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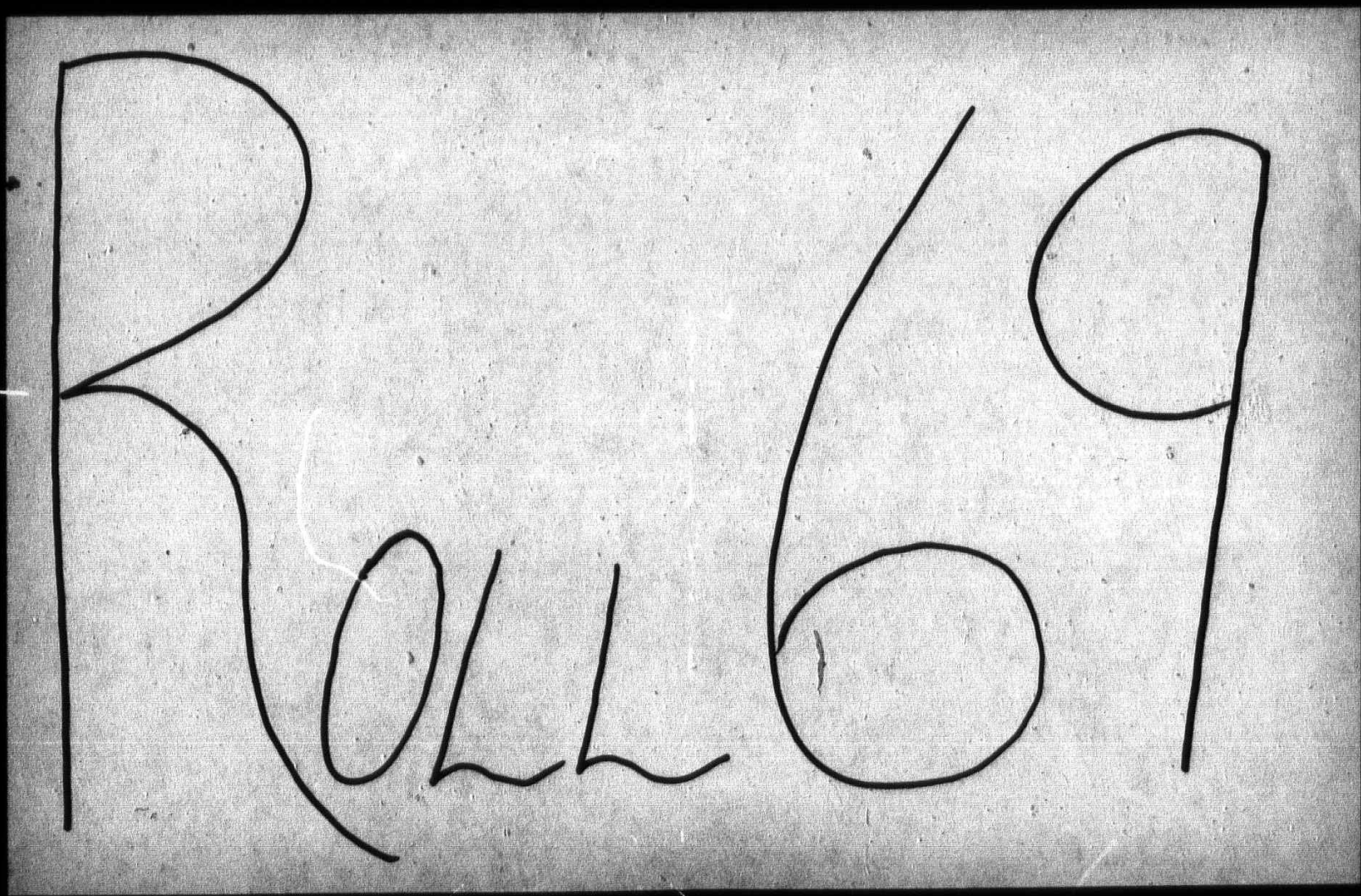
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INDIAN AFFAIRS HEADQUATERS FILES

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Indian Affairs
Headquarters Files

(RG 10, Volume 7669)

File 22124-7	1	Fort Frances Agency - Right-of-way for railways through Indian Reserves in the Rainy River District (plan, map). 1900 - 1911
File 22124-7	2	Fort Frances Agency - Right-of-way for a spur line of the Canadian National Railway through Rainy Lake 18B Reserve. 1911 - 1944
File 22125-6 C.N.		Clandeboye Agency - Right-of-way for Canadian National Railways through the St. Peter's Reserve and the Brokenhead Reserve. (plans) 1911 - 1925
File 22128-7 C.N.		The Pas Agency - Right-of-way for the Canadian Northern Railway System through part of The Pas Reserve (plans). 1905 - 1917

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
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IN YOUR REPLY REFER TO

APPLICATION No .....

LAND TITLES OFFICE
MANITOBA

DEPARTMENT OF INDIAN AFFAIRS
JUN 15 1915
RECEIVED

NEEPAWA, MAN. June 14. 1915 a.191

Immediate

Survey Branch,
Department of Indian Affairs,
Ottawa,
Ontario.

480460

Sir:

I have the honour to ask you to be good enough to forward to me for filing in this office, at your very earliest convenience, a certified copy of Railway Plan number 1045 which is disclosed as of record in your Department in a certain Crown Grant to the Canadian Northern Railway Company of the Pinger Lumber Company's spur at the Town of The Pas. The reference number in the Patent being 15418.

I have the honour to be,
Sir,
Your obedient servant,

DISTRICT REGISTRAR.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

FETY ▲ FILM ■

16418

Ottawa, June 14th. 1915.

Sir,-

In accordance with your request of the 11th. inst. I beg to enclose herewith a certified copy of the Railway plan of record in the Survey Branch of this Department under number 1043.

Encl.

Your obedient servant

~~J.D. McLean~~

Asst. Deputy and Secretary.

The District Registrar,

Land Titles Office,

Neepawa,

Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

IN YOU[redacted] REFER TO
APPLICATION No.....

LAND TITLES OFFICE
MANITOBA

DEPARTMENT OF INDIAN AFFAIRS
JUL 2 1916

NEEPAWA, MAN. June 27th, 1916

File

J. D. McLean, Esq.,
Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa,
Ontario.

Sir:-

-Your reference 16426-

I have the honour to acknowledge receipt of your favor of the 14th of June last past enclosing blue print of Railway Plan of record in the Survey Branch of your Department under number 1046 for which I am much obliged.

Yours very truly,

[redacted]
DISTRICT REGISTRAR.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
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CANADA

Board of Trade

The Pas Manitoba

The Pas

POPULATION, 1910 - - 25
POPULATION, 1914 - - 2,222
ASSESSMENT, 1914 $2,657,120.00

THE PAS
IS THE GATEWAY TO THE WHOLE OF NEW MANITOBA AND ITS WEALTH OF FORESTS, MINES AND FISHERIES.

THE PAS
IS THE ONLY DIRECT ROUTE TO, AND OUTFITTING POINT FOR THE BEAVER LAKE AND HERB LAKE GOLDFIELDS.

THE PAS
IS ALREADY A MODERN TOWN WITH ELECTRIC LIGHTS AND WATERWORKS IN OPERATION AND SEWERS NEARING COMPLETION.

THE PAS
IS THE SITE OF THE HUDSON BAY RAILWAY TERMINALS AND THE LOGICAL RAILWAY CENTRE OF NEW MANITOBA.

THE PAS
MUST BE THE DISTRIBUTING POINT OF ANGLO-CANADIAN COMMERCE AND AN IMPORTANT WHOLESALE CENTRE.

COME AND SEE THE PAS

Plan and Sec 687 A
Main Folder open 1043
Wye 1039

277030

file returned

DEPARTMENT OF INDIAN AFFAIRS
NOV 2
1915

The Pas CANADA Oct. 28, 1915

484603

The Deputy Minister
Department of Indian Affairs,
Ottawa, Ont.

Sir:—

We recently wrote the railway commissioner, objecting to private crossing signs being erected by the C. N. R. on their spur line, from First to Seventh Sts.

We have a copy of the letter written to the Commissioner, saying that the matter is under consideration by your department.

All maps and plans that we have seen do not show ~~that~~ the C. N. R. right-of-way, occupying the streets crossing, of which they have taken possession.

Kindly give this matter your attention.

I have the honor to be Sir

Your obedient servant,

Per H H Ellett
(Sec. Board of Trade.)

HHE/RD

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
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CANADA

277930

Ottawa, 5th November 1915.

Sir,-

I beg to acknowledge the receipt of your letter of the 28th ultimo regarding the ownership of streets crossed by the Canadian Northern Railway in the town of The Pas; and in reply to say that I am not certain to which spur you refer, but if it is the spur to the Finger Lumber Company, I may say that patent has been issued to the Canadian Northern Railway Company for the separate lots and blocks from Cook Avenue across blocks 51, 52, 45, 46, 47, 48, 39 and 40 and it does not convey any title in the streets to the Railway Company.

I may further state that title has issued to that Company for their Wye in blocks 74 and 75 but the Company did not get any title to the portion of Settee Avenue crossed by that Wye.

A plan showing their main line right of way is dated September 8th 1906 and the survey was made prior to the laying out of the townsite. The patent for this line has not yet been issued.

In preparing description for patent we accepted their crossing on Settee Avenue and on 1st, 2nd, 3rd, 4th, 7th 13th and 14th Streets, but the Company has not yet signified its willingness to accept patent with these reservations.

There is no title granted to the Railway for the portion of the right of way between 7th Street and Cook Ave.

The Secretary,
Board of Trade,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
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CANADA

With regard to the second paragraph of your letter,I am unable to find the letter to the Commissioner referred to by you stating that the matter is under consideration by this Department.

Your obedient servant,

Hgd, D C Scott

Deputy Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
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CANADA

277030

GEO. A. McLELLAND
BARRISTER, SOLICITOR, ETC.
SOLICITOR FOR
THE UNION BANK OF CANADA
CANADA BONDED ATTORNEY
THE PAS, MANITOBA

DEPARTMENT OF INDIAN AFFAIRS
NOV 27 1916

November 20th-1916.

Survey 37

495497

The Department of Indian Affairs,
Ottawa, Ont.

DEPT. OF INDIAN AFFAIRS
NOV 28 1916
SURVEYS

Dear Sir :-

RE: Town of The Pas vs. C. N. R.

A dispute is going on between the above at the present time as to who is prior in the matter of Railway crossings through the Town of The Pas. I am desirous of obtaining the information as to when the plans of the Railway Company's line were filed, and whether the said Railway Company has complied with the provisions of the Railway Act regarding registering their plans. I have written the Land Titles Office to furnish me with a Search Letter or Certificate giving the date of registration, etc., but the Land Titles Office, Neepawa, advise me that no plan is registered, and that they only have in their office a Blue print which was sent to the said District Registrar at his request by the surveyor of the C. N. R. The District Registrar has referred me to you for plans, and to see if registration has been complied with. I shall be glad if you could furnish me with a plan and also inform me if the said

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
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CANADA

provisions of the Railway Act has been complied with in respect to registration.

I am Solicitor for the Town of The Pas, and until I get some such data I am unable to decide who is prior in the matter of crossings. The Town of The Pas requires the C. N. R. to open up its line and allow the streets to be continued through its line, but the C. N. R. will not allow this and states that the line is private property and that they are prior to the Town. This dispute is preventing the growth of the Town considerably.

Yours very truly,
GEO. A. McLELLAND,
Per. CHD
Town Solicitor.

CHD/GB.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 29th November 1916.

Sir,-

In reply to your letter of the 20th instant I beg to inform you that the patent for the right of way for the main line of the Canadian Northern Railway through the townplot of The Pas has not yet been issued. In the description proposed to be placed in the patent which was submitted to the Company for its approval in 1911, it is provided that the said right of way is to be granted excepting thereout the street crossings on Settee Avenue and on First, Second, Third, Fourth, Seventh, Thirteenth and Fourteenth streets in the townplot. Although this matter has been twice brought to the attention of the Company since that date, final action has not been taken. It is possible that your town will not require all these street crossings and it is suggested that you should endeavour to arrive at an arrangement with the Railway Company as to which streets are to be left open.

There will be sent you by separate mail a plan showing the right of way of the spur line of the Canadian Northern Railway in the townplot of The Pas; you will notice that the street crossings are all left open.

Your obedient servant,

(sgd) J.D. McLean

Asst. Deputy and Secretary

Geo. A. McLelland Esq.,
Town Solicitor,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 29th November 1916.

Sir,-

I beg to refer you to your letter of the 28th February 1913, T-66-66, relating to the description proposed to be entered in the patent of the right of way of the Canadian Northern Railway through the townplot of The Pas, Man., and to request you to be good enough to state whether the description referred to in the preceeding correspondence is satisfactory to your Company, in order that the patent may be issued.

