

25/11/52530.

January 4, 1934.

Dear Sir:-

I have the honor to refer to Departmental letter dated 18th October, last, No. 25157-3, in regard to the application dated October 6th received at the Department from the Provincial Department of Public Works, Victoria, for right-of-way for a road through Yagan Indian Reserve No. 3 of the Massett Band of Indians in the Queen Charlotte Agency.

In this matter I beg to say that the question of compensation has been fully discussed with the Indian Agent, Rev. J. Gillett, of the Queen Charlotte Agency, as a result of which I am now enclosing herewith copy of a letter received from the Indian Agent dated December 18th and also copy of a letter received from P. Philip, Esq., Chief Engineer of the Provincial Department of Public Works, dated January 3rd, by which communications it will be seen that the Province is prepared to pay the sum of \$50.00 as compensation for the thoroughfare applied for and this payment will be considered as sufficient and satisfactory compensation, the amount to be paid to be placed at the credit of the Massett Band of Indians in trust.

The Department will be aware that the Yagan Reserve contains 86 acres and that under the agreement between the Province and the Dominion dated March 22nd, 1929, the Province may resume an area not exceeding 1/20th of the total area of the reserve for public thoroughfare. The area of land to be taken under this application is 6.284 acres, 1/20th of the area being 4.3 acres. There is, therefore, an excess of 1.984 acres to be considered from the point of view of compensation to the Indians owning the reserve. The value placed upon the reserve by the late Royal Commission on Indian Affairs for British Columbia was \$20.00 per acre at which valuation the excess area applied for would amount to \$39.68. There is a little unmerchantable scrub timber in the excess area to be taken which is considered to be of little or no value, in view of which and of the considerations outlined in the copies of letters enclosed herewith, I am of the opinion that the sum of \$50.00 which the Province is willing to pay and which valuation is concurred in by the Indian Agent, should be accepted as being satisfactory by the Department and I would so recommend.

In regard to the application for an Order-in-Council to authorise the transfer of the land to the Provincial Authorities, however, it is my view that no application should

The Secretary,
Department of Indian Affairs,
Ottawa.

bc.....

Indian Affairs
(B.C. Records)

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