
MUNICIPAL RETURNS.

CORPORATION OF THE CITY OF VICTORIA, BRITISH COLUMBIA.

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS, FROM 1ST JANUARY, TO 30TH NOVEMBER, 1874.

RECEIPTS.		DISBURSEMENTS.	
Cash Balance, 1st January, 1874	\$ 302 55	Board of Health.....	\$ 1,127 97
Real Estate Rate:—		Sewerage.....	949 00
Arrears	\$ 9,350 36	Fire Cisterns, repairs	279 90
1874.....	20,448 66	Office Furniture.....	51 25
Trade Licenses:—	29,799 02	Surveying Expenses	2,304 87
Arrears	\$ 787 50	General Street Repairs.....	23,987 03
1874.....	8,080 00	Donations—Royal Hospital, Lunatic Asylum, St. Ann's Convent, Mrs. Nelson, and Crane's passage to Olympia.....	848 12
Wholesale Liquor Licenses	8,867 50	City Police.....	6,851 06
Retail do. do.	662 50	Side-walks	43 20
Auctioneers' 1½ cent. Tax.....	11,245 00	Provincial Government:—	
Fire Insurance, and Fire Rates:—	300 61	Liquor Licenses.....	\$ 3,930 00
Arrears	\$ 154 79	Fines and Fees	703 44
1874.....	3,851 24		4,633 44
Road Tax:—	4,006 03	Bridge Repairs.....	24 00
Arrears	\$ 388 00	Victoria Water-works, Loan.....	5,468 00
1874.....	1,007 20	Do. do. Interest and Sinking Fund.....	3,135 00
Side-walks	1,395 20	Street Lighting and Gas.....	1,729 25
Billiard Tables	74 00	Victoria Fire Department.....	3,200 00
Street Repairs.....	80 00	Legal Expenses	283 62
Victoria Water-works Loan Account.....	100 30	Charges—Salaries	\$ 2,830 00
City Police	5,300 00	Rent	200 00
Interest.....	443 00	Printing and Stationery, &c	756 35
Theatre Tax.....	66 09	Auditing	133 33
City Police	185 00	Fuel and Miscellaneous Expenses.....	457 86
Bank of British North America:—	813 30		4,377 54
Balance, 1st January, 1874.....	\$ 2,145 66	City Pound.....	425 40
Do. 30th November, 1874	187 73	Interest	1 50
Bank Balance reduced by.....	1,957 93	Town Lot, No. 1,249	100 00
		Do. No. 1,250	2,600 00
		Sub. 68 and 73, Sub. Sec. XVIII, Spring Ridge Property.....	3,164 55
		Cash Balance in hand, at date	13 33
TOTAL.....	\$ 65,598 03	TOTAL.....	\$ 65,598 03

Correct,
W. M. DALBY,
Mayor.

Certified Correct,
J. C. BALES,
City Auditor, 1st December, 1874.

CORPORATION OF THE CITY OF NEW WESTMINSTER.

STATEMENT OF THE RECEIPTS AND EXPENDITURE, FROM THE 1ST NOVEMBER, 1873, TO 31ST OCTOBER, 1874.

RECEIPTS.		EXPENDITURE.	
By Cash, H. V. Edmonds, Collections	\$ 128 61	To Cash, H. Elliott, Wood for Gaol.....	\$370 75
Do. Wharfage Rents.....	118 00	" J. Morey, Constable.....	400 00
Do. City Taxes and Trading Licenses.....	3,238 47	" J. Morrison, Clerk.....	400 00
Do. in hands of Treasurer, 1st November, 1873.....	196 00	" Do. Commission	38 00
By Balance	243 03	" Fire Department	125 00
		" Printing and Advertising	133 50
		" D. L. Smith, Side-walks.....	676 84
		" Labor.....	297 72
		" J. A. Webster, Lumber	580 67
		" Moody, Nelson, & Co.....	106 87
		" Walter Blackie, Blacksmithing.....	65 86
		" James Cunningham	99 00
		" Major & Pafford	42 50
		" H. V. Edmonds, Government	400 00
		" Stationery	6 00
		" Law Expenses	61 00
		" Turnbull	42 00
		" Sundries.....	78 40
TOTAL.....	\$ 3,924 11	TOTAL.....	\$ 3,924 11
		To Balance.....	243 03

Correct,
R. DICKINSON,
Mayor.