We have received a complaint from Mr. George A. McLelland, Town Solicitor, The Pas, Man., to the effect that your Company will not allow the streets to be opened across your line. You will note in the description above mentioned that it is proposed to reserve certain street crossings. It is thought advisable that your Company should arrive at an understanding with the town officials as to which streets are to be left open for the convenience of the public.

Your obedient servant,

Sgd J D McLean

Asst. Deputy and Secretary.

R.H.M.Temple Esq.,
Asst. Solicitor,
Canadian Northern Railway,
Toronto, Ont.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

CANADIAN NORTHERN RAILWAY SYSTEM

LEGAL DEPARTMENT

F. H. PHIPPEN, K.C.,
General Counsel
GERARD RUEL,
Chief Solicitor
R. H. M. TEMPLE
A. J. REID, K. C.
Solicitors, Toronto
W. W. EVANS
Solicitor, Winnipeg

REFER TO T/66-66

TORONTO, December 1st, 1916.

495811

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

I beg to acknowledge receipt of your letter of the 29th of November (file 277030), in connection with description proposed to be entered in patent of right of way of the Canadian Northern Railway through the townplot of The Pas, Man. I have asked our Solicitors in Winnipeg for instructions for our reply in this matter as early as possible.

Yours truly,

R. H. M. Temple.

DEPT. OF INDIAN AFFAIRS
DEC 4 1916
SURVEYS

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

CANADIAN NORTHERN RAILWAY SYSTEM

LEGAL DEPARTMENT

F. H. PHIPPS, K.C.,
GENERAL COUNSEL
GERARD RUEL,
CHIEF SOLICITOR
R. H. M. TEMPLE
A. J. REID, K. C.
SOLICITORS, TORONTO
W. W. EVANS
SOLICITOR, WINNIPEG

DEPARTMENT OF INDIAN AFFAIRS
DEC 12 1916

REFER TO T/66-66

TORONTO. December 11th, 1916.

495993

DEPT. OF INDIAN AFFAIRS
DEC 13 1916
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

In reply to your letter of the 29th ultimo (277030), re description for patent of right of way of Canadian Northern Railway through townplot of The Pas, we are in receipt of a letter from our Solicitors in Winnipeg in which they advise that the Railway of the Company was located through the town of Le Pas before the streets which Mr. McClelland now wants opened were even laid out or dedicated.

We contend, of course, that the Town has no right to have highways opened across the railway except under the provisions of the Railway Act (R.S.C. Chapter 37, paragraph 237), namely, applications must be made to the Board for the right to open any highways, and if the Board finds that they are of necessity they can be opened upon such terms as the Board sees fit to impose. In this connection I would also like to refer you to the current volume of the Supreme Court Reports, namely, 53

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Supreme Court Reports, page 406, case of City of Edmonton and the Calgary and Edmonton Railway Company. That case holds that the filing of properly approved location plans and the construction of the railway upon such location is sufficient to establish the seniority of the railway over the municipality at points where highways were not dedicated by the filing of plans of subdivision or actually used and accepted by the municipal corporation at the time of the registration of the location plans by the Railway Company.

I think you will agree with me that this case fully covers the position of the Municipality of Le Pas, and we contend that the description submitted by your Department making provision for street crossings where authorized is not correct, and we desire to preserve our seniority and, therefore, contend that the title should not contain any exceptions for crossings, but that the matter of highway crossings should be settled by the Board of Railway Commissioners upon application of the Municipality from time to time as they may desire highways opened.

Yours truly,

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 13th December 1916

Sir,-

I beg to acknowledge the receipt of your letter of the 11th instant No.T-66-66, and beg again to suggest as stated in letter of the 29th ultimo, that before any representation is made to the Board of Railway Commissioners that your Company will be good enough to endeavour to arrive at an understanding with the town authorities of The Pas as to which street crossings are necessary for the use of the public and are to be left open.

L.M.L.
J.B.

Your obedient servant,

(sgd) J.D.McLean

Asst. Deputy and Secretary.

R.H.M.Temple Esq.,
Solicitor, Canadian Northern Rly.,
Toronto, Ont.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

GEO. A. McLELLAND
BARRISTER, SOLICITOR, ETC.
SOLICITOR FOR
THE UNION BANK OF CANADA
CANADA BONDED ATTORNEY
THE PAS, MANITOBA

DEPARTMENT OF INDIAN AFFAIRS
DEC 16 1916
SURVEYS

DEPARTMENT OF
DE
19

December 6th-1916.

496067

The Department of Indian Affairs,
OTTAWA, Ont.

Dear Sirs :-

Re.No. 277030-Town of The Pas vs. C.N.R.

I have your favor of the 29th ult. The Blue Print came by separate mail, but it was the wrong blue print. The one sent is a plan of the Finger Lumber Company's spur lying to the east of this Town, and taking in certain of the Town's streets, but not those which are the subject of dispute. I would be glad if you would let me have another Blue Print of the Town showing the main line of the C. N. R. through the streets as mentioned in your above letter.

The Town has taken up the question with this Railway Company, but theRailway has refused to grant the crossings across its Railway, and contends that the Town is Junior to the Railway. I do not see how this can be if the Government has not granted the Patent to the Railway, and the Land Titles Office states that no plan of the Railway has been registered. The Municipality appears to be junior

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
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CANADA

in this respect, that the Railway had its line laid before the Town was Incorporated. It looks however, that the Town not can/obtain crossings over this Railway unless application is made to the Board of Commissions to enforce an application of the Town for crossings. The Town, however, does not wish to bear the cost of the work and would at least like to have the Railway pay a proportionate part of the same. If you can give me any further information showing whether the Town is Junior or Senior to the Railway, the same will be appreciated.

I have retained the Finger Lumber Company Plan sent me by you, as possibly the same matter will have to be threshed out with the Railway Company regarding the Eastern portion of the Town.

Yours very truly,

GEO. A. McLELLAND,

Per. C. A. Dixon

Town Solicitor.

CHD/GB.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 19th December 1916.

Sir,-

I beg to inform you that in accordance with your request of the 6th instant a blue print plan of the townplot of The Pas has been sent you by registered mail.

The railway company filed a plan of their railway through the Pas Indian reserve with this Department sometime before the sub-division was made of the townplot. In reply to a letter from this Department, the solicitor for the Company says that their title should not contain any exceptions for crossings but that the matter of highway crossings should be settled by the Board of Highway Commissioners upon application to the Municipality from time to time as they may desire highways opened. We again requested the company on the 13th instant to the effect that before any representation is made to the Board of Highway Commissioners that the company will be good enough to endeavour to arrive at an understanding with the town authorities of The Pas as to which street crossings are necessary for the use of the public and [redacted] are to be left open. It is hoped that a satisfactory settlement will be made.

Your obedient servant,

Sgd J D McLean

Deputy and Secretary.

Geo. A.McLelland Esq.,
Barrister etc.,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Pas, Manitoba, Dec. 6, 1916.

The Board of Railway Commissioners,
Ottawa, Ont.

Dear Sirs,- Re File No. 2060, C.N.R.

I have your favor of the 22nd ult., enclosing me blue print, copy of location plan of this railway in The Pas as to date of May 31st, 1906. I am informed that the Patent for the Right of Way for the main line of the C.N.R. through the Town of The Pas has not yet been issued. The said railway company has submitted a description to be placed in the said Patent, excepting thereout crossings on Settee Ave. and First, Second, Third, Fourth Seventh, Thirteenth and Fourteenth Streets in the Town. It appears that no patent can be granted unless these streets are reserved to the Town. It is not clear to me under the circumstances how the town is junior to the railway. I shall be glad if you will let me hafe your opinion on this point, also the question of the expenses. There are beaten roads running across the railway track on all of the above streetsm but I would like to get an approximate idea of the expense which would have to be incurred to the applicant, and some information as to the nature of the work to be done.

I may state that the town has applied to the railway to open up these streets, but the railway company refuses to do so.

Yours very truly,

GEO. A. MCLELLAND,
Per Sgd. C.H. Dixon,
Town Solicitor.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

A. D. CARTWRIGHT.
SECRETARY.

E/L

BOARD OF
RAILWAY COMMISSIONERS
FOR CANADA.

OFFICE OF THE SECRETARY.
OTTAWA.

December 19th, 1916.

496331

DEPARTMENT OF INDIAN AFFAIRS
DEC 20 1916

Dear Sir,- File 2060. Location C. N. R.
The Pas.

Enc

I enclose copy of letter dated the 6th instant from Mr. G. A. McLelland, Barrister, The Pas, Manitoba, and am directed to ask if a patent is being issued of the location through the Indian Reserve to the Canadian Northern Railway Company and if it is a fact that the patent is to reserve highway crossings of the streets mentioned in Mr. McLelland's letter.

Yours truly,

A.D. Cartwright
Secy. B.R.C.
A&C

Deputy Minister,
Department of Indian Affairs,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

CANADIAN NORTHERN RAILWAY SYSTEM 496165

LEGAL DEPARTMENT

F. H. PHIPPEN, K.C.,
General Counsel
GERARD RUEL,
Chief Solicitor
R. H. M. TEMPLE
A. J. REID, K. C.
Solicitors, Toronto
W. W. EVANS
Solicitor, Winnipeg

REFER TO T/66-66

TORONTO, December 16th, 1916.

DEPARTMENT OF INDIAN AFFAIRS
DEC 18 1916

DEPT. OF INDIAN AFFAIRS
DEC 20 1916
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

This will acknowledge receipt of your letter of the 13th instant (277030), re right of way of the C.N.R. through the townplot of The Pas, Man. We are taking your suggestion up with our Solicitors in Winnipeg.

Yours truly,

R. H. M. Temple

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
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CANADA

277030

Ottawa, 22nd December 1916.

Sir,-

In reply to your letter of the 19th instant I beg to inform you that the Canadian Northern Railway Company submitted a description to be inserted in the patent of the land it requires in the Pas Indian Reserve, Man. The reservation of certain highway crossings was added in this Department. The railway company has taken exception to this reservation on the plea that their location was made in the reserve before the sub-division of the land into the townplot.

For your information on this point I beg to enclose herewith a copy of a letter addressed to Mr. Geo. A. McLelland, Barrister etc., The Pas, Man. Mr. R. H. M. Temple, Solicitor of the Canadian Northern Railway has replied to our letter therein mentioned to the effect that they are taking up our suggestion with their solicitors in Winnipeg. It is proposed to delay the issue of the patent to give time for a satisfactory arrangement to be arrived at if possible.

S.B.

Your obedient servant,

(sgd) J. D. McLean

Asst. Deputy and Secretary.

A. D. Cartwright Esq.,
Secretary,
Board of Railway Commissioners,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
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CANADA

277030

O. H. M. S.

FREE.

DEPARTMENT OF INDIAN AFFAIRS
DEC 27 1916

J. D. McLean, Esq.

Asst Deputy Secretary

Dept of Indian Affairs,

Ottawa,

Ont.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

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CANADA

BOARD OF RAILWAY COMMISSIONERS FOR CANADA

OTTAWA, Dec. 26th

I beg to acknowledge the receipt of your letter of Dec. 22nd. which will receive the attention of the Board. 277030

In writing further on this subject, please refer to File No. 2060

R. RICHARDSON,
Asst. Secretary.

NOTE.---Letters addressed to this Board are carried FREE by the Post Office Department.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

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CANADA

277030

GEO. A. McLELLAND
BARRISTER, SOLICITOR, ETC.
SOLICITOR FOR
THE UNION BANK OF CANADA
CANADA BONDED ATTORNEY
THE PAS, MANITOBA

Dec. 27th-1916.

496706

The Department of Indian Affairs,
Ottawa, Ont.

DEPT. OF INDIAN AFFAIRS
JAN 3 1917
SURVEYS

Dear Sir :-

RE: Town of The Pas vs C. N. R.

I have your favor of the 19th inst. enclosing me Blue Print of Town plot. The first one sent me shows the Railway line excepting the Town Streets. This one, however, does not make any distinction.

The Town's correspondence with the Railway asking for some of these streets to be opened up has been quite large, and the last letter from the Company flatly refused to open up any one of the seven streets asked for. It appears to the Town Council that the attitude of the Railway is not reasonable, and that there is no other alternative but to take the matter to the Railway Commissioner. Before doing so, however, there is one point which we are not quite clear upon, that is, whether the Town is Junior to the Railway. I am informed by the older inhabitants of this town, that beaten tracks, which are now public roads, existed before the Railway came here. If you could give me any information upon this point, I shall be pleased to have it.

Yours very truly,

GEO. A. McLelland

Per.

