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Squatters In E. & N. Belt

Judge Harrison's Report Presented to the Provincial Legislature.

The Commissioner's Deductions from the Voluminous Evidence.

The following are Judge Harrison's findings in his investigation of the grievances of the settlers in the Esquimalt & Nanaimo railway lands, as reported to the legislature yesterday:

I find that for years before, and at the time "squatters" went on these lands, there had been and were laws governing the acquisition of crown lands, coal and other minerals, and timber, and enacting what crown lands could be disposed of, and the terms on which lands and minerals, and timber, authorized to be disposed of, could be acquired and title to them obtained.

That in every such act the legislature authorized the reservation of crown lands, and restricted the acquisition of crown lands, and coal and minerals on and under them, to unreserved * * * crown lands.

That for years previously there had been established by the legislature, and there was at that time, a regular system of recording and record offices, recording officers and books for carrying out the administration of such crown lands as were unreserved.

And the law required persons desiring to acquire crown lands to record, and provided for their being furnished with a record, certificate of improvements, crown grant, or lease, as the case might be, and for the records not only to be made in the district office, but also to be registered in the pre-emption register in the head office at Victoria.

Applications had to be made in duplicate.

No record was allowed to be made on an application unless in due form and accompanied by the necessary declaration.

Printed forms were supplied to applicants, who were required to fill them in and sign them in duplicate, accompanied by declaration in duplicate.

One set—application, declaration, and certificate of record—were sent to the head office, to be there examined and passed on, and, if found correct, was registered in the pre-emption register at the head office of the lands and works department.

That there were tribunals established to determine whether persons applying for crown lands, or for records of them, were entitled to do so or not, and the right to appeal was given, and tribunals provided to which an appeal could be made against an unsatisfactory decision.

No claim in respect to a squatting on this belt prior to 1875 was put in before me.

The lands squatted on were not at the disposal of the provincial government, or of any officer of the provincial government.

Their reservation was required for railway construction, and had been authorized and approved of by the legislature, and from the 22nd April, 1875, before anyone squatted on them, down to the 21st April, 1882, part of this unreserved belt was under conveyance to the Dominion government for the purpose of constructing and to aid in the construction of a railway, the provincial legislature having on the 22nd April, 1875, conveyed for such purpose the public lands along the line of railway, not to exceed 20 miles on each side of the line, with the right to contiguous lands.

And no act of the legislature was at any time passed placing these lands at the disposal of the provincial government for any purpose other than railway construction, but, on the contrary, on the 21st day of April, 1882, by the "Clement's Bill," the provincial legislature, with the object of obtaining the construction and operation of a railway, enacted that the crown lands, including minerals in that belt, so squatted on should be reserved and set apart for the purpose of railway construction, and that upon completion of the said railway they should be granted in fee simple absolute to the railway company; but that farming squatters who had made permanent improvements, and had permanently resided on any of these lands for not less than two years before the passing of that Act (which would not be later than 21st April, 1880), should be entitled to purchase from the company the surface rights of such lands at one dollar per acre.

After that company had failed to carry out their part of the contract, and while these lands were under the authority of the legislature, reserved for the purpose of obtaining the construction of a railway, the legislature of the province, in May, 1883, conveyed them to the Dominion, in trust, in pursuance of another contract adopted and ratified by the legislature, to convey them to persons who had contracted to build the Island railway.

The lands squatted on, while not under the actual conveyance, or agreement to convey, by the provincial government. For doing so the government had the authority and sanction of the legislature, under whose control (leaving aside, if one can, the question of railway construction) the crown lands were. The legislature from time to time, until it finally disposed of and conveyed these lands, authorized their reservation, and distinctly enacted that unreserved crown lands only could be recorded, or pre-empted, or acquired for coal or other mining, or for other purposes; and knowing and expecting that these lands ought to be, and in fact were, at their disposition, the legislature did dispose of them.

The contention of the province that the railway should be constructed by the Dominion government, and the fact that these lands were being held in reserve to obtain construction of a railway, was a matter of public notoriety, and was the grounds of repeated demands on the part of the province for railway construction, and of petitions and memorials from the government and provincial legislature to Her Majesty, from the time of the reserve in 1873 until the time of the Settlement Act of 1883.

