

55,217.

Ottawa, 1st December, 1902.

Gentlemen:-

Re Squaw Island.

In reply to your letter of the 23rd ultimo directed to the Honourable Superintendent General I have the honour to inform you that the documents forwarded by you showing the chain of title from the last lessees from this Department have been carefully considered; and it has been decided by the Minister that the evidence does not show that the present applicants for lease have got in the interest of W. A. Clark under the lease of 7th July, 1898. It would certainly be assuming too much for the Department to consider the agreement dated 1898 between Charles Noble and W. A. Clark on the one part and William Robinson on the other part, which refers to an old lease of 25th November, 1885, as in any way affecting Mr. Clark's interest under the lease of 7th July, 1898; and it is considered that the agreement under question may be properly be left to the interpretation of the trial judge. The Department's consent of 1st April, 1902, to the Noble Brothers using the island for one year from 25th November, 1901, on payment of \$50.00 rental was not intended in any way to derogate from Mr. Clark's interest. It is further considered that the position of the parties inter se is one for the decision of the court and that as both Mr. Noble and Mr. Clark claim, in the action now pending, rights under this Department the Department should not act in a manner prejudicial to either party to the suit.

Messrs. Arnoldi & Johnston,

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103 Bay Street,

Toronto, Ont.

Indian Affairs, Letterbook,
1 December 1902 - 27 December 1902, (R.G. 10, Volume 5013)

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