LANGLEY MUNICIPALITY.

FINANCIAL RETURN OF THE TOWNSHIP OF LANGLEY, FOR THE YEAR ENDING OCTOBER 31ST, 1874.

RECEIPTS.			EXPENDITURE.		
January 14th	To Balance on hand from last year's Account.....	\$ 90 38	January 28th	By W. H. Burr, Returning Officer.....	\$ 5 00
" "	" Government Appropriation.....	1,500 00	April 20th	" Hibben & Co., Stationery	9 00
June 30th	" Trade License, O. Allard	5 00	May 15th	" "Guardian," Advertising.....	2 50
July 2nd	" Liquor License, J. Taylor.....	30 00	" "	" "Herald," do.	2 50
" "	" Liquor and Trade License, W. W. Gibbs.....	35 00	June 6th	" J. R. Chellew, part payment Road Contract.....	50 00
October 10th	" Trade License, Adam Innis	5 00	" "	" J. Mackie, Account of Municipality.....	1 00
			" "	" W. H. Venetta, part payment Main Road Contract	50 00
			" "	" William Clarke, for work on roads.....	20 00
			" "	" H. V. Edmonds, Retaining Fee.....	5 00
			" "	" Map of British Columbia.....	1 50
			July 4th	" William Clarke, for work on roads.....	16 00
			" "	" W. H. Venetta, part payment Road Contract	90 00
			" "	" J. R. Chellew, in full of Contract	124 75
			" "	" Wilson Towle, work on roads	5 00
			" "	" "Guardian" & "Herald" Road Tax advertisement	5 00
			August 17th	" Indians' Pay.....	6 00
			" 20th	" Messrs. Jolly and Grose, Special Constables	34 00
			October 12th	" W. H. Venetta, part payment Main Road Contract	100 00
			" "	" Provincial Treasurer, portion of Liquor Licenses ...	40 00
			" "	" William Clarke, road work.....	6 00
			" "	" Wilson Towle, Contract in full.....	170 00
			" "	" John Jolly, Contract Foot-bridge.....	120 00
			" 31st	" Clerk's Salary	75 00
			" "	" Postage Stamps	5 00
			" "	" Balance on hand this day.....	722 13
	TOTAL.....	\$ 1,665 38		TOTAL.....	\$ 1,665 38

JAMES MACKIE,
Warden.

W. H. BURR,
Treasurer.

CHILLIWHACK MUNICIPALITY.

FINANCIAL RETURN OF THE MUNICIPALITY OF CHILLIWHACK, FROM JANUARY 19TH, TO DECEMBER 18TH, 1874.