Not a single session of the legislature of British Columbia was held during those ten years without the subject of railway construction coming up before the legislature in some form or other. The province claimed that it had entered the confederation under terms of agreements and conditions intended not only to form, but to build up, a new Dominion, and to secure easy communication from the Atlantic to the Pacific Oceans, and had agreed to aid in effecting these objects by a conveyance of its public lands, and complaint was made at an early stage, and reiterated, that to fulfil what the province claimed were its obligations under the terms of union, and to obtain the fulfilment of what it contended was an obligation of the Dominion under those terms, namely, to construct a railway the lands in this belt, valuable for their coal and mineral resources, and easy of access from the sea, had been kept reserved, and applications for land for agricultural purposes, and for minerals, and for other purposes in that belt, had been refused.

The "squatters" went on these lands without recording or paying record fees; Used them and the timber on them without paying for such use and without paying taxes till 1884, after they had applied for and obtained grants under the Settlement Act.

They never mined or prospected for coal or other minerals.

In pursuance of the Settlement Act, they applied for and recorded the surface rights:

Applied for and received grants of such rights under the Settlement Act:

Registered their titles under the Land Registry Act, declaring that they were the owners, claiming title under and by virtue of the grants they had obtained under the Settlement Act.

The persons who took possession of these lands claim that they should have crown grants issued to them under the Land Acts, as if they had recorded or pre-empted on the date on which they squatted or on the date on which the person squatted whose improvements they purchased, but all take the position that $1 per acre should have been paid for the land.

And on failure of the Clement's Bill, there being a mistaken idea that the reservation was also gone, several of them went together and tendered a $1 per acre to the government agent at Nanaimo, who refused to take it.

In the case of a "squatter" before the 20th of April, 1879, this would be inconsistent with the Act of 1875, as between the 22nd April, 1875, and the 20th April, 1879, those who, by compliance with the provisions in respect of land not reserved, had come under the provisions of that act and had become "homestead settlers" were, on complying with the conditions of that Act, entitled to a free grant.

The provisions of the Land Act, 1875, if they had been in terms applied to lands reserved on Vancouver Island, and assuming that such an Act would not have been in contravention of the terms of the Union, would have helped materially to defeat the object which the province was striving to obtain, viz:

The construction of a railway, and that by or through the Dominion government, as where records and pre-emptions were granted under that Act the crown grants carried coal and other base minerals, and as amended by the Act of 1879 the payment was to be $1 per acre, while it was evidently contemplated by those who undertook to build the railway and were to get lands and minerals for so doing, were to decide the price and terms on which those lands and minerals should be sold.

But the Acts respecting the crown lands could not have any application to the Island railway belt, as they only authorized record, pre-emption, etc., of unreserved lands.

Nor were the provisions of any such Act complied with or regarded by the persons using these lands as squatters.

They did not apply in the manner required by statute to enable a record or pre-emption to be made of land open for record.

In the majority of case they left written applications with the government agent. These they treated as if they were their own property; took them away from time to time, in some cases leaving them again for safe keeping, and in others taking them away altogether.

They were told these lands were locked up, or reserved, and were not open for record or pre-emption. They did not make the declaration, and could not truthfully make the declaration which the law required to be made previous to a record being made.

In the cases where they applied for coal, they were told they could not get coal.

In cases where they applied to purchase, or for timber, they were told the land could not be sold, nor could timber leases be given.

They did not appeal from the refusals to record, or other decisions against their requests.

In some cases they did not take possession of any land; in some cases they were adding to lands already held by them; in some they squatted on lands other than the land mentioned in such applications, because they preferred some other place, or because they had wrongly described what they took possession of.

Sales of improvements were made and transfers given, which would have been directly in conflict with the land laws if the land could have been recorded, and had been, under those laws.

Possession was abandoned, and transfers made, though if the provisions of the land act had applied, they provided that land should not be abandoned for the purpose of being recorded or pre-empted by some other person, and that before a crown grant could be obtained a certificate of improvement had first to be obtained on proof of "occupation" by continuous, bona fide personal residence on the land for two years, and of improvements having been made to the extent of $2.50 per acre, and no transfer could be made until a crown grant had issued, while in some cases improvements had not been made to the extent of $2.50 per acre when the transfer was made.

A purchaser relying only on his purchase from one who had no legal right would necessarily himself have no rights.

Here, however, even where the transfer took place after the Legislature had decided in 1882 what a farming "squatter" was to get, and after the legislature had enacted in 1882 that the price of coal lands was to be $10 per acre; and even after the grant had been obtained under the Settlement Act, the claim is set up, not to get what the Land Acts where they applied enacted should be given to those coming under the provisions, but to pass over them, choose the benefit of some Act passed years previously, which in turn never applied, and which, if it had been in force as to these lands, could not have benefited, as its provisions had not been regarded either in letter or in spirit.