CHD/GB.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 4th January 1917.

Sir,-

I beg to acknowledge the receipt of your letter of the 27th ultimo and to inform you that we received from the Secretary of the Board of Railway Commissioners a copy of your letter addressed to the Board dated the 6th ultimo. The Secretary was informed that the railway company had been requested to endeavour to arrive at a satisfactory understand ing with the town authorities of The Pas as to which crossings are to be left open.

A reply was received to our letter to the railway company to the effect that our suggestion is being taken up with the solicitors of the company in Winnipeg. It is hoped that a satisfactory understanding may be arrived at and that an appeal to the Board of Railway Commissioners will then not be necessary.

S.B.

You were informed in a previous letter that the railway company filed their plan here previous to the sub-division of the townplot. In reply to your request for information regarding beaten tracks I have to say that our surveyors did nd find any main trail across the block of land in question but there were a number of footpaths.

Your obedient servant,

(sgd) J. Smellan

Asst. Deputy and Secretary.

G.A.McLelland Esq.,
Barrister etc.,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The blue print
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Indian Agent at The Pas.

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Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

B

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FIRST ST.

SECOND ST.

THIRD ST.

FOURTH ST.

FIFTH ST.

SEVENTH ST.

LA ROSE AVE.

TAYLOR AVE.

CONSTANT

EIGHT

Reg'd Plan

GORDON

HALCROW

West Boundary

CANADIAN

PAS

RIVER

River Lot 8.

℄ 2469'

112° 05'
6°C.
S.T. 1418.1'
R. 955.4'

B.C. 28+65.0

E.C. 45+33.0

Dom. Gov't
3.56 Acs.

49+00.0

0.928

OPASQUAI

PLAN OF S

1 OF

Scale 200 ft. - 1 in.

PLAN OF SPUR

Scale 200 ft. - 1 in.

OPASQUAH LAKE

Dom. Gov't 3.56 Acs.

Station

CANADIAN NORTHERN RAILWAY

B.C. 24+65.0

Halcrow West Boundary of Indian Reserve

Halcrow Ave.

Taylor Ave.

Fifth St.

Seventh St.

Eighth St.

Ninth St.

Tenth St.

Eleventh St.

Twelfth St.

Thirteenth St.

Gordon Ave.

Constant Ave.

Plan Ave.

Maple Ave.

Indian Ave.

Block 13

Block 14

Block 15

Block 18

Block 19

Block 20

Block 22

Block 23

Block 24

Block 25

Block 26

Block 27

Block 28

Block 29

Block 68

Block 70

Block 72

Block 74

Block 76

Block X

Block Y

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Lot

ORIGINAL

CANADIAN NORTHERN RAILWAY

PLAN & PROFILE SHEWING PROPOSED ORE SPUR

in The Town of Le Pas

MANITOBA

Scales as shewn

MILEAGE 00-0928

NOTE:- Right of Way is 30' on each side of Centre Line
Area affected by this plan colored Pink.
Mileage recorded from junction with Can. Nor. Ry.
Pas Mission Branch at M 97.22

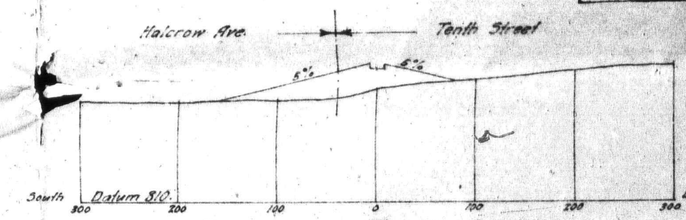
DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 1658
Reg. 501881
File. 277030
Date. June 4th 1917.

Winnipeg 30th May 1917.

Gen. Manager & Chief Engineer

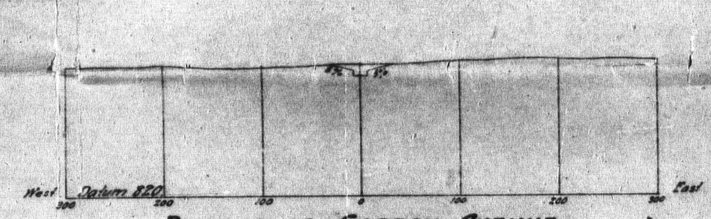
BOOK OF REFERENCE

Station	to Station	Width of R.of W.	Owner	Occupier	Lot No.	Block No.	Regd Plan No. of Records	Contents Acres	Remarks
0+00	[illegible]55		Can. Nor. Ry	3 Arms				—	Stn. Gr. 94.
4+35	5+48		Town of Le Pas	Gordon	Kramme		426.	—	
		60'	"	Unoccupied	2	26	"	0.030	
		"	"	"	3	"	"	0.113	
		"	"	"	4	"	"	0.103	
		"	"	"	5	"	"	0.011	
5+48	11+01	"	"	"	Lane	"	"	—	
		"	"	"	13	"	"	0.011	
		"	"	"	12	"	"	0.103	
		"	"	"	11	"	"	0.129	
		"	"	"	10	"	"	0.118	
		"	"	"	9	"	"	0.112	
11+01	24+31	"	"	Tenth St. E. Halcrow Ave				—	
24+31	49+00	60'	Dom. Govt	Unoccupied	not subdiv			3.56	Stn 31+0. Stn 0+00 at



PROFILE OF TENTH STREET

Scales:- { 100 ft. Hor. / 20 - Ver. } = 1 inch



PROFILE OF GORDON AVENUE

Scales:- { 100 ft. Hor. / 20 - Ver. } = 1 inch

3 OF

PAS

River Lot 8.

RIVER

TAYLOR AVE.

13

SEVENTH

CONSTANT

20

19

EIGHT

23

22

NINTH

HALCROW

West

Boundary

E. 2469'

17° 05'
6°C.
S.T. 1418.1'
R. 955.8'

B.C. 24+46.0

OPASQUAI

E.C. 45+33.0

Dom. Gov't
3.56 Acs.

42+00.0

0.928

PLAN OF S

Scale 200 ft. / in.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

4 of

CANADIAN NORTHERN

PLAN & PROFILE SHEWING PROPOSED

in The Town of Le Pas

MANITOBA

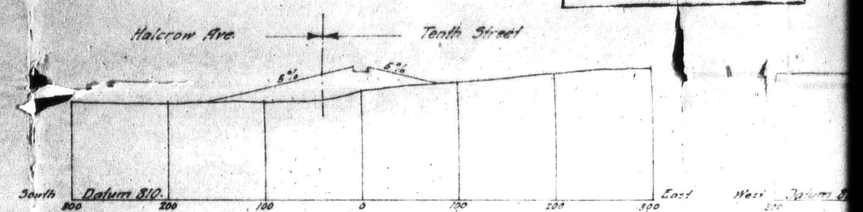
Scales as shewn

MILEAGE 00-0928

NOTE:- Right of Way is 30' on each side of Centre Line from affected by this plan coloured Pink. Mileage reckoned from junction with Can. Nor. Ry's Pas Mission Branch at M. 87.22

DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 1658
Ref. 501881
File 277.030
Date June 11th 1917

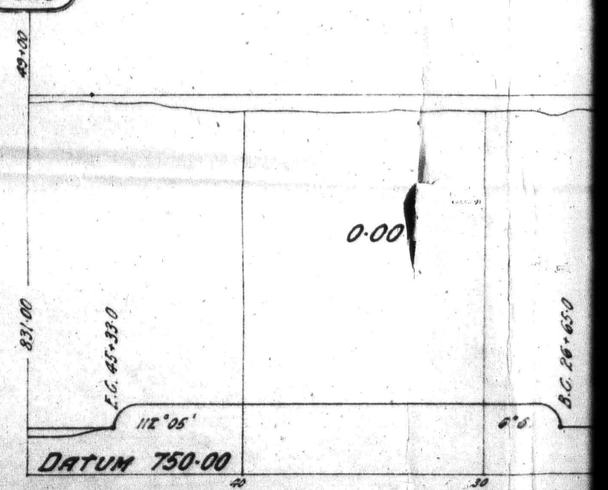
Halcrow Ave. — Tenth Street

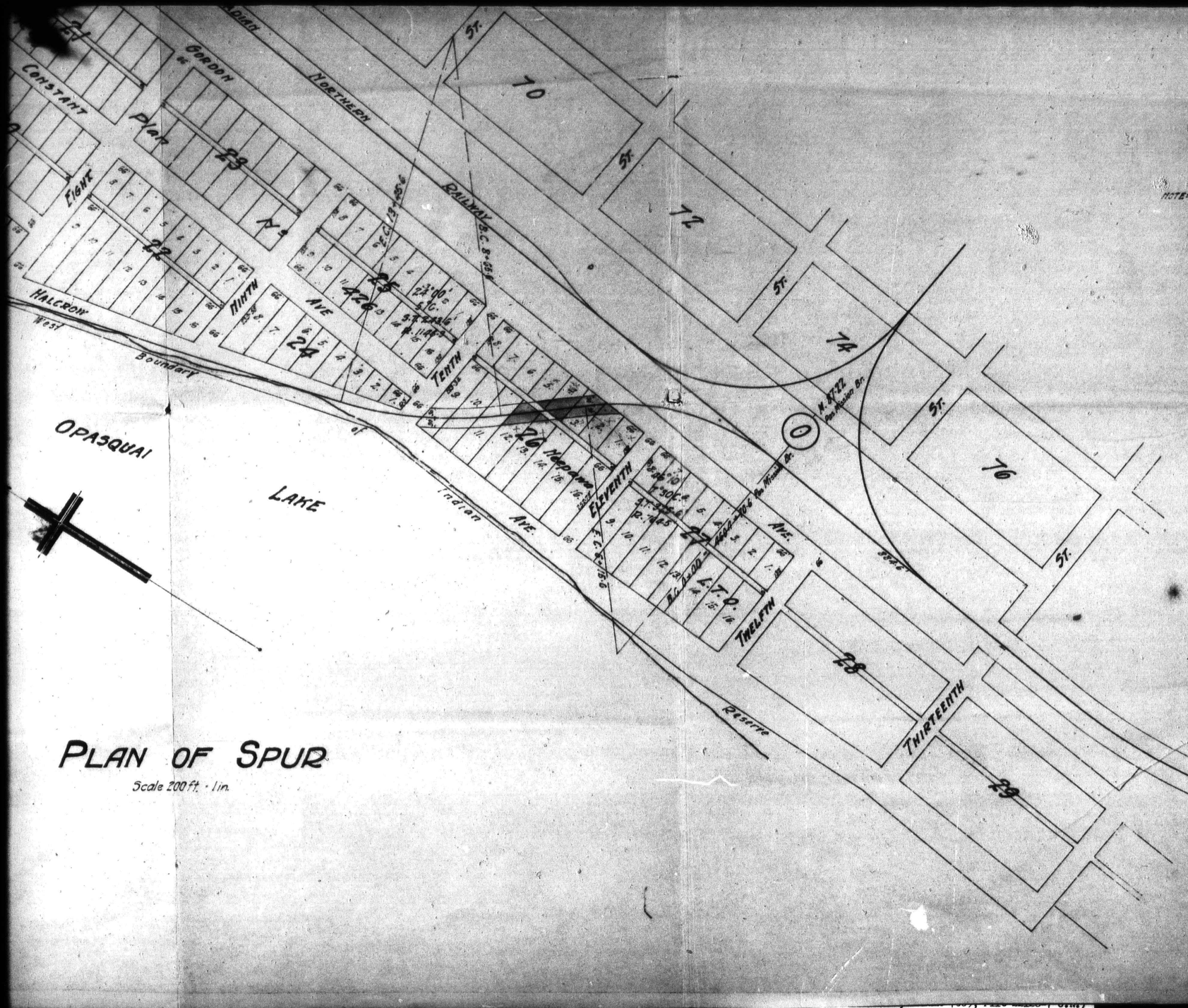


PROFILE OF TENTH STREET

Scales:- { 100 ft. Hor. / 20 - Ver } = 1 inch

0·928





PLAN OF SPUR

Scale 200 ft. - 1 in.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

5 OF

CANADIAN NORTHERN RAILWAY

PLAN & PROFILE SHEWING PROPOSED ORE SPUR

in The Town of Le Pas

MANITOBA

Scales as shewn

MILEAGE 00-0928

NOTE:- Right of Way is 30' on each side of Centre Line
Area affected by this plan colored Pink.
Mileage reckoned from junction with Can. Nor. Ry.
Pas Mission Branch at M.P. 782.