RECEIPTS.		LIABILITIES.	
Balance in Treasury, January 19th.....	\$ 339 54	Unpaid Bills, and unfinished Contracts, 1873:—	
Government Grant for 1874	1,500 00	Cash paid on Vedder Bridge, Sumass Contract	\$ 250 80
Back Taxes collected	36 10	Do. Little Mountain Road Contract	150 00
Retail Trading Licenses for the Year.....	60 00	Do. Bridges bet. Chilliwack & Luck-a-Thuck Bridges	171 62½
Moneys paid instead of Statute Labor	9 00	Cash paid for securing the Luck-a-Thuck Bridge Timbers.....	20 00
Amount of Road Tax collected	498 40	Cash paid on Atzledge Bridge Contract.....	392 50
		Do. Returning Officer at Municipal Election	20 00
		Do. for Corporate Seal for Municipality	10 18
		Do. Assessor on Personal Property.....	10 00
		Do. Mr. Sweetman, for inspecting reported cases of Small-pox	5 00
		Do. for Legal Advice.....	5 00
		Do. on Hope Slough Bridge Contract.....	50 00
		Do. to Clerk, six months' Salary	45 00
		Do. for repairs to Steamer Landing, Chilliwack.....	30 00
		Do. do. of Roads and Bridges	318 40
		Do. for Stationery and Postage Stamps.....	11 50
		Do. Cupboard for Municipal papers, &c	9 75
		Do. Incidentals, Cleaning Council Room, &c.....	7 00
		Balance in Treasury	936 28½
TOTAL	\$ 2,443 04	TOTAL.....	\$ 2,443 04
Amount of Road Tax uncollected	\$ 238 80	Outstanding Liabilities:—	
Balance in Treasury.....	936 28½	For repairing road to Chilliwack Landing	\$ 100 00
Amount of excess of Expenditure over Income	157 91½	For six months' Salary to Clerk	45 00
		To Clerk, for Collecting Road Tax	20 00
		Balance on Hope Slough Bridge Contract	167 00
		For small bridge at Sumass, under Contract.....	59 00
		Do. do.	95 00
		For making a piece of road at Sumass	80 00
		Contract for Bridge over Cheam Slough	767 00
TOTAL.....	\$ 1,333 00	TOTAL.....	\$ 1,333 00

GEO. R. ASHWELL,
 Clerk Municipal Council.
 Chilliwack, December 19th, 1874.

JONATHAN REECE,
 Warden.

CORPORATION OF NORTH COWICHAN,

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS, FROM JANUARY 14TH, 1874, TO JANUARY 7TH, 1875.

RECEIPTS.		DISBURSEMENTS.	
To Balance from 1873.....	\$ 516 75½	By Election expenses	\$ 2 50
„ Cash from Provincial Government.....	2,500 00	„ Auditing books	5 00
Do. Liquor License	\$ 60 00	„ Assessment Roll (from Government Assessor).....	5 00
Do. Trade Licenses.....	45 00	„ Printing	23 50
	105 00	„ Road Overseers' Salaries	148 00
Do. Road Tax	586 74	„ Petty Cash Account.....	20 00
Do. from sale of Tools	103 75	„ Clerk's Salary	255 00
		„ Roads, (Repairs, &c.)	2,335 58
		„ Balance carried forward	1,007 66½
TOTAL.....	\$ 3,812 24½	TOTAL.....	\$ 3,812 24½

STATEMENT OF ASSETS AND LIABILITIES.

ASSETS.		LIABILITIES.	
Balance of Road Tax to be collected,	\$ 80 32	Cash due Provincial Government.....	\$ 20 00
Do. Sale of Tools	14 25	Balance of Salaries ..	35 00
Furniture	60 00	Contracts, repairing roads.....	1,067 00
Cash Balance.....	1,007 66½	Balance	40 23½
TOTAL	\$ 1,162 23½	TOTAL.....	\$ 1,162 23½

H. A. MORLEY,
Clerk Municipal Council.

ASHDOWN H. GREEN,
Warden.

RETURN

To an Address of the Legislative Assembly praying for a copy of the Petition of Estulon José Bitancourt to the Lieutenant-Governor in Council, concerning a piece of land to which said E. J. Bitancourt lays claim, together with all correspondence and documents connected with and relating to said Petition.

By Command.

JOHN ASH,
Provincial Secretary.

*Provincial Secretary's Office,
8th April, 1875.*

Mr. Morley, J. P., to the Chief Commissioner of Lands and Works.

MAPLE BAY, May 28th, 1872.

SIR,—I have the honor to inform you that Estulon José Bitancourt wishes to pre-empt 160 acres of land near Vesuvius Bay, Salt Spring Island, viz:—S. 9, R. II. (two West.

I have, &c.,
(Signed) JOHN MORLEY.

The upper 60 acres of this Section is recorded in the name of Wm. Manuel, No. 1314. (*Vide* sketch in margin.)
(Signed) B. W. PEARSE.
4th June, 1872.