Some of the squatters claim that the agent, though he refused to record, told them that if they went on the land they would get the first chance to it, or that their rights would be respected. But I am satisfied that in no case did the agent, or agent, though he refused to record, tell squatters who held office, tell them what their rights would be or what they would get; nor did any applicant endeavor to ascertain what he would get if he went on and squatted.

The reservation of minerals was not an unheard of thing, and in Nanaimo and vicinity the conveyances from the coal and land companies reserved the minerals. And almost without exception the squatters any member or officer of the different government, though in one case I believe the applicant, though he was distinctly told that had no thought about coal when they squatted, expression of opinion of the government agent, that if he went on the land he would get something in lieu of it.

Even if the government agent has assumed to define on what terms or conditions a "squatter" would get the land, including coal and mineral rights or timber, he not only had no authority to do so, but would have done so knowing that he had none, for, directly the reservation was made, he was notified by the Chief Commissioner of Lands and Works:

Victoria, June 30th, 1873.

Mr. T. L. Fawcett, Nanaimo:

Sir,—I have the honor . . . to inform you that the government have reserved a belt of land twenty miles wide, from Esquimalt to Seymour Narrows, and that consequently, no more pre-emptions will be granted on that strip, with the exception of such as have had permission granted to them.

Note.—The permission referred to means permission granted to "occupy" under the Land Ordinance, 1870, and previous to the reservation.

And speaking generally as to pre-emptions made before the reservation, the Chief Commissioner in the same letter states:

"That the system of granting a leave of absence should be avoided as much as possible."

On July 3rd, 1873, Mr. Fawcett, the government agent at Nanaimo, wrote the Chief Commissioner, as follows:

"Sir,—I have the honor to enclose an application from Joseph Perkins for permission to pre-empt at Nanoose Bay. I informed Perkins of the proclamation reserving all the land on this side of the land of Vancouver for railway purposes, and that I believed his application was too late to be entertained, but, as he urgently wished me, I forward it to you."

In reply, dated Victoria, 7th July 1873, he was told by the Commissioner:

"I have to inform you that I am unable to grant permission to Joseph Perkins to occupy land under the Land Ordinance, 1870. I must also draw your attention to my letter dated 30th ult., with regard to the 20-mile belt reserved along the Vancouver Island shore from Esquimalt to Seymour Narrows, on which no land can be pre-empted."

On the 8th day of December, 1874, Mr. Joseph Ferguson, who had lands at Nanaimo river, was informed by the Chief Commissioner as follows:

"I have the honor to acknowledge receipt of your letter dated 3rd December, 1874, in reference to your previous application for a timber lease on Nanaimo river and inquiring as to the right of Messrs. Robertson, Carpenter & Co. to cut timber there, and in reply would beg to inform you that no lease has been granted for timber rights on Vancouver Island inside the railway reservation."

Mr. Fiddick, who had applied by letter, dated the 8th of July, 1875, to purchase some land adjoining his pre-emption claim in Cedar District, was informed by the Chief Commissioner by letter dated 9th July, 1875, that

"This land is not open for sale."

With regard to applications to record land, Mr. Fawcett was written to by the Chief Commissioner on the 10th of October, 1875, as follows:

"I have the honor to point out that an application to record land, that contains no date or signature, and is unaccompanied by a declaration, should not be received or dealt with by you."

Mr. John Hemar, a claimant, who purchased whatever interest Albert Fuller had, after Fuller had obtained a grant under the Settlement Act for lands on which he squatted, had himself applied to record lands, and being refused by the government agent at Nanaimo, applied through Mr. Hilbert, of Nanaimo, to the Lands and Works Department, and on the 17th September, 1878, was informed by the department:

"The land you desire to obtain, is included within the railway reservation, and is therefore neither open for pre-emption nor purchase."

In March, 1879, the government agent at Nanaimo was written to by the Lands and Works Department, and informed that Newcastle townsite was included in the railway reservation, and as such could not then be dealt with by the provincial government.

On the 22nd day of April, 1882, Mr. Bray, government agent at Nanaimo, wrote to the Lands and Works Department, asking:

"If there is any land open for pre-emption on the west coast of Vancouver Island in the vicinity of Alberni, and if so to what extent? Some parties here wish to pre-empt or purchase over there, if the land is surveyed or open for pre-emption."

And was informed on the 1st day of May, 1882, that

"All lands within the limits of the reserve (the western boundary of which is described as follows: 'Bounded on the west by a straight line from Muir creek to summit of Crown mountain (Muir creek is near Sooke harbor, northwest of Otter point), are reserved from pre-emption or purchase. Lands nearer the boundary line indicated are open for pre-emption or purchase under the existing laws."