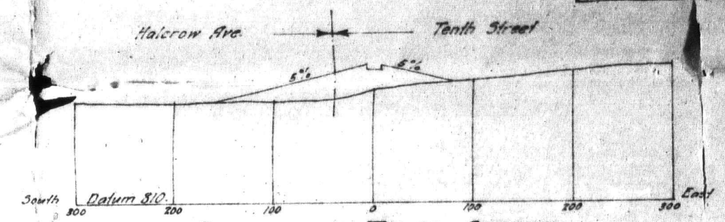
DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 1658
Ref. 501881
File 277.030
Date June 4. 1917.

Winnipeg 30th May 1917.

Gen. Manager & Chief Engineer

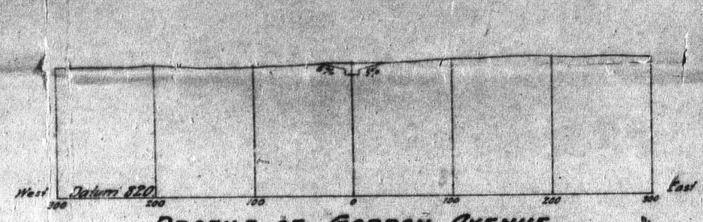
BOOK OF REFERENCE

Station	to Station	Width of Right of Way	Owner	Occupier	Lot No.	Block No.	Regd. Plan No. & Name	Contents Acres	Remarks
0+00	4+35	60'	Can. Nor. Ry.	Same				—	Sth. Ord.
4+35	5+48	60'	Town of Le Pas	Gordon Avenue			426.	—	
				Unoccupied	2	26	"	0.030	
			"	"	3	"	"	0.113	
			"	"	4	"	"	0.103	
			"	"	5	"	"	0.011	
5+48	11+01	"	"	"	Lane	"	"	—	
		"	"	"	13	"	"	0.011	
		"	"	"	12	"	"	0.103	
		"	"	"	11	"	"	0.129	
		"	"	"	10	"	"	0.118	
		"	"	"	9	"	"	0.112	
11+01	24+31	"	"	Tenth St. & Halcrow Ave.			"	—	
24+31	49+00	60'	Dom. Govt	Unoccupied	not subdiv.			3.56	Pt. S.E.R. Strip O.S.A.



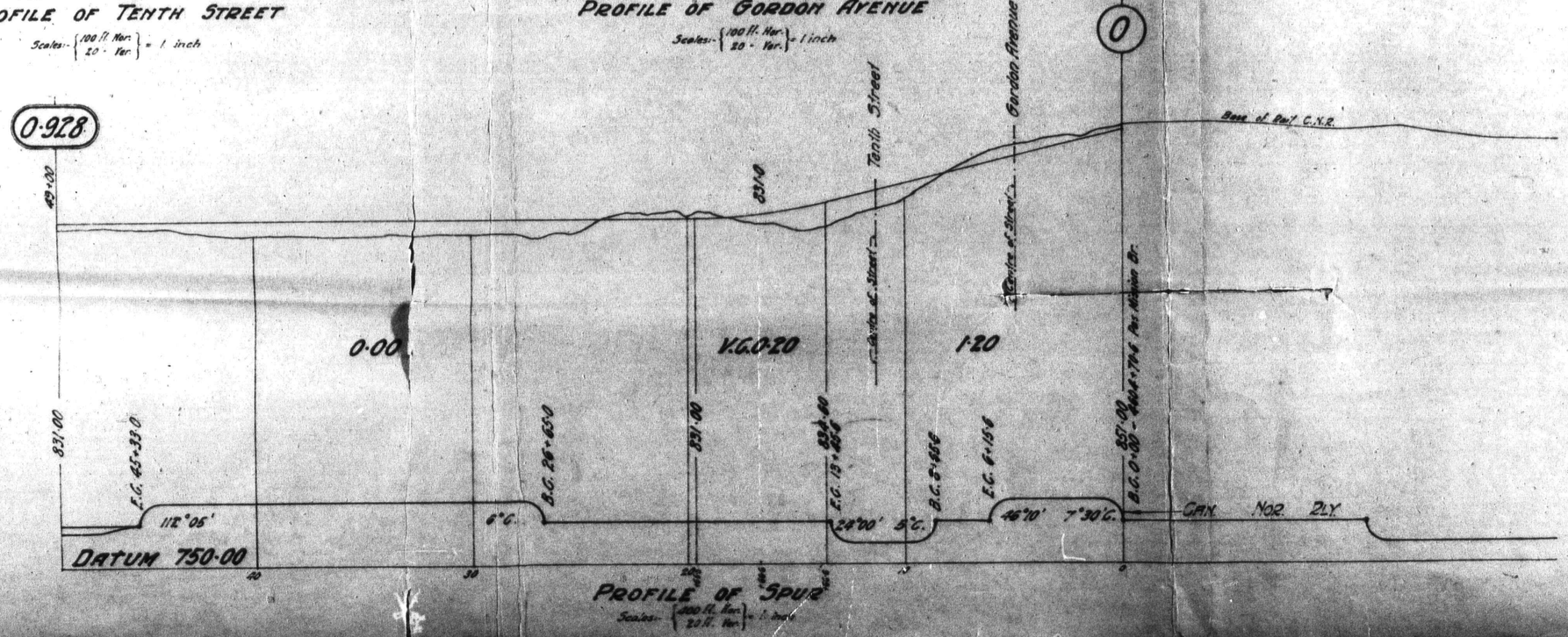
PROFILE OF TENTH STREET

Scales:- { 100 ft. Hor. / 20 - Ver. } = 1 inch



PROFILE OF GORDON AVENUE

Scales:- { 100 ft. Hor. / 20 - Ver. } = 1 inch



PROFILE OF SPUR

Scales:- { 100 ft. Hor. / 20 ft. Ver. } = 1 inch

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

5M—10-16

277080

CANADIAN NORTHERN RAILWAY SYSTEM

OFFICE OF THE RIGHT OF WAY AGENT

DEPARTMENT OF INDIAN AFFAIRS
JUN 8 1917

IN YOUR REPLY REFER TO FILE NO.

WINNIPEG, MAN.

DEPT. OF INDIAN AFFAIRS
JUN 9 1917
SURVEYS

June 4th, 1917.

301881

Controller, Department of Indian Affairs,

OTTAWA, ONT.

Dear Sir:

I am enclosing herewith a plan showing colored in red blue pencil portions of Lots 2, 3, 4, 5, 12 and 13, in Block 26, Plan #426, The Pas Mission Townsite. These portions of lots are required for right of way for a spur track from our Railway at The Pas to The Pas River, which spur track the Company proposes to construct at the request of the Town.

The Lots described above, I am informed, are controlled by your Department. Will you kindly inform me, at your earliest convenience, the price which the Department will ask for the right of way required. The area taken through each lot is shown on the Book of Reference at the upper right end of the Plan.

I believe that the Board of Trade [redacted]he Pas has communicated with your Department and wit[redacted] the local Indian Agent on this subject.

As the Town desires the construction of this spur at an early date I shall be obliged if you will give the matter attention as soon as possible and quote us as low a price as you consistently can for the small area required. There is no development on this property at present, and you will understand that the construction of this spur will benefit the remainder of the property controlled by your Department, as it is anticipated that the construction of the spur will lead to the development of this portion of the Townsite as a trackage area, and thus enhance its value, it being not in use for any purpose at the present time.

Yours truly.

RMM/T.

The plan (a blue print) has been sent to the Acting Indian Agent at The Pas Agency 4/6.1658

RIGHT OF WAY AGENT.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, 25th September 1917.

Sir,-

Referring to your letter of the 16th December, No.T.66-66, I beg to inform you that we have received a communication from Mr.G.A.McLelland, Barrister, The Pas, in which he says that the Right of Way Agent and your engineer have been to the townplot of The Pas and have decided that they would open crossings for three streets over the Canadian Northern Railway tracks instead of five which the town asked for. I shall be obliged if this matter may be further inquired into with a view of meeting the wishes of the town if at all possible.

Your obedient servant,

(sgd) J.D.McLean

Asst. Deputy and Secretary.

R.H.M.Temple Esq.,
Barrister etc.,
Canadian Northern Railway,
Toronto, Ont.

over

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 9th June 1917.

Sir,-

I beg to acknowledge the receipt of your letter of the 4th instant and of the blue print plan showing the right of way required by your Company in lots 2,3,4,5, 12 and 13,block 26,The Pas and ~~4~~ have to inform you that your application for the said right of way will receive immediate attention.

I have to request you to be good enough to forward immediately ~~three~~ additional blue print copies of the plan.

S.B.

Your obedient servant,

(Sgd) J D M Lean

Asst. Deputy and Secretary.

R.M.Mitchell Esq.,
Right of Way Agent,
Canadian Northern Railway,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 9th June 1917.

Sir,-

Enclosed herewith is a blue print plan showing the right of way through lots 2,3,4,5,12 and 13,block 26, in the Pas townsite,required by the Canadian Northern Railway Company. The areas taken are mentioned in the copy from the book of reference at the right hand upper corner of the plan. Please report as soon as you conveniently can the sum you think should be demanded from the railway company in payment for the land required. You will note that lots 2 and 3 are badly severed.

I have to draw your attention also to the fact that the centre line of the railway is located on Halcrow Avenue in front of lots 22 and 24. Please report what damage, if any, the lots affected will sustain. You may retain the plan for use and reference in your own office.

Your obedient servant,

(sgd) J.D.McLean

Asst. Deputy and Secretary.

S.L.MacDonald Esq.,
Acting Indian Agent,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

9.

C O P Y.

The Pas, May 30, 1917.

Deputy Minister,
Dept. of the Interior,
O t t a w a.

Sir,-

The Board of Trade of The Pas has recently remitted through the local Lands Office the purchase price of fractional Sec 4 and 9 to be used for industrial purposes, particularly the handling of ore and other products from points north. To serve this purpose the Canadian Northern Railway purpose building a spur from their main line to the Pas river, for which purpose lots 4,5,6,7,12 13 of block 26 must be crossed. We understand that the Railway Co have applied or will apply for right of way across these lots and the Board of Trade respectfully asks that such application receive favourable consideration.

The Board of Trade purchased the fractional sections referred to above because there are absolutely no facilities for handling the large amount of ore that is now ready for shipment and the much larger amount that will follow. The development of the whole north country is directly affected by this undertaking and the successful issue depends upon railway facilities which can only be provided by the proposed spur. The Board of Trade is arranging with the Railway Co. for a right of way across the purchased land and the Town has agreed to permit the railway to use the streets where necessary. The urgency of the case and its evident importance will therefore be apparent to you.

Yours respectfully,
(Sgd) H.E. Elliott,
Sec. Bd of Trade.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Office of

The Deputy Minister of the Interior,

Ottawa, 8th June, 1917.

501501

277030

DEPT. OF INDIAN AFFAIRS
JUN 16 1917
SURVEYS

Dear Sir,-

Enclosure.

I am sending you herewith copy of letter which I have received from H. H. Elliott, Secretary, Board of Trade, Le Pas, and in this connection would point out that Lots 4, 5, 6, 7, 12 and 13 of Block 26, referred to therein, are in the Townsite of The Pas, within Indian Reserve No. 21, Block A, and under the control of the Department of Indian Affairs.

Will you please write him direct.

Yours very truly,

D. C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
O t t a w a.

Deputy Minister.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 16th June 1917.

Sir,-

Your letter of the 30th ultimo addressed to the Deputy Minister of the Department of the Interior has been transferred to this Department and in reply I beg to inform you that the Canadian Northern Railway made application for the right of way you mention for a spur track in The Pas. A report has been requested from our Agent; the case will be promptly dealt with.

J.B.

Your obedient servant,

Sgd J.D.M. Lean

Asst. Deputy and Secretary.

H.H.Elliott Esq.,
Secy.,Board of Trade,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

5M—5-17

CANADIAN NORTHERN RAILWAY SYSTEM

OFFICE OF THE RIGHT OF WAY AGENT

IN YOUR REPLY REFER TO
FILE No.

WINNIPEG, MAN.

June 16th, 1917.

Re. Spur at The Pas-Your file 277030.

501670

J. D. McLean, Esq.,
Asst. Deputy and Secretary, Dept. of Indian Affairs,
Ottawa, Ont.

Dear Sir:

I am in receipt of your favor of the 9th instant in regard to our application for right of way across Lots 2,3,4,5,12 and 13, Block 26, The Pas, and as requested in your letter I am enclosing herewith two additional prints of the Plan.

I will be pleased to hear from you further in this matter at your earliest convenience.

Yours truly,

B/T.

RIGHT OF WAY AGENT.

DEPT. OF INDIAN AFFAIRS
JUN 21 1917
SURVEYS

White prints recorded under No. 1658

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

SM—5-17

CANADIAN NORTHERN RAILWAY SYSTEM

OFFICE OF THE RIGHT OF WAY AGENT

DEPARTMENT OF INDIAN AFFAIRS JUL 16 1917

IN YOUR REPLY REFER TO
FILE No. 300 Pas Mission.