Section 9, R. II. West, has never been occupied by any one, and is vacant and open for Pre-emption.
(Signed) JOHN MORLEY

Grant this Mr. Morley. 30 days to complete Record.
(Signed) B. W. PEARSE.
9th July, 1872.

The Chief Commissioner of Lands and Works to Mr. Morley, J. P.

LANDS & WORKS OFFICE, November 1st, 1872.

SIR,—I have been informed by Mr. E. José Bitancourt, that he has applied to you for leave to pre-empt Section 9, Range II. and III. West, Salt Spring Island, Cowichan District, and that you declined to give him permission, on the ground that the land was claimed by a Mr. Copeland.

Mr. Bitancourt has now applied to me for the like permission, and has handed me a certificate signed by Mr. J. P. Booth and his brother, that the land is open for pre-emption, which application must be dealt with as soon as possible.

I would advise you to proceed with the matter and post a notice on the land, as well as notify Mr. Copeland of the application. If any protest is entered refer everything to this office; ascertain also what land Mr. Copleand is actually residing upon, and whether he is complying with the terms of the Land Acts, and report thereon to me. Give no permission until authorised.

I have, &c.,
(Signed) G. A. WALKEM,
Chief Commissioner of Lands and Works.

Mr. Morley, J. P., to the Chief Commissioner of Lands and Works.

MAPLE BAY, June 3rd, 1873.

SIR,—I have the honor to inform you that Emmanuel José Bitancourt wishes to pre-empt 160 acres of land near Vesuvius Bay, Salt Spring Island, part of S. 9 & 10, R. II. (two). I believe Mr. J. P. Booth forwarded to your office, some time since, a certificate, stating that the said land was vacant and open for pre-emption. There has been some little dispute about this land; a Mr. Matraffic pre-empted it on June 3rd, 1873, No. 1314. I have been over to see the land, and I believe Mr. Matraffic is living on S. 2, R. II (two); he (Matraffic) is claiming a great deal more land than he pre-empted, but its not having been surveyed I cannot be certain. The land applied for by Bitancourt is vacant.

I have, etc.,

(Signed) JOHN MORLEY.

Mr. Morley, informed verbally, to write Matraffic and request him to define in writing what land he claims, as his improvements are on No.—

Mr. Bitancourt to the Chief Commissioner of Lands and Works.

Victoria, 24th November, 1873.

SIR,—I beg to apply for permission to enter upon, in terms of the "Land Ordinance, 1870," the Section of Land containing 160 acres, situate in Salt Spring Island District, and more particularly shown on the sketch map annexed hereto:—Situate on the North side of Vesuvius Bay, having a frontage on the shore of 32½ chains by a depth East and West of 49 chains.

This Record not completed within 30 days; issue certificates for land waiving necessity for fresh application and reserving the steamer landing.

I remain, &c.,

Witness to Signature by mark,
(Signed) CONWAY SCOTT.

ESTULON JOSÉ BITANCOURT, X his mark.
Address:—Salt Spring Island,

C.

The Chief Commissioner of Lands and Works to Mr. Bitancourt.

LANDS AND WORKS OFFICE,

Victoria, November 24th, 1873.

SIR,—In reference to your application, dated the 24th day of November, 1873, to be allowed to pre-empt 160 acres of land in Salt Spring Island District, as shown on Sketch Map attached to your said letter, I have the honor to grant you permission to occupy the same, and to complete the Record within 30 days from the date hereof, in accordance with, and subject to the terms and provisions of the Land Ordinance, 1870, and amendments, and upon your forwarding to me a Certificate in the enclosed form, signed by two residents in the neighbourhood of the land applied for, subject to the conformation of and rectification of the boundaries upon official survey.

I have, etc.,

(Signed) ROBERT BEAVEN,
Chief Commissioner of Lands & Works.

Certificate.

LAND ORDINANCE, 1870, AND AMENDMENTS.

To the Land Recorder

District.

