

18. The following evidence was given before the Courts in Victoria in 1890 by Marshal Bray, Government Agent: Have been Government Agent ten years last June. Hoggan made application for land in March, 1882. I did not allow him to pre-empt. It was just an informal application to pre-empt or purchase. WHEN HE MADE THAT APPLICATION I REFUSED IT.

H. A. B. Q. 734.

Q. 734. On receiving the application did you write for instructions to Victoria? A. I did not.

19. An interesting letter from the Government Agent to the Surveyor-General, Mr. Gore, extracts of which are as follows:

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

Journals, 1886.

(1). SIR: I have the honor 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.

(2). My letter of INSTRUCTIONS DATED THE 20TH MAY, 1884, in reference to my issuing records for Island Railway Lands was to the effect that I should not issue any records of 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 (3) 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.

(4). *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.*

(5). * * * Now he did not occupy said land until after date of his application filed in this office, 19th, March, 1882. * *

(6). 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; * * * *

(7). Please to inform me if this reserve is likely to be thrown open soon for settlement, as James Harvey (Dunsmuir's son-in-law) has also made application for some land in this reserve.

I have, &c.,

(Signed) M BRAY,

Government Agent.

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