The applicants who desired to comply with existing laws, and who were refused land, and coal and mineral rights and timber, "existing laws," could not get rights under existing laws, were compelled to give up their intention, or to pre-empt or apply for lands miles away.

Still, they had no legal rights, nor had the persons who took possession of these lands, regardless of any law, any rights, and had the reservation been possessed earlier, railway or no railway, it did not follow that the laws as to lands known to be valuable for their coal and minerals and timber, and applications for which had been refused, would always remain in force.

The laws had been repeatedly altered previous to the reservation and during the reservation, and since then have been altered to meet the varying requirements.

But, even if the laws had remained the same during the reservation, and the reservation had been removed so that these lands could have been acquired under the laws existing at the time those who squatter and other previous applicants would not necessarily have obtained the coal by recording a pre-emption, nor by paying one dollar an acre for the land, for the price of coal lands, down to 1882, was in the discretion of the Lieutenant-Governor in Council, while the squatter in 1882 would have had to pay $10 per acre.

And the timber lands had to be leased, at a rental to be determined by the Lieutenant-Governor in Council.

That persons had applied for lands and for coal and minerals in the railway belt, and, being refused, did not take possession of them; and that others had taken possession of lands in it without any legal right to them, and that they could only get what legislative enactment might at some future time give, was well known and had been specifically brought to the attention of the legislature from time to time.

The terms "settler," "pre-emptor," "occupy," "occupation," were well known terms in the phraseology of legislative enactment in British Columbia, the legislature while preserving any existing rights, ignored the squatter who had not taken possession. They dealt with these cases where persons had taken possession of public lands without any legal right to do so, and defined them by appropriate term, "squatters."

They placed all such persons who had "squatted" and continuously occupied and improved lands up to a certain date on the same footing, irrespective of the date when they took possession.

They decided in distinct terms in 1882 that "squatters" should get the surface rights only, and again did so in the first session of 1883, and again in the session of December, 1883.

And by the first and second Settlement Acts the time up to which "squatting," if accompanied by residence and improvement would be legally recognized by a grant of surface rights was extended to January, 1882, instead of April, 1880, as fixed by the Clement's Bill.

Their case was also mentioned in express terms in the agreement entered into between the two governments, and in the contract made for the construction of the railway, and in the Act of the Dominion ratifying the agreement and contract.

The persons so taking possession of these lands did not themselves claim they had any existing rights, but claimed to be "squatters," and applied for and acquired title under the Settlement Act.

No matter how the agreement made with the Dominion government, or the Settlement Act, or the decision of the Legislature as to what "squatters" should get, may now be regarded, it is clear that it is impossible for them or claimants under them to now acquire the coal or minerals, if any, under lands squatted on, as such coal and minerals have been conveyed to others.

CLAIMS PRIOR TO RESERVATION.

In two cases only were claims put forward as coming under the section of the Settlement Act saving existing rights.

One by Mr. Byron Crawford, who alleged he had purchased, after the reservation, whatever rights James Shields had, who was on crown land prior to the reservation.

Shields, however, was not recorded.

There was no written evidence of this transaction, nor any to show that Shields was entitled to record. And Mr. Crawford himself applied to record and obtain his title under the Settlement Act.

Another by J. B. Holmes, who agreed to purchase from D. Sullivan land to which he alleged Sullivan represented he had coal rights through having the land prior to the railway reservation. Holmes, however, applied to record and obtained a grant under the Settlement Act, and Mr. Holmes completed his purchase knowing that, and after Sullivan had obtained his grant.

Mr. Sullivan's name also appears in the petition to the Governor-General as having resided on this land for six years, which would place him as being first in possession in 1876 or 1877.

RIGHT OF WAY.

With respect to the claim for compensation for the right of way, the reservation was for the express purpose of having a railway built through it, and the squatters were well aware of this; and it is to be regretted that they did not accept the concession offered them by Mr. R. Dunsmuir in the nature of compensation irrespective of the rights of the company to build the railway without paying for the right of way.

I beg to express my appreciation of the valuable services rendered by the secretary, Mr. Ellis, and by Mr. Bass, the stenographer on this commission.

I enclose Appendix, with list of dates useful for reference, and of Land Acts from time to time applying to Vancouver Island, and Exhibits; and also the evidence of witnesses.

I have the honor to be,
Your Honor's obedient servant,
E. HARRISON, JR.,
Commissioner.

LICENSE AUTHORIZING AN EXTRA-PROVINCIAL COMPANY TO CARRY ON BUSINESS.

"COMPANIES' ACT, 1897."

Canada: Province of British Columbia.
No. 207.

