the Provincial Government, I have the honour to request that you will record this Lot in my name as a homestead settler; I having done substantial improvements upon the same.

I have, &c.,

(Signed)

L. A. AGASSIZ.

The Chief Commissioner of Lands and Works,  
Victoria, British Columbia.

VICTORIA, B. C., 16th April, 1884.

SIR,—The Honourable the Chief Commissioner of Lands and Works desires me to inform you, in reply to your communication of the 8th instant, that the land which you therein make application to purchase is at present reserved from sale and cannot be dealt with in any manner, nor can the application referred to be deemed to confer any claim whatsoever to the land when the same shall be in the market.

I have, &c.,

(Signed) W. S. GORE,  
*Surveyor-General.*

*L. A. Agassiz, Esq.,  
Granville, B. C.*

PUBLIC NOTICE.

NOTICE IS HEREBY GIVEN, that the Crown Lands, commonly known as the Railway Reserve, lying to the west of Port Moody, New Westminster District, are not open to purchase or pre-emption; and all persons are warned against squatting upon or otherwise dealing with the same.

(Signed) WM. SMITHE,  
*Chief Commissioner of Lands and Works.*

*Lands and Works Department,  
Victoria, B. C., May 2nd, 1884.*

GRANVILLE, May 3rd, 1884.

SIR,—Referring to your notice published in the *Columbian* of this date, respecting land west of Port Moody, I have the honour to draw your attention to a letter published in various newspapers, on the 26th of November last, by H. S. Roebuck, Esq., Secretary Dominion Government Agent, respecting these lands.

And also to state that relying that "after this notice," the right of settlers would be respected, and the land conveyed to them in due course, I made entry last February, upon Lot 461, Group I, New Westminster District, lying upon the False Creek road, and have since applied to Mr. Trutch to purchase it. It is neither valuable for timber, minerals, or pasture land in its present state, nor yet as a harbour site, being about thirteen miles from Port Moody, and four from English Bay; but is peculiarly adapted for raising poultry and fruit upon a large scale, with which view I took it up. I have continually resided upon it since my application to Mr. Trutch in February last, and have stocked it with a lot of imported thoroughbred poultry, and have made improvements upon it amounting to one thousand dollars, and also have contracts let, and in progress, for clearing and cultivating.

Seeing that I took up this land prior to your notice of the 3rd instant, trusting in the good faith of the Dominion Government, and have made valuable improvements upon it, I hope you will see fit to confirm me in possession of the same.

I have, &c.,

(Signed) L. A. AGASSIZ.

*The Honourable Wm. Smithe,  
Chief Commissioner of Lands and Works.*

VICTORIA, B. C., May 15th, 1884.

SIR,—In answer to your communication of the 3rd instant, I beg to call your attention to a circular from this Office, posted to you in reply to your letter of the 8th ultimo, relative to the land reserved from sale in New Westminster District. A reply to your present application would be of the same tenor.

I have, &c.,

(Signed) W. S. GORE,  
*Surveyor-General.*

*L. A. Agassiz, Esq.,  
Granville, B. C.*

GRANVILLE, BURRARD INLET,  
January, 20th, 1885.

SIR,—I have the honour again to apply to you to recognize my title to that piece of land known as Lot 461, New Westminster District, which I settled upon last January, under authority of Mr. Trutch's letter to the public dated 27th November, 1883.

My application to him having been placed on file the same as other settlers throughout the Province, I have fulfilled all the settlement duties connected therewith, and expended a large amount of money upon it.

As the Dominion lands were thrown open to settlement at the instance of your Government, I claim to have my title recognized by you.

I have, &c.,

(Signed) L. A. AGASSIZ.

*The Honourable Wm. Smithe,  
Chief Commissioner of Lands and Works.*

VICTORIA, B. C., Jan. 22nd, 1885.

SIR,—I have the honour to acknowledge the receipt of your letter of the 20th instant, in which you ask that your claim to a certain piece of land in New Westminster District may be recognized.

In reply, I beg to refer you to previous letters from this department upon the subject.

I have, &c.,

(Signed) W. S. GORE,  
*Surveyor-General.*

L. A. Agassiz, Esq.,  
*Granville, B. C.*

GRANVILLE, B. C., Nov. 30th, 1885.

SIR,—I have the honour to state that with regard to your proposition to lay off the piece of land that I claim, "Lot 461," into five acre lots and sell by public auction at an upset price of twenty-five dollars per acre, with the price of improvements added, I beg to state that having put so much money in the land already, I am not in a position to pay the extra price for the land, nor do I consider that it is worth it, and I object to your selling it, as I took it up as a *bona fide* settler while it was reserved for the Dominion Government for railway purposes, from English Bay to the summit of the Rockies; and they, through their agent Mr. Trutch, gave settlers leave to go on Dominion lands by public notice, and there was no reserve made at the time prohibiting settlers from going on land west of Port Moody; and I therefore claim that I have as much right to this land at one dollar per acre as any settler along the banks of the Fraser River.

I have, &c.,

(Signed) L. A. AGASSIZ.

*The Honourable Wm. Smithe,*  
*Chief Commissioner of Lands and Works.*

VICTORIA, B. C., December 8th, 1885.