DEPT. OF INDIAN AFFAIRS
JUL 17 1917
SURVEYS

WINNIPEG, MAN. July 11th, 1917.

502336

Re Spur River Front at The Pas - Your file 277030.

Immediate

J. D. McLean, Esq.,
Asst. Deputy and Secretary,
Department of Indian Affairs,
OTTAWA, ONTARIO.

Dear Sir:

I beg to refer you to my letters of June 4th and June 16th on the above subject and the Company will be pleased if you will advise, as early as possible, the price which your Department will ask for the land required for right of way for this spur, at your earliest convenience, as it is desired to proceed with construction without delay.

Yours truly,

RMM/T.

RIGHT OF WAY AGENT.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 17th July 1917.

Sir,-

Please reply immediately to letter of the 9th ultimo instructing you to forward your valuation of the right of way required by the Canadian Northern Railway Company through lots 2,3,4,5,12 and 13 and Block 26 in the Pas townsite.

Your obedient servant,

S.B. Fall (sgd) J.D.McLean

Asst. Deputy and Secretary.

S.L.McDonald Esq.,
Acting Indian Agent,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

INDIAN AGENT'S OFFICE 277030

The Pas, Man.

IN YOUR REPLY REFER TO
No. 3140-133
ALSO
TO DATE OF THIS LETTER

July 20th 1917

DEPT. OF INDIAN AFFAIRS
JUL 19 1917
SURVEYS

502372

DEPARTMENT OF INDIAN AFFAIRS
JUL 19 1917

Sir,—

In reply to Department letter No 277030 June 9th, I beg to state that I have gone carefully over the ground covered by proposed spur line of the C.N.R. Rly. Lots 2,3 & 4, Block 26 are practically all taken to the right of way as these are small lots and the whole frontage facing the track is taken. Lots 5 & 13 are only slightly touched and about half the value of lot 12 is used up.

The right of way on Kelsey avenue running in front of Block 22 & 24 would not damage the value of the property at all as it is all impassable swamp right to the feet of these lots and besides that there is a clearance of 40 feet between the endof the lots and track.

Lots 2,3,4. which are ruined are valued inthe town assessment at $750.00 each. Of this value about $100.00 damage would cover lot 5. Lots 12 & 13 are assessed at $1000.00 and damaged to the extent of $350.00. This includes damage to both these lots.

This is about as close an estimate as I can give but I trust will be satisfactory to the Department.

I have the honor to be sir,
S. L. Macdonald
Your obedient servant.

Asst. Deputy & Secretary,
Department Indian Affairs,
Ottawa, Canada.

Lots 2-3 & 4 @ $750 each 2250.00
Lot 5 100.00
Lots 12 and 13 350.00
$ 2700.00

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

1 Sy Minister
2 Secty

Ottawa, 20th July 1917.

Sir,-

Spur in the Pas townsite. Your fyle No.300

In reply to your letter of the 11th instant I beg to inform you that we have just received a report from the Indian Agent at The Pas giving his valuation of the land taken for a right of way in the townplot. He bases his valuation on the amounts at which the various lots are assessed, as follows,-

Lots 2,3, and 4 @ $750.00 each.....		$2250100
" 5		100.00
" 12 and 13		350.00
		$ 2700.00

I have therefore to demand payment of the said sum.

Your obedient servant,

Sgd J D McLean

Asst. Deputy and Secretary.

R.M.Mitchell Esq.,
Right of Way Agent,
Canadian Northern Railway,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

5M—10-16

277080

CANADIAN NORTHERN RAILWAY SYSTEM

OFFICE OF THE RIGHT OF WAY AGENT

YOUR REPLY REFER TO FILE No. 300 Pas Mission-Your file 277030. WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS JUL 30 1917

July 28th, 1917.

Spur at The Pas.

DEPT. OF INDIAN AFFAIRS AUG 2 1917 SURVEYS

502664

J. D. McLean, Esq.,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

I have received your favor of the 20th instant on the above subject and have noted the prices placed on the property required for the right of way for the Ore Spur to the water front at The Pas.

On Lots 2, 3 and 4 the valuation placed on the right of way is $2,250.00 or $750.00 each, being the full assessed value of each Lot. It is quite correct that this is the assessment placed on this property, or at least, I am aware that this was the 1916 assessment and according to your Agent's statement, there has evidently been no reduction. I might say, however, that I had occasion, during the last winter, to obtain a valuation of these particular Lots for the purpose of arriving at an estimated value of the Railway Company's property immediately across the street and for this purpose I obtained the opinions of qualified valuators as to the highest actual market value of these Lots. I was informed at that [illegible] that in the Townsite of The Pas, the assessed value could not be taken as any guide to the actual market value, and as a matter of fact the highest valuation which was placed on these Lots was $375.00 each, or just 50% of the assessment; this being given to me as their highest actual market value.

It would appear that you intention is, that we should acquire all of Lots 2, 3 and 4 and the price of $100.00 placed on Lot 5, I take to be for the small portion cut off in the rear of the Lot. This Lot according to the valuation made, above mentioned, by the best qualified local man obtainable and referred to above, is worth not over $375.00 market value, and the fraction taken from the rear of the Lot is so small that it appears to me that the price of $100.00 is not at all reasonable. I would think that the sum of $25.00 should be a generous compensation for the small portion

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

5M—10-16

CANADIAN NORTHERN RAILWAY SYSTEM

OFFICE OF THE RIGHT OF WAY AGENT

IN YOUR REPLY REFER TO FILE NO._____

WINNIPEG, MAN.

#2. J.D.M.

taken in the rear of this Lot. On Lots 12 and 13 I take it also that the price of $350.00 is quoted on the portion of the rear of these Lots taken for right of way. These Lots are assessed at $1,000.00 each and are valued at 50% of that amount or $500.00 each, which would be a total value of $1,000.00 for the two Lots. Lot 13 as shown on plan submitted to you has only a small portion of the rear part taken from it. On Lot 12 there is practically no severance, the rear portion of the Lot only being taken, and these Lots being of extraordinary depth, some 253 feet, leaves them still valuable property. In view of the total valuation of the two Lots it seems to me that $350.00 for the right of way is an excessive price, and I should say that the sum of $175.00 would be a fair value for the portion taken.

I would also draw your attention to the fact that it is anticipated that this spur will develop an industrial area through the portion of the Town which it traverses and all your Department's property, including the Lots which are slightly affected by the right of way of the Spur, will thereby be enhanced in value, in fact the particular Lots affected should receive greater enhancement.

I trust that you will understand that the Company does not wish to carry on a dispute with the Department in regard to matters of this sort, and I realize that in some instances the assessed value would be a fair method of ascertaining the compensation payable, but the situation at The Pas is, that the assessment is so high that it bears no relation to the actual market value of the property; being in a large majority of cases double and in a great many cases more than double the sale value. I think that this could be readily confirmed by your Department if some inquiries were made at The Pas and that you will find that the offer which I make for this right of way is reasonable. The offer being as follows:

Lots 2, 3 and 4 At	$375.00 each-	$1125.
Portion of Lot 5-		25.
Portion of Lots 12 and 13-		175.
		$1325

As the Town is urging us to proceed with the construction of the spur, I shall be glad to hear from you further in this matter at your earliest possible convenience.

Yours truly,

RMM/T.

RIGHT OF WAY AGENT.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Pas, Manitoba,

July 10th, 1917.

Copy.

3140-133

In reply to Department letter No 277030 June 9th, I beg to state that I have gone carefully over the ground covered by proposed spur line of the C.N.R. Rly. Lots 2,3, & 4 Block 26 are practically all taken to the right of way as these are small lots and the whole frontage facing the track is taken. Lots 5 & 13 are only slightly touched and about half the value of lot 12 is used up.

The right of way on Harcrow Avenue running in front of Block 22 & 24 would not damage the value of the property at all as it is all impassable swamp right to the foot of these lots and besides that there is a clearance of 40 feet between the end of the lots and track.

Lots 2,3, & 4, which are ruined are valued in the town assessment at $750.00 each. Of this value about $100.00 damage would cover lot 5. Lots 12 & 13 are assessed at $1000.00 and damaged to the extent of $350.00 This includes damage to both these lots.

This is about as close an estimate as I can give but I trust will be satisfactory to the Department.

I have the honor to be,

Sir,

Your obedient servant.

Acting Indian Agent.

Asst. Deputy & Secretary,

Department Indian Affairs,

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

INDIAN AGENT'S OFFICE

The Pas, Manitoba,

July 31st, 1917

DEPARTMENT OF INDIAN AFFAIRS
AUG 6 1917
RECEIVED

IN YOUR REPLY REFER TO
No. 3152-133
ALSO
TO DATE OF THIS LETTER

Sir,—

The letter missing

Survey

502818

With regard to Department letter No. 277030 July 17th, I beg to report that I forwarded this information to the Department contained in letter dated July 10th, 1917. No. 3140-133. I am forwarding a copy of my last letter in case previous one went astray in mail.

DEPT. OF INDIAN AFFAIRS
AUG 8 1917
SURVEYS

I have the honor to be,

Sir,

Your obedient servant.

S. L. Macbrayne

Acting Indian Agent.

Asst. Deputy & Secretary,

Department Indian Affairs,

Ottawa, Canada.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA.

F.277030

Ottawa, 3rd August 1917.

Memorandum

Mr. Scott,-

I beg to draw your especial attention to the letter hereunder from Mr.R.M.Mitchell Right of Way Agent for the Canadian Northern Railway relating to the right of way for a spur of the C.N.R. through the townplot of The Pas,Man. You will perhaps remember the conversation I had with you on this subject. I believe that Mr.Mitchell's contentions are correct and that the offer he makes is a fair one and would recommend that one of our Inspectors or some other reliable person be requested to give his views. I also think it is not necessary to compel the Railway Company to take all of Lots 2,3 and 4,as a sum will be realized for the portions not required for right of way by selling them as one block with the adjacent lots.

J. Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 5th August 1917.

Sir,-

Referring to your letter of the 10th ultimo I beg to inform you that the Right of Way Agent of the Canadian Northern Railway considers your valuation of the land in The Pas townplot required for a right of way for a spur line of the railway to be altogether too high. His valuation amounts to about one half of yours.

Mr.Inspector Jackson has been requested to proceed to The Pas at his earliest convenience to give his views thereon. Please hand him the copy of the plan showing the spur.

S.B.

Your obedient servant,

(sgd) J.D.McLean

Asst. Deputy and Secretary.

S.L.McDonald Esq.,
Acting Indian Agent,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C,N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

EXD.

Ottawa, 8th August 1917.

Sir,-

Enclosed herewith is a copy of a letter from Mr.S.L.McDonald, Acting Indian Agent, The Pas and of a letter from Mr.R.M.Mitchell, Right of Way Agent of the Canadian Northern Railway relating to the valuation of the land in the townplot of The Pas required for a spur of the said railway. You may note that the railway company offers about half of the amount of the valuation made by Mr.McDonald.

Mr.McDonald bases his valuation on the assessed value of the lots. I have to request you to be good enough to proceed to The Pas at your earliest convenience and to examine the locality and report the sum that you think should be justly demanded from the railway company.

It is to be noted that it does not appear to be necessary to compel the railway company to take all of lots 2,3 and 4 as a sum would be realised from the portions not required for right of way by selling them as one block with the adjacent lots. Mr.McDonald has a copy of the plan which you can consult.

Your obedient servant,

(sgd) J.D.McLean

Asst. Deputy and Secretary.

S.J.Jackson Esq.,
Inspector of Indian Agencies,
Stonewall, Man.

over

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

INDIAN AGENT'S OFFICE

The Pas, Manitoba.

DEPARTMENT OF INDIAN AFFAIRS
AUG 20 1917

IN YOUR REPLY REFER TO
No. 3201-134
ALSO
TO DATE OF THIS LETTER

August 15th, 1917.

Survey

DEPT. OF INDIAN AFFAIRS
AUG 27 1917
SURVEYS

503264

Sir,—

I beg to acknowledge receipt of Department letter No. 277030, August 8th, with regard to C.N.R. Right of Way. The valuation I made on this property was based on the town assessment of the land and is no doubt a pretty high figure. I personally think that half the assessment would be nearer the exact value, and in my previous letter I mentioned this being under the impression that the Department would agree to the special giguse of the C.N.R.

I have made arrangements to be at Moose Lake on the 15th, and if Mr. Inspector Jackson arrives at The Pas before my return the clerk will be able to put all information on the subject at his disposal and will see that he gets every assistance necessary.

I have the honor to be,

Sir,

Your obedient servant.