We hereby certify that the land for which Mr. Estulon José Bitancourt, of Salt Spring Island, has made application to pre-empt, under date 24th November, 1873, situated in Salt Spring Island District, Section 9, Ranges 2 & 3, West, has been vacant and unoccupied for the past three months, and is not an Indian settlement; that there are no notices of application to purchase, or any notice of leave of absence, posted thereon.

Dated this Seventeenth day }
of December 1873.

(Signed) JOHN L. HICKLING,
JOHN P. BOOTH.

Duplicate Record.

LAND ORDINANCE, 1870.

FORM A.

Certificate of Pre-emption Record.

Country Land.

[No. in District Register 1485.]

PRE-EMPTION CLAIM.

District of Salt Spring Island.

Name of Pre-emptor, (in full)—Estulon José Bitancourt.

Date of Pre-emption Record—15th January, 1874.

Number of Acres, (in words)—One hundred and sixty.

Where situated—Near Vesuvius Bay.

Description of Boundaries of Claim—Commencing at a point North-West of Bitancourt's House on the seashore; the boundary line runs due East 49 chains, thence South 32½ chains, thence West 49 chains, North along the shore to the point of commencement,—excepting the water frontage of one acre of land at the public wharf, said frontage being 320 links by a depth of 320 links, which is reserved by Government. The land is subject to the conformation and retification of the boundaries upon official survey.

(Signed)

ROBERT BEAVEN.

Signature of Commissioner.

N. B.—Plan of the Claim to be drawn on the back of this sheet.

D.*Messrs. Robertson & Johnson to the Chief Commissioner of Lands and Works.*

VICTORIA, 4th April, 1874.

SIR,—We have the honor to call your attention to the fact that, in a certificate of Pre-emption, dated 15th January, 1874, No. 1485, District Register, Salt Spring Island, granted to Estulon José Bitancourt, there is an exception from the 160 acres applied for of one acre of the public wharf, said frontage being 320 links by a depth of 320 links, which is reserved by Government. Mr. Bitancourt had been in possession of the whole 160 acres for a long time prior to the grant of the certificate referred to, and had spent large sums of money in erecting a house. He had also made his application to you personally, to your predecessor in office, also, by your direction, to Mr. Morley, and was always given to understand that his claim was recognized.

Under the circumstances we have the honor to request that you will either issue a fresh certificate to Mr. Bitancourt for the whole 160 acres, or amend that already issued by striking out the reserve clause. Should you decide upon adopting the latter course, we will be very happy to send you the certificate. As Mr. Bitancourt is in town and will leave Tuesday, we shall be much obliged if you will favor us with your reply by Monday next.

We have, &c.,

(Signed)

ROBERTSON & JOHNSON.

E.*The Chief Commissioner of Lands and Works to Messrs. Robertson & Johnson.*

LANDS AND WORKS OFFICE,

VICTORIA, 13th April, 1874.

GENTLEMEN,—I have the honor to acknowledge the receipt of your letter of the 4th inst., and to inform you that the certificate of Pre-emption Record, dated 15th January, 1874, No. 1485, was issued to Mr. Bitancourt with the distinct intention of reserving the one acre referred to as a public landing, and that I must respectfully decline to change the Certificate.

I also regret that I am compelled to differ with you in reference to Mr. Bitancourt's position in this matter.

This land, I am informed, has been in use for several years as a landing.

I have, &c.,

(Signed)

ROBERT BEAVEN,

Chief Commissioner of Lands and Works.

Messrs. Robertson & Johnson to the Provincial Secretary.

VICTORIA, May 8th, 1874.

SIR,—We have the honor to enclose herewith, a petition from Estulon Bitancourt. Will you be good enough to bring it under the notice of His Excellency the Lieutenant-Governor at an early date?

We have, &c.,

(Signed)

ROBERTSON & JOHNSON.

To His Honor Joseph W. Trutch, Lieutenant-Governor of British Columbia, in Council assembled.

