

about this one. The Madu river is the river which runs into Massett Inlet.

- Q. How many acres did you stake there?
- A. Seven and three quarters.
- Q. Did you stake on both sides of the river?
- A. I am not sure, but Mr. Green surveyed what I staked.
- Q. Did you stake that the same day?
- A. Yes.
- Q. And this is a copy of the Notice you put up on the property. And this is a copy of the description which went in ~~it~~ with the application?
- A. Yes.
- Q. You say that Mr. Green made a survey of all that?
- A. Yes.
- Q. Did you find any evidences of occupation there?
- A. Yes, and Indian house on the Point, and a whiteman's house below the Point - that would be on the West side of the river.
- Q. Was the whiteman's house on the 7-3/4 acres which you staked?
- A. Yes, I believe so. He was an American citizen named O.P. Merrill. He has left the place and the house. A man named Johnson has been granted 40 acres at the mouth of that river in lieu of a piece of land which he had and was subsequently found to be on a timber limit. That is the information I have but it is only heresay.
- Q. The Department informs me that this is apparently covered with a 5 year coal lease in the name of O.P. Merrill.
- A. I understand he has given up his interest in the coal lease and gone away - The house on the Point has been used by Tommie Nutcomb.
- Q. What use do the Indians make of this place?
- A. Fishing and residing there.
- Q. What use do they make ~~and~~ of all the places covered by the applications?
- A. Well, they want them for fishing and residing there from time to time. Mr. Merrill recognized the justice of Tommie Nutcomb's claim, and so vacated.
- Mr. MACDOWALL:- Who was that instructed you to stake these lands for the Indians?
- A. The Department of Indian Affairs.
- MR. YOUNG:- Did Nutcomb have a garden?
- A. No, I saw no evidence of a garden, but there were two houses there and a fishing camp.
- Q. And the continual user of the camp by Nutcomb?
- A. Yes.