J. L. Macdonell

Acting Indian Agent.

Asst. Deputy & Secretary.

Dept. Indian Affairs,

Ottawa, Canada.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DAVID CLAPP, B.A.
Barrister, Solicitor
NOTARY PUBLIC, COMMISSIONER, ETC.
SPECIAL EXAMINER
THE PAS, MANITOBA 17th Aug., 1917.

S.J.Jackson,Esq.,
Inspector,Department of Indian Affairs,
The Pas,Man.

Dear Sir,- re Lots 2,3,4,5,12 & 13 in Block 26,The Pas,Man.

You have requested me to give you the value of the above lands at the present time.I would not consider that they were worth more than $150.00 each,and I am not an Agent of the C.N.R., nor am I in any way interested in the sale of lands here.They are probably assessed for more money,but you must remember that our Assessment is from 300 to 400% above the value of the property in The Pas.Let me give you an instance:I own lot 9 in Block 15/with house which I am trying to sell at $1100,and it is assessed on the Roll at $3250.00. I tried to get the assessment lowered,but the Judge told me that as the surrounding lots were overvalued,he could not reduce the assessment under Section 29 of The Man.Ass't Act.

Speaking personally I would not accept these lots as a gift from the Department of Indian Affairs,and pay the taxes on them.You may not know that The Pas has a school and municipal indebtedness of $292,000.00,and a population of some 1150 at the present time.We are overburdened with debt and taxation,and have gone on too fast.For this reason and the Government having taken over the C.N.R., I believe that my figure of $150.00 is a fair estimate of the value of ######### the above lots.

Yours faithfully
David Clapp.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

REF. No. 2507.

OFFICE OF THE

INSPECTOR OF INDIAN AGENCIES.

LAKE MANITOBA INSPECTORATE.

Stonewall, Man., August 21st. 1917.

Sir,— 503428

Your letter No.277030, of date the 8th instant received with copies if letters from R.M.Mitchell, Right of Way Agent,Canadian Northern Railway Company, and S.L.Macdonald, Indian Agent of The Pas attached. I left for The Pas as soon as possible after the receipt of your letter, having interviewed Mr Mitchell before leaving. I visited the office of the Clerk of the Town of The Pas and found that lots 2,3,4, and 5, Block 26 are assessed at $ 750.00 each and lots 12 and 13 are assessed at $ 1000.00 each. I saw several real estate Agents and got their ideas as to the values. H.J.Bickle is of the opinion that all the property at The Pas, outside including these lots is assessed from two to three times its actual value. Geo.Brown says that all of the lots in Block 26 are assessed at double their value. David Clapp, letter enclosed, values the lots at less than one fifth of their assessed value.

Roughly the Railway require 16160 square feet, a little less than two lots size,66 x 132. Mr Mitchell informed me that the Railway did not want any more land than is covered by the right of way. I would there fore recommend that the land required by them be given to the Company at the value of 2 lots, 66 x 132, at $ 400.00 per lot, $ 800.00 and say, $ 200.00 as compensation for the damage in shape of the remainder of the lots.

This railway spur in my opinion does not help the value of the balance of the lots in this block. The amount of compensation, $ 1000.00, is the full value of the property required from the Department by the Canadian Northern Railway Company.

Yours truly,

S. J. Jackson

Inspector of Indian Agencies.

J.D.McLean,Esq.,
Asst.Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

F.277030

Ottawa, 29th August 1917.

MEMORANDUM

Mr.Scott,-

With regard to a valuation for a right of way for the spur line of the Canadian Northern Railway through The Pas townsite I may say that the first valuation was made by our Acting Indian Agent,Mr.Macdonald,who submitted a price in accordance with the assessment,amounting to $2700.00. The Right of Way Agent of the C.N.R. complained that the price was excessive and stated that $1325.00 would be a high valuation. We were inclined to agree with Mr.Mitchell and submitted the matter to Inspector Jackson,who values the property at $1000.00. Shall we accept the valuation of Mr.Mitchell or reduce it to $1000.00 in accordance with Mr.Jackson's report? I think Mr.Mitchell's valuation is fair and just and would recommend its acceptance.

Approved D.C.S.

J.R.Wh[illegible]

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 5th September 1917.

Sir,-

With reference to your letter of the 28th July last regarding your right of way for a spur through Block 26 The Pas I may say thatwe are prepared to accept your offer of $1325.00 to be made up as follows,-

All lots 2,3 & 4 @ $75.00 each	✓	$1125.00
Portion of Lot 5	✓	25.00
Portion of Lots 12 and 13	✓	175.00
		$1325.00

On receipt of this sum permission will be given to enter the lands for the purpose of construction and upon receipt of amended plan and description, patent will be issued.

LBM
WRM.

Your obedient servant,

(sgd) J D McLean

Asst. Deputy and Secretary.

R.M.Mitchell Esq.,
Right of Way Agent,
Canadian Northern Railway,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

CANADIAN NORTHERN RAILWAY SYSTEM

OFFICE OF THE RIGHT OF WAY AGENT

300 Pas Missions.

WINNIPEG, MAN.

September 7th, 1917.

This letter answered by 9th inst. JB

J.D. McLean Esq.,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, ONT.

E&D.

503810

Dear Sir:-

I beg to draw your attention to my letter of July 28th last giving certain facts in reference to the land required for right of way for proposed spur to the river front at The Pas, and making an offer of the sum of $1325.00 for the said right of way.

As I have pointed out to you previously it is desirable that this matter be arranged as early as possible as the Town is pressing our Company to proceed with the construction of the spur and I shall be pleased to receive a reply to my letter of July 28th at your earliest convenience.

Yours truly,

DEPT. OF INDIAN AFFAIRS
SEP 11 1917
SURVEYS

RMM/W

RIGHT OF WAY AGENT.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

5M—10-16

277030

CANADIAN NORTHERN RAILWAY SYSTEM

OFFICE OF THE RIGHT OF WAY AGENT

503857

DEPARTMENT OF INDIAN AFFAIRS
SEP 14 1917

IN YOUR REPLY REFER TO FILE NO. 300 Pas Missions.

WINNIPEG, MAN.

September 11, 1917.

Mr. J.D. McLean,
Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, ONT.

DEPT. OF INDIAN AFFAIRS
SEP 17 1917
SURVEYS

Dear Sir:-

I acknowledge receipt of your favor of the 5th inst., accepting my offer of $1325.00 in full for the lands under the control of your Department which we require for right-of-way for the proposed ore spur at The Pas. The total consideration of $1325.00 being made up as follows:-

All of Lots 2, 3 and 4.		
	$375. each	$1125.00
Portion of Lot 5		25.00
Portion of lots 12, 13		175.00
Total -		$1325.00

Our Company hereby agrees to a settlement of the matter on this basis and we will proceed to get the matter closed out at the earliest possible moment. I have requested the Company's solicitor to take the necessary steps toward this end without delay. However, it may take some little time to have a Land Surveyor's plan prepared upon which the title can actually be taken, and I presume that your Department will not object to our proceeding with the work in the meantime as it is desired to construct this spur this present season, and in order to do this the grading will have to be done very shortly before the ground freezes up. I will undertake that the consideration of $1325. will be paid as soon as the necessary plan can be obtained.

I shall be pleased to hear from you further on this point.

Yours truly,

Paid 1919

RMM/W

RIGHT OF WAY AGENT.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 17th September 1917.

Sir,-

Referring to previous correspondence I have to inform you that a satisfactory understanding has been arrived at with the Canadian Northern Railway Company for the right of way required for a spur line at The Pas and permission has been given the Company to enter upon the said right of way for the purposes of construction.

Your obedient servant,

S.B. Dul (sgd) J D McLean

Asst. Deputy and Secretary.

S.L.MacDonald Esq.,
Acting Indian Agent,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Immediate
1 Dy. Minister
2 Secty

Ottawa, 17th September 1917.

C.N.R.

Sir,-

I beg to acknowledge the receipt of your letter of the 11th ~~ultimo~~ inst. in which you state that the Canadian Northern Railway Company will duly pay the sum of $1325.00 for the right of way for the spur line at The Pas, Man. In accordance with your request the Company may enter upon the said right of way for the purposes of construction.

S.B. Fact
L.C.F.

Your obedient servant,

(Sgd) J.D.McLean

Asst. Deputy and Secretary.

R.M.Mitchell Esq.,

Right of Way Agent,
Canadian Northern Railway,

Winnipeg, Man.

over

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

GEO. A. McLELLAND
BARRISTER, SOLICITOR, ETC.
SOLICITOR FOR
THE UNION BANK OF CANADA
CANADA BONDED ATTORNEY
THE PAS, MANITOBA

DEPARTMENT OF INDIAN AFFAIRS
SEP 25 1917

004258

Sept. 19th-1917.

The Department of Indian Affairs,

Ottawa.

Dear Sirs :-

RE: No. 277030 - Town of The Pas vs C. N. Ry.

The Town of The Pas has not been able to get the C. N. Railway to open up these crossings through the Town.

A few months ago the Right of Way Agent and his Engineers came up to The Pas and looked over the property and decided they would open up three streets instead of five streets which the town asked for.

I should be glad if you would take this matter up with the C. N. Ry. and try and prevail upon them to open up the town's streets because this seems to be the condition upon which the Indian Department allowed them to put down their line, and there is no reason why the Railway should not live up to its agreement.

Yours truly,

GEO. A. McLELLAND,

Per.

DEPT. OF INDIAN AFFAIRS
SEP 25 1917
SURVEYS

CHD/B.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

Ottawa, 25th September 1917.

Sir,-

In reply to your letter of the 19th instant I have to request you to be good enough to refer to the last paragraph of my letter to you of the 4th January last in which you were informed that the Canadian Northern Railway filed their plan here previous to the sub-division of the townplot of The Pas.

It is regretted that a satisfactory arrangement has not been arrived at between the railway and the town with regard to the number of street crossings to be left open.

In accordance with your request the matter will be brought to the attention of the officers of the railway.

S.B.

Your obedient servant,

Asst. Deputy and Secretary.

Geo,A.McLelland Esq.,
Barrister etc.,
The Pas, Man.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

277030

...IAN NORTHERN RAILWAY SYSTEM
LEGAL DEPARTMENT

...TOR

...TORS, TORONTO

...SOLICITOR, WINNIPEG

...R TO T/66-66

Toronto, September 27th, 1917.

file closed

The Secretary,
Department of Indian Affairs,
Ottawa.

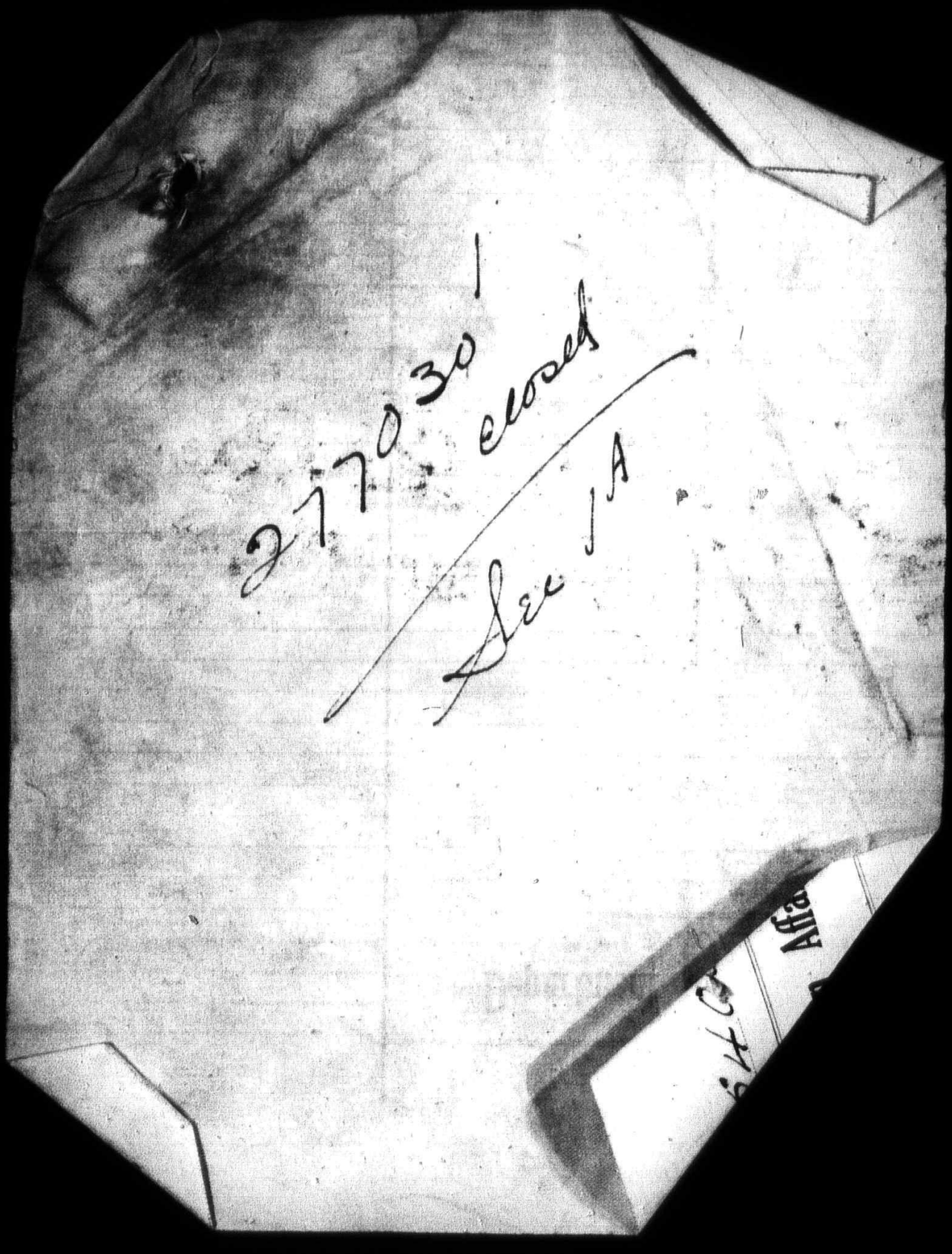
Dear Sir,-

This will acknowledge your letter of the 25th instant No. 277030, re right-of-way of the C.N.R. through LaPas Mission Indian Reserve, and we are forwarding a copy to our Winnipeg Solicitors for attention.