The petition of Estulon José Bitancourt, of Salt Spring Island, British Columbia, humbly sheweth:—

1. That, in the year 1871, your petitioner applied to Mr. Morley, a Government Officer at Cowichan, for leave to pre-empt a certain parcel of land on Salt Spring Island, which parcel contains about one hundred and sixty acres, and is hereinafter more particularly described.

2. That Mr. Morley informed your petitioner that the said land was claimed by one Copeland. Your petitioner, however, believing that the said land was open to pre-emption, notwithstanding the statement of the said Mr. Morley, came to Victoria in 1872, and made a personal application to the Honorable Mr. Walkem, the then Commissioner of Lands and Works, for leave to pre-empt the said parcel of land. Your petitioner at the time of making such application delivered to the said Chief Commissioner a letter from J. P. Booth, Esquire, of Salt Spring Island, wherein Mr. Booth stated, for the information of the said Chief Commissioner, that the said land was open to pre-emption. Mr. Walkem then asked your petitioner whether he knew any reason why the said land should not be pre-empted, to which question your petitioner replied, that the only claim that had been made to the land in question, so far as he was aware, was by one McHaffy, but that McHaffy had no right to the land, inasmuch as he occupied other land at least four sections away from the land sought by your petitioner.

Mr. Walkem then wrote a note to Mr. Pearse (whose office was in the Masonic Building) and handed the same to your petitioner with instructions to deliver the same to Mr. Pearse. Your petitioner accordingly delivered the said note to Mr. Pearse, received a note from him in reply and delivered such reply to Mr. Walkem. Mr. Walkem then told your petitioner that Mr. Pearse thought the land had already been pre-empted, but that he Mr. Walkem would write to Mr. Morley and ascertain the fact.

Your petitioner then returned to his residence on Salt Spring Island.

Several months passed during which your petitioner received no communication from Mr. Walkem, or any one else, on the subject of the said land.

3. That on the eighteenth of January, 1873, your petitioner, through his brother, again applied at the Lands and Works Office, Victoria, for leave to pre-empt the said land, when your petitioner's brother was informed that the land, namely, one hundred and sixty acres, was supposed to have been pre-empted by one Mike McCalf, or McHaffy, and that your petitioner could not be allowed to pre-empt the same until he, the said Chief Commissioner, was informed by Mr. Morley whether the said land was so pre-empted or not.

4. That your petitioner's brother, on behalf of your petitioner, caused a letter to be written by one Lenniker to the said J. Morley, a copy of which letter is hereunto annexed marked A, the original having been duly forwarded to the said Mr. Morley.

5. That your petitioner heard no more about his said application until June, 1873, when the said Morley came to Salt Spring Island to collect taxes, when your petitioner asked him what he was going to do about the land which your petitioner had so long been endeavoring to pre-empt. The said Morley thereupon informed your petitioner that he was satisfied that the land was vacant and open for pre-emption, that he and Mr. J. P. Booth had been over it, and that he would attend to your petitioner's application at once, and inform the Chief Commissioner.

The said Morley further informed your petitioner that he was at liberty to enter upon the land and that it would be all right. Your petitioner thereupon entered upon the said land and commenced to clear a large space, namely, a space about 250 feet square, and shortly afterwards your petitioner commenced building a dwelling house and store thereon. Your petitioner also cut a road of about one quarter of a mile in length, by means thereof giving access to your petitioner's store.

6. That on or about the third of June, 1873, your petitioner received a note from the said Morley informing your petitioner that he, the said Morley, had not received your petitioner's papers from Victoria relating to your petitioner's land, but that he would send them over the following week, meaning that he would send over the papers relating to the said land. The said note is hereto annexed.

7. That you petitioner continued to improve the said land, and expended in so doing the sum of fifty dollars or thereabouts, exclusive of the value of your petitioner's labor. Your petitioner's house on the premises cost him about five hundred dollars.