This is to certify that "Carroll's Quesnelle River Leases, Limited," is authorized and licensed to carry on business within the Province of British Columbia, and to carry out or effect all or any of the objects hereinafter set forth to which the legislative authority of the Legislature of British Columbia extends.

The head office of the company is situate in England.

The amount of the capital of the Company is £10,000, divided into 10,000 shares of £1 each.

The head office of the Company in this Province is situate at Victoria, and Cuyler A. Holland, Chief Manager of the British Columbia Land and Investment Agency, Limited, whose address is No. 40, Government Street, Victoria aforesaid, is the attorney for the Company.

Given under my hand and seal of office at Victoria, Province of British Columbia, this 11th day of February, one thousand nine hundred and one.

(L.S.)

S. Y. WOOTTON,
Registrar of Joint Stock Companies.

The following are the objects for which the Company has been licensed:

(a.) To enter into and carry into effect either with or without modification, an agreement (the draft of which has been already prepared and is initialled for the purpose of identification by two of the subscribers to this Memorandum) expressed to be made between Quesnelle Dredging and Hydraulicing Syndicate, Limited, of the one part, and Carroll's Quesnelle River Leases, Limited, of the other part, for the acquisition by this Company of certain property therein described, and to develop, work, turn to account, or deal with such property; and for any of the above purposes or otherwise; to exercise any of the hereinafter mentioned powers and objects of the Company, which powers and objects may be exercised independently of the primary objects stated in this clause:

(b.) To search for mines, minerals, ores and precious stones, and to explore and prospect land supposed to contain minerals or precious stones in any part of the world; to obtain information as to mines, mining districts and localities, mining claims, water claims, water rights, and any other rights, claims and property; to purchase, take on lease or concession, or otherwise acquire any interest therein, or to enter into agreements to this end provisional or absolute, and to pay deposits or instalments of purchase money subject or otherwise to forfeiture or non-completion:

(c.) To hold, sell, dispose of and deal with mines, mining rights, mining claims, and land supposed to contain minerals, precious stones, and undertakings connected therewith: to work, exercise, develop, finance and turn to account the same; and to buy, sell, refine, manipulate and deal in minerals and metals of all kinds, and in particular gold, silver, and other precious metals and precious stones:

(d.) To examine, investigate and secure the titles to lands, farms, mines, minerals, ores and mining or other rights and claims in any part of the world; to employ and send to any part of the world, and to pay the fees, costs, charges and expenses of agents, including persons and corporations, mining experts, legal counsel, and all persons useful, or supposed to be useful, in examining, investigating and exploring lands, farms, mines, minerals, ores, mining and other rights and claims, or in examing, investigating, and securing the title to lands, farms, mines, minerals, ores, mining or other rights and claims, or in examining, in world; to print, publish, advertise, and circulate reports, maps, plans, prospectuses and documents of every kind whatsoever, directly or indirectly relating or supposed to relate to lands, mines, minerals, ores, and mining or other rights, concessions and claims in any part of the world or the title thereto, or to the organization, operations and objects of this Company or any other company:

(e.) To acquire from time ti time, by purchase or otherwise, concessions, grants, freeholds, leases, rights, claims and interests in lands or other properties of every description in any part of the world, including mines, works, railways, tramways, lands, wharves, docks, canals, water rights and ways, quarries, forests, pits, mills, buildings, machinery, stock, plants and things, upon such terms and in such manner as may be deemed advisable:

(f.) To lease, settle, improve, colonize and cultivate lands and hereditaments in any part of the world, and to develop the resources of any lands and hereditaments by building, planting, clearing, mining and otherwise dealing with the same:

(g.) To purchase and otherwise acquire, hold, sell, lease, grant licences or easements, exchange, turn to account, dispose of and deal in real and personal property of all kinds, and in particular lands, buildings, hereditaments, business concerns and undertakings, mortgages, charges, annuities, patents, patent rights, copyrights, licences, securities, grants, charters, concessions, leases, contracts, options, policies, book debts, claims, and any interest in real or personal property, and any claims against such property, or against any person, company or corporation, and to finance and carry on any business concern or undertaking so acquired, and to enfranchise any leasehold property acquired by the Company:

(h.) To aid, encourage or promote immigration into any lands or property acquired or controlled by the Company, and to colonize the same, and for such purposes to lend and advance money or give guarantees or otherwise deal with, or make, or be supposed to be, for the advantage of the Company:

(i.) To lay out towns or villages or any lands acquired or controlled by the Company, or in which the Company is in any way interested, and to construct, maintain, carry on and alter roads, streets, hotels, boarding houses, dwelling houses, factories, shops and stores, and to contribute to the cost of making, providing and carrying on and working the same:

(j.) To purchase or otherwise acquire and undertake all or any part of railway or tramway property, or the rights and liabilities of any person or company holding or seeking to acquire, or making or constructing such railways or tramways, canals, waterworks or public improvements in any part of the world:

(k.) To promote, construct, equip, improve, maintain, work, manage or control or aid in or subscribe towards the promotion, construction, improvement, maintenance, working, management or control of, or to hire, rent or charter works, undertakings and operations of all kinds, both public and private, and in particular roads, tramways, railways, canals, waterworks, reservoirs, telegraphs, telephones, cables, lighters, harbors, piers, docks, quays, wharves, warehouses, bridges, viaducts, aqueducts, reservoirs, embankments, water-works, waterworks, canals, dams, irrigations, drainage works, sewerage works, sawmills, crushing mills, smelting works, iron steel, ordnance, engineering or impalement works, hydraulic works, gas, electric lighting and electric works, power and supply works, quarries, collieries, coke ovens, foundries, furnaces, factories, carriages, motors, by land and water, stage coaches, fortifications, markets, exchanges, mints, public or private buildings, newspapers and publication establishments, breweries, wineries, distilleries, hotels, residences, stores, shops, houses, places of amusement, recreation or instruction, theatres, race-courses, cattle shows, flower shows, schools, technical institutions, universities, colleges, hospitals, laboratories, libraries, gardens, exhibitions, concert rooms, churches and chapels, whether for the purposes of the Company, or for sale or hire to, or in return for any consideration from, any other company or person:

(l.) To purchase or otherwise acquire, hold or sell, or manipulate, exchange, turn to account, dispose of, or deal in agricultural, plantation, fishing and trading rights; and all or any products of farms, plantations, vineries, forests, fisheries, and the like, including animals, grain, provisions, fruits, wines, spirits, cotton, wool, silk, fibres, tobacco, coffee, tea, sugar, timber, rubber, oils, chemical, explosives, drugs, dye-stuffs, nitrates, petroleum, bullion, specie, coin, copper, lead, tin, quicksilver, iron, coal, stone, and other merchandise and commodities of all kinds, either for immediate or future delivery, and whether in a crude state or manufactured or otherwise; and to advance money at interest upon security of all or any such products, merchandise and commodities, and to carry on business as merchants, importers and exporters:

(m.) To undertake and carry on any business transaction or operation commonly undertaken or carried on by bankers, underwriters, concessionaires, contractors for public and other works, capitalists or merchants, and generally to institute, enter into, carry on, assist or participate in financial, commercial, mercantile, industrial, manufacturing, mining and other businesses, works, contracts, undertakings, and financial operations of all kinds, and to carry on any other business which may seem to the company capable of being conveniently carried on in connection with any of the objects of the Company, or which may be thought calculated, directly or indirectly, to enhance the value of or render profitable any of the Company's property or rights:

(n.) To deal in, purchase, make merchantable, sell and dispose of ores, minerals, goods and merchandise generally in any part of the world:

(o.) To carry on the business of mining, smelting, trading and metallurgical company in all its branches, in any part of the world:

(p.) To acquire by grant, purchase or otherwise, concessions of any property or privileges from any government, British, Colonial or Foreign, and to perform and fulfil the terms and conditions thereof:

(q.) To sell, exchange, mortgage, lease, or otherwise deal with, either absolutely, conditionally, or for any limited interest, the undertaking or property, rights or privileges of the Company, or any part thereof, as a going concern or otherwise, to any public body, corporation, company, society, or association, whether incorporated or not, or to any person or persons, for such consideration as the company may think fit, and in particular for cash, shares, stocks, debentures, securities or property of any other company; to distribute any of the property of the Company among the members in specie, or otherwise, but so that no distribution amounting to a reduction of capital be made without the sanction of the Court where necessary:

(r.) To promote, organize, and register, and to aid and assist in the promotion, organization and registration of any companies or companies, either in Great Britain or elsewhere, for the purpose of acquiring, working, or otherwise dealing with any of the property, rights or liabilities of this Company, or any property in which this company is interested, or for any other purpose, with power to assist such company or companies by paying or contributing towards the preliminary expenses, or providing the whole or part of the capital thereof, or by taking or subscribing for shares, preferred or ordinary, or by lending money upon debentures or otherwise, and to incur and pay out of the property of the Company any costs and expenses which may be expedient or useful or supposed to be expedient or useful, in or about or incident to the promotion, organization, registration, advertising and establishment of any such Company, and to the issue and subscription of the share or loan capital, including brokerage and commissions for obtaining applications for or placing or guaranteeing the placing of the shares or any debentures, debenture stock or other securities of any such company, or any part thereof, and to undertake the management and secretarial or other work, duties, and business of any company, on such terms as may be arranged:

(s.) To lend and advance money upon the security or supposed security of farms, lands, mines, minerals, claims, mining or other rights, concessions, claims, or pastoral or other leases in any part of the world, with or without security, and in particular to customers of and persons having dealings with the Company:

(t.) To make and carry into effect all arrangements with respect to the union of interests or amalgamation, either in whole or in part, with any other companies or persons having objects similar to, or included in the objects of this Company:

(u.) To transact and carry on all kinds of agency and commission business, and in particular to collect moneys, royalties, revenue, interest, rents and debts; and to negotiate loans and find investments; and to issue and place shares, stocks, debentures, debenture stock, and other securities; to subscribe for, purchase or otherwise acquire, and hold, sell, exchange, dispose of, deal in, negotiate or issue shares, stock, bonds, debentures, debenture stock or securities, of any company, or of any authority, supreme, municipal, local or otherwise; or of any persons whomsoever, whether incorporated or not incorporated:

(v.) To guarantee the payment of money secured by or payable under or in respect of bonds, debentures, debenture stock, contracts, mortgages, charges, obligations and securities of any company, or of any authority, supreme, municipal, local or otherwise, or of any persons whomsoever, whether incorporated or not incorporated:

(w.) To guarantee the title to or quiet enjoyment of property either absolutely or subject to any qualifications or conditions, and to guarantee persons and corporations interested or about to become interested in any property against any loss, actions, proceedings, claims or demands in respect of any insufficiency, imperfection or deficiency of title, or in respect of any incumbrance, burdens, or outstanding rights:

(x.) To furnish and provide deposits and guarantees of funds required in relation to any tender or application for any license, concession, decree, enactment, property or privilege, or in relation to the carrying out of any contract, concession, decree or enactment:

(y.) Generally to carry on and transact every kind of guarantee business, including the performance of contracts by members of, or companies or persons having dealings with the Company, and to undertake obligations of every kind and description, and also to undertake and execute trusts of all kinds:

(z.) To receive moneys, securities and valuables of all kinds on deposit, at interest or otherwise, or for safe custody, and generally to carry on the business of a safe deposit company:

(aa.) To make, accept, issue, indorse and execute bills of exchange, promissory notes, and other negotiable instruments, and to discount, buy, sell and deal in the same; to grant, issue, buy, sell and deal in bills of lading, dock and other warrants; to issue, buy, sell, and deal in coupons and all other promises to pay moneys:

(bb.) To borrow or raise money for the purposes of the Company, in such manner and upon such terms as may seem expedient, and to secure the repayment thereof, and of moneys owing or obligations incurred by the Company, by redeemable or irredeemable bonds, debentures or debenture stock (such bonds, debentures, or debenture stock being made payable to bearer or otherwise, and payable either at par or at a premium or discount) or by mortgages, script certificates, bills of exchange or promissory notes, or by any other instrument, or in such other manner as may be determined, and for any such purpose to charge all or any part of the property of the Company, both present and future, including its uncalled capital; and to allot the shares of the Company, credited as fully or partly paid up, or bonds, debentures or debenture stock issued by the Company, as the whole pany's objects or otherwise expedient; and indirectly conducive to any of the Company or part of the purchase price for any property purchased by the Company, or for any valuable consideration:

other assets, as may be thought directly or

(cc.) To make donations to such persons and in such cases, and either of cash or in particular to remunerate any person or corporation introducing business to this Company; and to subscribe or guarantee money for charitable or benevolent objects, or for any exhibition, or for any public, general or other object, and to aid in the establishment and support of associations for the benefit of persons employed by or having dealings with the Company, and in particular friendly or other benefit societies, and to grant any pension, either by way of an annual payment or a lump sum, to any officer or servant of the Company:

(dd.) To purchase or otherwise acquire and undertake all or any part of the business, property, goodwill and liabilities of any company, corporation, society, partnership or persons carrying on, or about to carry on, any business which this Company is authorized to carry on, or which is in any respects similar to the objects of this Company, or which is capable of being conducted so as directly or indirectly to benefit this Company, or possessed of property deemed suitable for the purposes of this Company, and to enter into partnership or into any arrangement with respect to the sharing of the profits, union of interests, or amalgamation, reciprocal concession, or co-operation, either in whole or in part, with any such company, corporation, society, partnership, or persons:

(ee.)) To pay out of the funds of the Company all expenses of and incident to the formation, registration, advertising, and establishment of this Company, and the issue and subscription of the share or loan capital, including brokerage and commissions for obtaining applications for, or placing or guaranteeing the placing of the shares, or any debentures, debenture stock, or other securities of this Company; and also all expenses attending the issue of any circular or notice, and the printing, stamping, and circulating of proxies or forms to be filled up by the members of this Company:

(ff.) To obtain, or in any way assist in obtaining, any Provisional Order or Act of Parliament, or other necessary authority, for enabling this or any other company to carry any of its objects into effect or for effecting any modification of this or any other company's constitution; to procure this or any other company to be legalized, registered, or incorporated, if necessary, in accordance with the law of any country or state in which it may, or may propose to, carry on operations; to establish and maintain agencies of the Company; and to open and to keep a colonial or foreign register or registers of this or any other company, in any British colony or dependency, or in any foreign country, and to allocate any number of the shares in this or any other company to such standing in such trustee or trustees:

(gg.) To do all or any of the above things in any part of the globe, either as principals, agents, contractors, trustees, or otherwise, and either alone or in conjunction with others, and either by or through agents, sub-contractors, trustees, or otherwise, and with power to appoint a trustee or trustees, personal or corporate, to hold any property on behalf of the Company, and to allow any property to remain outstanding in such trustee or trustees:

(hh.) To do all such other things as are incidental or may be thought conducive to the attainment of the above objects, or any of them, and so that the word "Company" in this Memorandum, when applied otherwise than to this company, shall be deemed to include any partnership or other body of persons, whether corporate or incorporate, and whether domiciled in the United Kingdom or elsewhere, and the objects specified in each of the paragraphs of this Memorandum shall be regarded as independent objects, and accordingly shall be in nowise limited or restricted (except when otherwise expressed in such paragraph) by reference to the objects indicated in any other paragraph, or the name of the Company, but may be carried out in as full and ample a manner, and construed in as wide a sense, as if each of the said paragraphs defined the objects of a separate, distinct, and independent company.

Lands and Works Department,
Victoria, B. C., 30th Jan., 1901.

"LAND REGISTRY ACT."

In the Matter of the Application of the Honorable Montague William Tyrwhitt Drake for a Certificate of Indefeasible Title to Subdivision Two (2) of Block "G" Harbor Estate, Victoria City.

NOTICE is hereby given that a Certificate of Indefeasible Title to the above-hereditaments will be issued to the Honorable Montague William Tyrwhitt Drake on the 9th day of June, A. D., 1901, unless in the meantime a valid objection thereto be made to me in writing by some person claiming an estate or interest therein or in some part thereof.

S. Y. WOOTTON,
Registrar-General.

Land Registry Office,
Victoria, B. C., 1st day of March, 1901.

Cattle Ranch For Sale.

This cattle ranche, situate 25 miles from Clinton, must be sold at once to wind up the Valenzuelt Estate.

It is on the cross road from the main trunk road (at 59 Mile Post) to Empire Valley, Dog Creek and Gang Ranche. The only stopping place on the cross road and well known as such.

The property consists of 320 acres Crown Grant and 320 acres pre-emption, with good house (furnished) and buildings. Forge Dairy and equipment. Adjacent country very suitable for grazing purposes.

Three large meadows all fenced. Good water supply, which can be regulated in wet or dry seasons. Few cattle and horses.

Terms:—Cheap for Cash. Tenders to be made in writing before 1st April, to the undersigned, who will furnish full particulars.

J. E. N. SMITH,
Executor.

Clinton, B. C.

CREASE & CREASE, Solicitors, 17 Fort Street, Victoria, B. C.

Farmers, Attention

The first 500 applicants will receive by post FREE samples of Suttons & Sons (of England), "Magnum Bonum Swede," "Prize Winner Mangle," put up in neat metal boxes. A prize of 5 will be given at the Fall Shows of Victoria, New Westminster, Nanaimo and Cowichan for the three heaviest and best roots grown and exhibited of these varieties. For further particulars see show catalogues.

C. Bazett

Sole Agents for Sutton & Sons' Seeds.

Seeds in Bulk

Sweet Peas in Named Bulk.

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Direct Importers and Growers.

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J. A. McKINNON, M.D., C.M., M. R., C.S.

Eye, Ear, Nose and Throat

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Our Chilblain Liniment Cures. 25c.

By mail to any address, 30 cents.

Dutton's Little Anti-Costive Pills

Cure Constipation, Dyspepsia and Biliousness, 25 cents to any address by mail.

CYRUS H. BOWES,

Chemist, Sole Agent.

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