Yours truly,

R.H.M. Temple.

Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7669, File 22128-7 C.N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs
Headquarters Files

(RG 10, Volume 7670)

File 22131-3	(Grouard) - Lesser Slave Lake Agency - Right-of-way for the Edmonton, Dunvegan and British Columbia Railway Company through reserves in the Agency (plans). 1913 - 1964
File 22150	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. 1885 - 1912
File 22150-1	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. (Indian Land Sale - Grant) 1911 - 1933
File 22151-16 G.T.P.	Babine Agency - Right-of-way for the Grand Trunk Pacific Railway through various reserves in the Agency. 1909 - 1928
File 22152-21 E.&N.	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (map, plans, surveys). 1885 - 1899
File 22152-21 2	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (maps, plans). 1898 - 1913

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
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CANADA

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

Department of Indian Affairs.

1913 Vol 1

E.D & B.C.

22131-3

Treaty 8

Right of Way of the Edmonton Dunvegan & B.C. R'y Co across Reserves Nos 150 & 150A

60

66

...nton, Dunvegan & British Columbia Railway Co.

EDMONTON, ALTA.

Winnipeg, June 28th, 1913.

Secretary
Department of Indian Affairs,
Ottawa, Canada.

440317

Dear Sir,

According to Plans on file for the construction of the Edmonton, Dunvegan & British Columbia Railway, it will be seen that we propose to run through I.R. 150 and I.R. 150A. For this enterprise, I trust your Department will see its way clear for the granting of a free right-of-way.

I would further respectfully submit for your Department's consideration, the possibility of my being able to purchase for yard room accommodation, a portion of I.R. 150 A.

Awaiting your early reply,

Yours very truly,

J. D. McArthur
President.

DEPT. OF INDIAN AFFAIRS,
JUL 4 1913
SURVEYS.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, July 7, 1913.

Sir,

I beg to inform you that in accordance with your request of the 24th ultimo, No. 210, blue print copies have been sent you by registered mail of the plans of Indian Reserves Nos. 150, 150A and 150 E.

Your obedient servant,

Sgd J. D. McLean

Assistant Deputy and Secretary.

S.B.

J. R. Smith, Esq.,

Chief Engineer,

Edmonton, Dunvegan & nBritish Columbia

Rwy. Co.,

Edmonton, Alta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, July 8, 1913.

Sir,

An informal application has been made by Mr. J. D. McArthur, President, Edmonton, Dunvegan & British Columbia Railway Company, Winnipeg, Man., for right of way for the said railway through Indian Reserves Nos. 150 and 150 A also to purchase a portion of the last mentioned Reserve. Mr. McArthur suggests that the right of way should be granted free. He has been informed that lands for Indians are held in trust in this Department for them and cannot be granted without fair compensation therefor; also he is to forward plans to this Department and that entry is not to be allowed on an Indian Reserve for construction purposes until the right of way has been arranged for with this Department.

In accordance with the practice of the Department on the receipt of the said plans copies of them will be forwarded to you in order that you may be able to make valuations of the right of way and damages and damages to Indian improvements. Please note especially that necessary surveys may bemade across Indian reserves but entry on them for construction purposes is not to be allowed until the right of way has been duly arranged for with this Department.

B. L. Donald, Esq., M.D.,
Indian Agent,
Grouard, Alta.

Your obedient servant,

Sgd [illegible]

Assistant Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

by Minister

Ottawa, July 7, 1913.

Sir,

I beg to acknowledge the receipt of your letter of the 28th ultimo and in reply have to say that the lands of the Indians are held in trust by this Department for them and cannot be granted without fair compensation therefor.

You should forward to the Department copies of your right of way plans showing the lands in Indian Reserves required. The plans should be on tracing cloth accompanied by two blue prints of each plan. The tracings should be signed by a responsible officer of your company as well as by the surveyor who made the surveys.

On the receipt of these action will be taken on them and you will be further advised. I may here say that entry will not be allowed on an Indian Reserve for construction purposes until the right of way has been arranged for with this Department.

Your obedient servant,

Sgd J. D. McLean

Assistant Deputy and Secretary.

J. D. McArthur, Esq.,
President, Edmonton, Dunvegan & B.C. Rwy. Co.,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

INDIAN AGENT'S OFFICE,

Grouard, Alberta.

June 23rd. 191

IN REPLY REFER TO
DEPT. OF INDIAN AFFAIRS,
NO.
ALSO
TO DATE OF THIS LETTER.
JUL 11 1913
SURVEYS.

DEPT. OF INDIAN AFFAIRS
JUL 9 1913
440706

Sir,—

I have the honour to inform you that the Edmonton ,Dunvegan & British Columbia Railway Co. are building a railroad around Lesser Slave Lake that will cross the INdian reserves at Sawridge,Swan River,Driftpile River and Sucker Creek. They are beginnihg to cut the right of way and will soon begin grading.

I would like to inquire whether any arrange ments have been with the Department for permission to construct railroads across these reserves.

I have written the Supt. of Construction regarding the crossing of these reserves.

I would like copies of the maps of these reserves as they are at present since the survey of last summer.

Your obedient servant,

Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Co.

REFER TO FILE 210

EDMONTON, ALTA.,

July 11th, 1913.

DEPT. OF INDIAN AFFAIRS, JUL 17 1913

Secretary of Indian Affairs,

Ottawa, Canada.

441358

DearSir:-

We received today blue prints of Indian Reserves 150, 150 A and 150 E.

Kindly let me have a print of the Indian Reserve in township 73, Range 6, West of the 5th Meridian, and oblige.

Yours very truly,

J. R. Smith

Chief Engineer.

WJ

JBF

DEPT. OF INDIAN AFFAIRS, JUL 18 1913 SURVEYS.

sent by registered mail, July 19, 1913.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, July 18, 1913.

Sir,

I beg to acknowledge the receipt of your letter of the 23rd ultimo and to inform you that there has been sent you by registered mail duplicate copies of the plans of the Indian Reserves mentioned in your said letter. Please retain a copy of each of the plans for record and use in your own office and hand the others to the respective chiefs or headmen for the use of himself and band.

S.B.

Your obedient servant,

Asst Deputy and Secretary.

W. B. L. Donald, Esq., M.D.,
Indian Agent,
Grouard, Alta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440 317

INDIAN AGENT'S OFFICE,

Grouard, Alberta.

May 23rd. 19 14

IN YOUR REPLY REFER TO
No.
ALSO
TO DATE OF THIS LETTER.

DEPT. OF INDIAN AFFAIRS
JUN 8 1914
SURVEYS

462890

Sir,—

I have the honour to forward under separate cover blue prints of the right of way of the Edmonton, Dunvegan and British Columbia Railway through the Indian reserves around Lesser Slave Lake showing the acarage required by them for railway purposes.

The Indians will agree to allow the Railway Company to acquire this land if the Department is willing. I can obtain their written consent any time.that I am so instructed.

I would recommend that the E.D.& B.C.R.R.be permitted to purchase this land at $15.00 per acre.

Your obedient servant,

W.B. Wonacott

Indian Agent.

The Secretary,
Dept.of Indian Affairs,
Ottawa.

I. R. No. 150 and addition —
Sucker Creek & addition, 150A —
Kinoosayo 150E —
Sawridge & addition 150H —

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, June 11, 1914.

Sir,

We have received from our Indian Agent, Dr. W.B.L. Donald, Grouard, Alberta, three blue print copies of plans showing the right of way required by the Edmonton, Dunvegan and British Columbia Railway Company through certain Indian Reserves. It is desirable that applications for lands in Indian Reserves for railway purposes or other purposes should be made direct to the Department. These applications should on all cases be accompanied by copies of those portions of the right of way plans showing the Indian Reserves, prepared on tracing cloth. I may say this is imperative as we require from time to time to make blue print copies of these plans and it is preferable that plans for permanent record shall be on tracing cloth. The plans should be signed by yourself or some other responsible officer of the company.

Your company should therefore make application for the lands required and the application should be accompanied stated, with tracings and also they should state company is willing to pay for the several rights matter will then be taken into immediate con-

Your obedient servant,

for Assistant Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,417.

Ottawa, June 11, 1914.

Sir,

I beg to acknowledge the receipt of your letter of the 23rd ultimo and of the blue print plans mentioned therein, showing the right of way of the Edmonton, Dunvegan and British Columbia Railway through certain Indian Reserves at Lesser Slave Lake. I may say that it is preferred that applications for rights of way or other lands in Indian Reserves should be made direct to the Department and in all cases they require to be accompanied by plans prepared on tracing cloth, showing the lands for which application is made. The Chief Engineer of the Company, Mr. W.R.Smith, has been communicated with on this point.

With reference to your valuation of $15.00 per acre for all the lands in question, I have to say that valuations of lands required for railway purposes should state the value of Indian improvements affected, if any, and the amounts payable to the Indian occupants whose lands are taken, as well as the value of the lands to be credited to the capital fund of each band. Kindly consider further the question of valuation and report whether it will be satisfactory to the Indians and to the company. As these lands

J. B.
M.

W.B.L.Donald,Esq., M.D.,
Indian Agent,
Grouard, Alta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

lands are required for railway purposes the formal consent of the Indians is not necessary but in accordance with the practice of this Department it is desired that the Indians shall be consulted in all such cases.

Your obedient servant,

Sgd J.D. McLean

for Assistant Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Co.

DEPARTMENT OF INDIAN AFFAIRS
JUN 26 1914

Refer to 210

EDMONTON, ALTA., June 20th, 1914.

464165

Mr. L. D. McLean,
Assistant Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.,

Dear Sir:

Replying to your letter of the 11th inst. file 440,317, beg to advise that the information handed to your Indian Agent Dr. W. B. L. Donald was in response to his personal request for same and that we forwarded some time ago copy on tracing linen of our right-of-way plan showing lands required through the Indian Reserve and I am to-day writing our Solicitors, Messrs. Pringle & Guthre of Ottawa, asking whether or not they have lost sight of the fact that one of these plans should be filed in your Department.

Yours truly,

W. R. Smith

WRS/B

Chief Engineer.

Indian Affairs. (RG. 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

NIGHT LETTER

W. L. S.

The Great North Western Telegraph Company of Canada.

Exclusive connection with the
WESTERN UNION TELEGRAPH CO.

Cable Service
to all the world

GEO. D. PERRY, General Manager

Receiver's No.	Time Filed	Check

SEND the following NIGHT LETTER subject to the terms printed on the back hereof, which are hereby agreed to.

Ottawa, July 7, 1914.

W. B. L. Donald, Esq., M.D.,

Indian Agent,

Greuard, Alta.

P.XH

Wire reply to letter eleventh ultimo if Indian improvements are affected and valuation fifteen dollars per acre satisfactory right of way Edmonton and Dunvegan Railway. Forward plans on tracing cloth which Engineer Smith says were deposited with you.

J. D. McLean.

Charge Dept. I.A.

S. B.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(154-10-2000) 440317 T. D. FORM 1 G

CANADIAN PACIFIC R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank.