8. That about twelve days after the frame and shell of your petitioner's said dwelling house and store were completed, namely, in the month of September, your petitioner again came to Victoria and made another application to the Chief Commissioner of Lands and Works for his pre-emption papers. Your petitioner asked Mr. Beaven if he had received the papers from Mr. Morley. Mr. Beaven said, Yes, but the land was pre-empted already. Your petitioner thereupon asked Mr. Beaven if he had not received papers enough to show that the land was unoccupied? He said, No! Your petitioner thereupon showed him the certificate hereto annexed marked B. Mr. Beaven then told your petitioner that he could not attend to your petitioner's business that day, but he would do so the next day. Your petitioner replied that he would be obliged to leave for Salt Spring Island the next day, and could not therefore call again at Mr. Beaven's Office.

Your petitioner informed Mr. Beaven that he had partially erected a building and told him that he intended to move into the same in a short time. Mr. Beaven made no reply to this statement of your petitioner. Your petitioner heard no more about his said application until the month of November, 1873, when, in consequence of a report that the Corporation of Salt Spring Island intended to apply for a reserve, your petitioner came again to Victoria to get, if possible, the business satisfactorily completed. Your petitioner called at the Lands and Works Office and asked Mr. Beaven if he would give your petitioner his papers. He replied that he would do so, and gave some direction to Mr. Howse, a clerk in the said office, respecting your petitioner. Your petitioner pointed out to Mr. Howse the land which he had been endeavoring to pre-empt, and of which he was at that time in possession. Mr. Howse filled up a printed form to which, at his request, your petitioner put his mark, and thereupon Mr. Howse gave your petitioner a paper, a copy of which is hereunto annexed marked C. Your petitioner, on receiving the said paper, brought it into town and caused it to be read by one Lenniker, whereupon your petitioner discovered that instead of its being a certificate of pre-emption record it was merely a permission to enter upon the land. The following day, being the twenty-fifth of November, your petitioner went back to the Lands and Works Office, in company with the said Lenniker, and complained that he, your petitioner, had not received the paper he wanted and was entitled to, namely, a certificate of pre-emption record, that your petitioner had applied many times for the said land that he was then actually in possession.

Mr. Howse, whom your petitioner saw on the occasion referred to, asked your petitioner why he was so urgent about getting the certificate of record at once? Your petitioner thereupon informed him of the report that the Corporation of Salt Spring Island were going to apply for a reserve, and that they had already commenced to build a wharf. Mr. Howse informed your petitioner that no application for any land had been made by the said Corporation and that your petitioner was entitled to it. He also gave your petitioner a paper, with instructions to get it signed by two persons and return it to the Lands and Works Office. The said document was, as your petitioner believes, a certificate that the land sought by your petitioner was open to pre-emption. Your petitioner obtained the signatures of John Hickling and J. P. Booth to this said paper, and forwarded it to Mr. Morley, who, as your petitioner believes, duly sent it to the Lands and Works Office. Shortly after the fifteenth of January, 1874, your petitioner received a certificate of pre-emption record for the land applied for by him, less the water frontage of one acre of land at the public wharf, said frontage being 320 links by a depth of 320 links, which is reserved by Government.

Your petitioner afterwards came to Victoria in the month of April, 1874, and on the fourth day of the same month caused a letter to be written to the said Chief Commissioner of Lands and Works, complaining of the exception in the said certificate of pre-emption record, a copy of which said letter is hereto annexed marked D.

On the 10th day of April, and before any answer was given to the said letter, a notice appeared in the *Government Gazette* reserving an acre out of the centre of your petitioner's claim, to the great injury of the remainder thereof. On the thirteenth day of April an answer to the last mentioned letter was received. A copy of the said reply is hereto annexed marked E.

Your petitioner respectfully submits for Your Honor's consideration the following facts :—

1. That at the time your petitioner applied for the land in question it was unoccupied and open to pre-emption, as shown by the fact that your petitioner was ultimately allowed to enter.

2. That any and all objections that were first made by the Chief Commissioner, or any subordinate officers, were fully met and satisfied by your petitioner, although at great expense and inconvenience to himself, although your petitioner submits that he ought not to have been put to such trouble.