SIR,—Referring to your letter of the 30th ultimo, relative to the piece of land upon which you squatted near Granville, I beg to inform you that the arrangement\* which I informed you of, and in which you acquiesced, will be carried out. The fact, according to your statement, "that Mr. Trutch gave settlers leave to go on Dominion lands," cannot possibly affect, favourably or otherwise, your claim, inasmuch as the land in question was not Dominion land at the period of your taking possession. Port Moody had been declared the terminus of the Canadian Pacific Railroad, and the Dominion Government was entitled to no land west of the terminus. You are quite in error when you say that there was no reserve upon the land when you took it up. It was, and had been for many years, reserved at the time you squatted upon it.

I have, &c.,

(Signed) WM. SMITHE,  
*Chief Commissioner of Lands and Works.*

L. A. Agassiz, Esq.,  
*Granville, B. C.*

\*That arrangement was a verbal one; there is no letter on the subject.—W.S.G.

VICTORIA, B. C., Nov. 21st, 1885.

GENTLEMEN,—I am directed by the Honourable Chief Commissioner of Lands and Works to instruct your Mr. Turner to proceed with as little delay as possible and make a re-survey of all the exterior lines of Lot 461, Group I, New Westminster District. You will also run a due north and south line from the south-west corner of Lot 195, to intersect the north and south boundaries of Lot 461; also run a due east and west line from the post at the angles on the south boundary of Lot 461 to its eastern boundary. You will also locate accurately all of Mr. Agassiz's improvements, and make a traverse of the portion of the False Creek road leading through Lot 461.

I have, &c.,

(Signed) F. G. RICHARDS, JR.

*Messrs. Woods, Turner & Gamble,*  
*New Westminster, B. C.*

NEW WESTMINSTER, B. C.,  
December 2nd, 1885.

SIR,—We have the honour to forward per book post this date, notes and sketch, or re-survey, of exterior lines of Lot 461, Group I, New Westminster District.

We have, &c.,

(Signed) WOODS, TURNER & GAMBLE.

*W. S. Gore, Esq., Surveyor-General,*  
*Victoria, B. C.*

VICTORIA, B. C., Dec. 4th, 1885.

GENTLEMEN,—I have the honour to acknowledge the receipt of field notes and sketch of survey of exterior lines of Lot 461, Group I, New Westminster District.

I have, &c.,

(Signed) W. S. GORE,  
*Surveyor-General.*

*Messrs. Woods, Turner & Gamble,*  
*New Westminster, B. C.*

## SIXTH SITTING—3RD MARCH, 1886.

PRESENT :—Mr. Charles E. Pooley in the chair, and Messrs. Beaven, Semlin, Martin and Theo. Davie.

The Chairman read the minutes of the previous meeting, which were, on motion, confirmed.

The Chairman stated that the correspondence between the Government and Messrs. Dougherty and Woodward would be presented to the Committee by Mr. Gore, the Surveyor-General.

Mr. Beaven asked that the Lands and Works letters inwards, or the index thereof, for October and November, 1885, be produced. Also, that a return be produced of applications for land in Kootenay District during that and subsequent periods.

Seconded and carried.

Mr. Gore, the Surveyor General, then appeared before the Committee, and on interrogation stated that the Chief Commissioner of Lands and Works could not spare the book for which Mr. Beaven had asked.

Mr. Beaven thereupon moved, seconded by Mr. Semlin, that the Committee do proceed to the office of the Chief Commissioner of Lands and Works to inspect the letters inwards from October to November, 1885, as per index book.

The Committee, acting on this resolution, proceeded to the Lands and Works Office, and were received by the Surveyor-General, who produced the index of letters inwards, as asked for by Mr. Beaven. A letter was entered therein from David Hoggan, October 19th, 1885, relative to his land claim in Nanaimo District, and certain propositions made by Mr. Dunsmuir as to the acquisition of the claim. The letter bore the signature of Mr. C. C. McKenzie, acting on behalf of Hoggan.

To Mr. Beaven—Mr. Gore—The letter has not been previously produced to the Committee. It must have been a matter of oversight.

On returning to the Committee Room, Mr. Beaven moved, seconded by Mr. Semlin, that the Chief Commissioner of Lands and Works be requested to produce duplicates of all Crown grants issued in Kootenay District since May, 1883, together with the map of the district.

The motion was carried.

Mr. Gore here produced correspondence in the land dispute between Messrs. Woodward and Lindley, of Nicola District.

Mr. Semlin—So far as shortage is concerned in Mr. Woodward's claim, there is none, except as to some \$200 due the Government.

Mr. Theo. Davie—I do not know that any fault has been found with Mr. Smithe's decision. I have never heard so.

Mr. Gore to Mr. Martin—I did not decide in Mr. Woodward's favour. The language of his letter is simply the view he took of it, I imagine.

Mr. Gore also produced correspondence *in re* Ronald Campbell and Burns.

The Chairman read the correspondence in the Woodward-Lindley matter, dated March, 1884, and subsequent thereto. Also, letters from Mr. George Tunstall, Government Agent at Kamloops.

Mr. Theo. Davie to Mr. Gore—Can you tell us under what authority a road was opened between Sections 11 and 12, North Saanich, about 8 or 10 years ago, near to the Indian Ranche?

Mr. Gore—No, not from mere recollection; but I will let you know at the next meeting of the Committee. As to the Waddington-Hoggan claims, I was asked for the papers by the Land Committee. I picked out the letters inwards and outwards and handed them into the Committee, believing them to be complete. I did not make a second search in the index books.

At 1:30 P. M. the Committee adjourned until 10:30 A. M. Saturday, March 6th, 1886.