

the assurance that they had better settle there than go into Washington Territory that they had better take their chances and when land came into the market they would have the first opportunity.' "

PEACEABLE POSSESSION.

9. The settlers who were evicted from lands in question in 1895 had occupied the land as follows:

Samuel Waddington for twenty-five years.

David Hoggan for thirteen years.

Peter Brodie and E. Hodgson for a shorter period.

Samuel Waddington had been improving the land for fourteen years prior to the passing of the Settlement Act, 1884, and David Hoggan for two years and one month. Hoggan was on the land two years and twenty days previous to the formation of the Railway Company.

H. A. B. Q. 732.

10. Hoggan held peaceable possession by reason of his application having been received on a form supplied by the Government Agent at Nanaimo March 19th, 1882, and in 1884, when calling at the Land Office in answer to a public notice, was informed that he was too late to come in as a squatter, but to go back again and would no doubt come in as a pre-emptor.

Journals, 1886.
XIII.

11. On August 31st, 1885, Hoggan applied to the Chief Commissioner of Lands and Works at Victoria, through his agent, Mr. C. C. McKenzie, enquiring as to the reasons for delay in granting his certificate of record. He received no reply until on Oct. 13th, following, Robert Dunsmuir called at the office of C. C. McKenzie, and in the presence of Hoggan and agent stated that at his request Smithe had delayed sending an answer, so as to give him an opportunity of seeing them both in relation thereto. Mr. Dunsmuir offered Hoggan fifteen acres, including all his improvements, amounting to about \$4,000.

Journals, 1886.
XV.

12. McKenzie wrote the Chief Commissioner Oct. 19th, calling his attention to the circumstances and refusing the offer. Hoggan received a letter from Smithe dated Victoria, B. C., Oct. 29th, and for the first time gave Hoggan and others notice that the lands were not open for settlement. And for the first time it was made known to the settlers that the name of the lands on which they had for years been living was "Newcastle Townsite Reserve."

MSS. to Roth-
well. Page 18.

13. The Hon. Thos. White, Minister of the Interior, while in Nanaimo, was waited on by upwards of twenty settlers. He stated that he had been led to believe that Hoggan was being settled with and did not know to the contrary until arriving here,