3. That your petitioner's certificate of record should have been granted long before it was, and that the delay in the issue of the same ought not in any way to prejudice your petitioner.

4. That when permission was granted to your petitioner on the twenty-fourth November, 1873, to enter upon the whole of the said land, a certificate of record should also have been issued to your petitioner as requested by him, such being the practice of the Lands and Works Office, as recently stated by the Honorable the Chief Commissioner, in his evidence before the Royal Commission at James' Bay.

5. That the certificate of pre-emption record, issued to your petitioner on the 15th of January, 1874, ought not to contain the reservation of one acre, inasmuch as no reserve had in fact been made, and the Chief Commissioner of Lands and Works had no authority to make a reserve in anticipation of its being applied for at some future time, but was bound by law to grant your petitioner a certificate of record. Your petitioner is a poor man and unable to test his right to the said land in a Court of law.

Your petitioner humbly prays that the certificate of record may be so amended as to include the one acre improperly reserved as hereinbefore stated.

And your petitioner, as in duty bound, will ever pray, &c.

Witnessed, having first read }
and explained the aforesaid, by me, } (Signed) ESTULON JOSÉ BITANCOURT, his X mark.
(Signed) W. POLLARD. }

A.

Manual A. Bitancourt to Mr. Morley, J. P.

VICTORIA, B. C.,

January 18th, 1873.

SIR,—I have this day applied at the Lands and Works Office to pre-empt 160 acres of land on Salt Spring Island (on behalf of my brother Estulon J. Bitancourt), situated on Salt Spring Island, and being Section IX, 2 and 3 West, and was informed that 160 acres had been pre-empted by a person named Mike McCalf, being part of Section IX and X, which two sections together would embrace about four hundred acres. I should be much obliged to you if you would make the necessary enquiry, and inform the Chief Commissioner of Lands and Works what portion of, and where defined, is the land he claims, as at present he occupies about 400 acres by his pre-emption, and I desire for my brother to pre-empt 160 acres more or less, which he, McCalf, is not entitled to by pre-emption. The Chief Commissioner of Lands and Works cannot grant me permission to locate until informed by you what land in the sections named is unoccupied. Your attention to this matter will much oblige

Sir,

Your obedient servant,

MANUAL A. BITANCOURT.

You will readily see the necessity of Mike McCalf staking off his land, that others may acquire the right to locate any unoccupied portion of Sections IX and X.

B.

Certificate.

SALT SPRING ISLAND,

September 12th, 1873.

We, the undersigned settlers of Salt Spring Island, do hereby certify that the claim sought to be pre-empted by Estulon José Bitancourt, viz., that piece of land lying North of Antoine Bitancourt, and West of Abraham Copeland, Section IX, Range 2 and 3 West, to the best of our knowledge, has not been occupied for the past two years, and that there has never been any improvements made except by the applicant.

(Signed) JOHN L. HICKLING.

Mr. Morley, J. P., to Mr. E. J. Bitancourt.

MAPLE BAY,

June, 3rd, 1873.

DEAR SIR,—Will you please send the two dish covers to me the first opportunity you have, and I will return you the money. Don't send them by steamer as they charge freight, which is more than they are worth ; any one coming over in a canoe or boat will do.

I have not received your papers from Victoria relating to your land ; will send over next week.

Yours truly,
(Signed) JOHN MORLEY.

The Provincial Secretary to Messrs. Robertson & Johnson.

PROVINCIAL SECRETARY'S OFFICE,

26th June, 1874.

GENTLEMEN,—The petition of Estulon Bitancourt, forwarded in your letter of the 8th ultimo, has been under the consideration of the Lieutenant-Governor in Council, and with reference thereto I am to acquaint you, for the information of your client, that as notice was given on the Certificate of Pre-emption Record that it was the intention of the Government to reserve the piece of land in question, which has long been used as a place of landing by steamers and other vessels, the Lieutenant-Governor in Council cannot interfere to alter the reserve.

I have, &c.,
(Signed) JOHN ASH.