

He also stated that he had advised Mr. Dunsmuir, both in his official and private capacity, to settle, but would see Mr. Smithe and Mr. Dunsmuir on his arrival at Victoria.

14. On Aug. 22nd, 1883, Samuel Waddington wrote the Chief Commissioner of Lands and Works as follows: Journals, 1886.  
LIV.

“DEAR SIR: Our member, Mr. Raybould, showed you an agreement of sale of the land I have been occupying previous to the lock-up. I desire to know (the railway question is settled) whether I can pay for the land, according to former agreement, and obtain my Crown grant.”

15. The following answer was received and shown to the other settlers interested:

VICTORIA, B. C., 27th Aug., 1883.

SIR: In reply to yours of the 22nd inst., I have the honor to state, by the direction of the Chief Commissioner of Lands and Works, that at the next meeting of the Provincial Legislature a bill will be introduced to deal with the lands now reserved for railway purposes, and until that time you can only continue as a squatter.

I have, &c.,  
(Signed) T. H. WILLIAMS.

S. Waddington, Esq.,  
Nanaimo, B. C.

16. Ques. 104. Have you been in possession of the land since the year 1871? A. I have. Waddington  
App'ral Book.

Q. 105. That is so far as you can be in possession of those 105. 133 acres? A. I have been working on it.

Q. 106. And have exercised the rights of ownership over it? 106. A. Yes; well, they told me of course, Mr. Pearse, when they would not let me have it—they said the Government refused to let me have the land, but they had no objection to my improving the land, and they would let me have it when it came into the market.

17. In 1884 Samuel Waddington, in answer to the public notice, called at the Land Office to prove up his claim, but was refused. Robert Dunsmuir was at the office door and referred him to Smithe. Waddington interviewed Smithe and was informed that there was a dispute between them and the Government, but to rest assured he would get the land, no one else would get it. W. A. B. 203,  
204.

It was not until Oct. 29th, 1885, that Waddington was notified that he would not get the land.