JAS. KENT, Manager Telegraphs

a3 rn sy 32 Night Letter. 2 ex. via Edmonton. 455a RECEIVED AT

Grouard, Alta. July 11-14.

(WHERE ANY REPLY SHOULD BE SENT)

00427

A.D.McLean,

464755

Dep't of Indian Affairs, Ottawa.

No Indian improvements affected by E.D.and B.C. fifteen dollars per acre satisfactory only plans received from Smith were blue prints acknowledged by Department letter of eleventh instant.

W.B.L.Donald,

Indian Agent.

DEPT. OF INDIAN AFFAIRS
JUL 13 1914
SURVEYS

WBS
re Mr. H. Fitzsimmons
about this

July 14

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Co.

HEAD OFFICE Winnipeg, Man.

Ottawa, July 13, 1914.

P. O. Box 64.

DEPARTMENT OF INDIAN AFFAIRS

DEPT. OF INDIAN AFFAIRS
JUL 14 1914
SURVEYS

4640 37

464638

Secretary,
Indian Affairs Department,
Ottawa.

Dear Sir:-

Re S.E. 16-74-15 W. 5th.

On behalf of the E. D. & B. C. Ry. Co., I herewith beg to make application for the above quarter section, as they propose placing a station and siding at this point, and they require this land for the nucleus of a townsite. This quarter section is included in a recent extension to the Sucker Creek Indian Reserve. The Company had an application on file with the Interior Department for the said quarter section, prior to the time of the passing of the order in council making the said quarter section an addition to the Sucker Creek Indian Reserve. The Company made provisions to establish their townsite at this point, and feel, therefore, that they should receive special consideration from the Department on that account.

If the Company establish a townsite at this point it will no doubt greatly appreciate the value of the surrounding lands; and would, of course, make a valuable asset for the Indians.

Indian Affairs. (RG 10, Volume 7670, File 22131-3).

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Co.

HEAD OFFICE EDMONTON, ALTA.

Sec'y. I. A. D.--2d. Page.

I trust that you will answer this application at as early a date as possible, so that the Company will not be delayed in building their line, because if this application be not granted, then it will be necessary for the Company to move this station farther West.

Enclosed herewith please find a tracing and a blue print which indicate the said land required by the Company in the Sucker Creek Indian Reserve.

Your obedient servant,

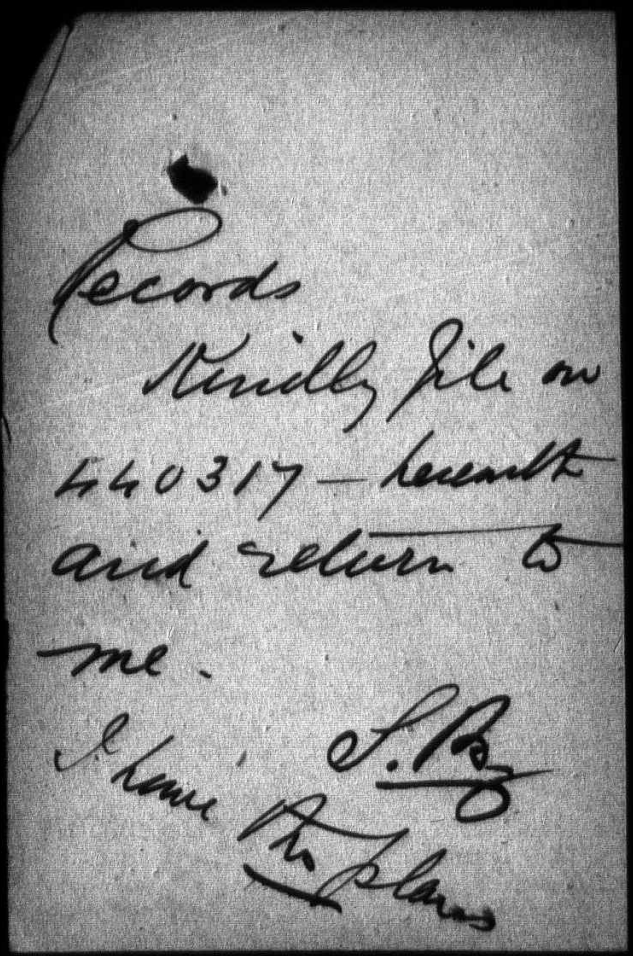
D. W. Campbell Jr.

Asst. Sec'y Treas.,

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA


Records
Kindly file on
440317 — herewith
and return to
me.
I have the honour
S. Bray

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, July 25, 1914.
File 440,317.

Memorandum for Mr. McLean.

With reference to the application hereunder, from The Edmonton, Dunvegan and British Columbia Railway Company, for the South East ¼ of Section 16, Township 74, Range 15, W-5-M, I beg to state that this ¼ Section is included in an addition to the Sucker Creek Indian Reserve for which application was made to the Department of the Interior and for which an Order in Council has been passed.

Note:- O.C. dated Oct. 8, 1913, on File No. 194,555/1A.

The Railway Company proposes to place a station and siding on this ¼ section, provided they can acquire the whole ¼ section and, if not, they will remove their station to a point farther West. If the station is removed as, suggested, it will be very detrimental to the value of the Indian Reserve and necessarily more inconvenient for Indians marketing their produce, etc. I think every effort should be made to allow the Company to acquire the land.

In view of the foregoing and of the fact that

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
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CANADA

that the Railway Company made an application for the ¼ Section prior to its selection for Indian purposes, I think the Indian Agent might be instructed to place a reasonable value on the land. He should then inform the Indians of the facts of the case and endeavour to obtain a surrender from them, for which the necessary authority and forms should be sent.

C. Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44031

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF IND. JUL 1914

Stinson

July 25 1914.

OTTAWA, ONT.
P.O. BOX 64

465454

Secretary,
Indian Affairs Department,
Ottawa, Ont.

Dear Sir:-

On the accompanying plan herewith is shown an area of 60·43 acres required by the E. D. & B. C. Ry. for railway purposes within Indian Reserve No. 150 E. A portion of this area is required for sidings, elevator tracks, pumping plant, and the balance is to afford accommodation for warehouses, etc. required in connection with the Company's operations.

The Company's siding was formerly planned to be placed on the N.½ 16-73-10 W. 5th. but the farmers of the Swan River Country petitioned the Company to change their location to the one specified in the Indian Reserve. This petition was made owing to the fact that the location on the N.½ 16 for a portion of the year is inaccessable, owing to floods during rainy seasons. Engineer Fairchilds of the Department was consulted by the Company's Engineer at Edmonton regarding this matter and your Mr. Fairchilds expressed himself as being of the opinion that this change in the Company's station site was perfectly justified.

This plan was handed to me by Mr Fairchilds when

DEPT. OF INDIAN AFFAIRS
JUL 27 1914
SURVEYS
DEPT. OF INDIAN AFFAIRS
JUL 28 1914
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
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CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

#2

OTTAWA, ONT.
P.O. BOX 64

A plan of this proposed alteration of the siding has today been submitted to the Railway Commission for their approval.

In view of the foregoing circumstances I trust that your Department will sell this area of 60·43 acres to the Railway Company, so that they may be enabled to make a station at this point. The construction of this line is now being proceeded with and on that account I would request that you give me an early answer to this application, because if you do not permit the company to purchase this land it will be necessary for them to move their station and sidings to some distant point, and arrangements for same should be made at the earliest possible date. If the Company are permitted by you to establish their station at this point it will be the means of greatly enhancing the value of the surrounding Indian lands and thereby creating a very considerable asset for the Indians concerned.

Your obedient servant,

D.W. Campbell Jr.

Asst. Sec'y Treas.

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE · WINNIPEG, MAN.

July 27, 1914.
OTTAWA, ONT.
P.O. BOX 64

Secretary,
Indian Affairs Department,
Ottawa, Ont.

Dear Sir:-

Accompanying herewith please find a tracing of the E. D. & B. C. Ry. right of way which passes through three Indian Reserves namely 150, 150 A. and 150 E. You will notice that this tracing has been certified by the Railway Commission.

Trusting that this will be perfectly satisfactory to you, I am Sir.

Your obedient servant,

A. W. Campbell.

Asst. Sec'y Treas.

HF-Mc

These plans were handed in by Mr. Fitzsimmons when he left Ottawa. Roll - Tracing - No 1417

DEPT. OF INDIAN AFFAIRS
JUL 27 1914
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
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CANADA

440317

Ottawa, July 28,1914.

Sir,-

I beg to say there is being sent you this day under separate cover by registered mail a plan of extra width required by the Edmonton, Dunvegan and British Columbia Railway in Indian reserve No.150E. Their secretary states that a portion of this area of 60.43 acres is required for sidings, elevator,tracks, pumping plant, and the balance is to afford accommodation for warehouses, &c., required in connection with the company's operations.

If thought advisable, please place thereon your certificate to the effect that this land is required for railway purposes and return to this Department.

Your obedient servant,

Rd J D McLean

Asst. Deputy and Secretary.

A.D.Cartwright,Esq.,
Secretary,
Board of Railway Commissioners,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
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CANADA

A. D. CARTWRIGHT.
SECRETARY.

BOARD OF
RAILWAY COMMISSIONERS
FOR CANADA.

440317

OFFICE OF THE SECRETARY
OTTAWA
AUG 3 1914

DEPARTMENT OF INDIAN AFFAIRS

465549

August 3th/1914.

Survey

Dear Sir.- File 18903.65.

Referring to your letter of the 28th ult., I return herewith duly certified by the Board's Assistant Chief Engineer, plan of extra width required by the Edmonton, Dunvegan and British Columbia Railway in the Indian Reserve No.150E.

Enc.

Yours truly,

A.D. Cartwright
Secy B.R.C.

Secretary, B.R.C.

DEPT. OF INDIAN AFFAIRS
AUG 5 1914
SURVEYS

J.D.McLean, Esq.,
Assist. Deputy & Secy,
Dept. of Indian Affairs,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
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CANADA

N.L. 2

NIGHT LETTER

The Great North Western Telegraph Company of Canada.

Exclusive connection with the
WESTERN UNION TELEGRAPH CO.

Cable Service
to all the world

Z. A. LASH, President

440317

GEO. D. PERRY, General Manager

Receiver's No.	Time Filed	Check

SEND the following NIGHT LETTER subject to the terms printed on the back hereof, which are hereby agreed to.

Ottawa, Aug. 6, 1914.

W.B.L.Donald,M.D.,
Indian Agent,
Grouard, Alberta.

Edmonton, Dunvegan and British Columbia Railway require sixty acres in Swan River reserve one fifty E in addition to thirty-seven acres required for right of way. Please state fair rate to be charged for the additional sixty acres.

J.D.McLean

(Charge Dept. of Indian Affairs)

DEPT. OF INDIAN AFFAIRS
AUG 7 1914
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

465959

Edmonton, Dunvegan & British Columbia Railway Company

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
AUG 7 1914

OTTAWA, ONT.
P.O. BOX 64

Aug. 6, 1914.

The Secretary,
Indian Affairs Dept.,
Ottawa, Ont.

Dear Sir:-

Accompanying herewith please find the tracing of the E. D. & B. C. Ry. right of way which passes through Indian Reserve No. 150 H. The original tracing of this plan has, of course, been certified by the Railway Commission.

Your obedient servant,

A. W. Campbell

Asst. Sec'y Treasurer.

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

465961

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
AUG 7 1914

OTTAWA, ONT.
P.O. BOX 64

Aug. 6, 1914.

The Secretary,
Indian Affairs Department,
Ottawa, Ont .

Dear Sir:-

Will you kindly advise me of the price per acre which your Department will charge the Company for their right of way, as shown on tracings filed with you, through Indian Reserves 150, 150 A, 150 E. and 150 H. When you have advised me regarding this I shall immediately take steps towards sending you cheques for the amounts required.

Your obedient servant,

H.W. Campbell
Asst. Sec'y Treasurer.

HF-Mc

See plans No. 1416, 1417 and 1417-A

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY ▲ FILM ■

440317

Ottawa, Aug.7,1914.

Sir,-

Application to purchase for town-site purposes the southeast ¼ of section 16, township 74, range 15,W-5-M, has been made by the Edmonton, Dunvegan and British Columbia Railway Company. The land is in the addition made to the Sucker Creek Indian reserve in 1913.

The company proposes to place a station and siding at this point provided they are allowed to acquire the quarter-section. If they cannot, the station and siding will be established at a point considerably to the west.

By reference to the plan of the reserve you will note that the disposal of this quarter-section will apparently do no harm to the reserve. On the contrary, it will enhance its value and afford the Indians convenient access to market their produce. If is,therefore, considered advisable to meet the wishes of the company if possible.

I have to request you to place a fair value on the land, in which both the Indians and the company's agent should concur. You should then take the necessary surrender from the Indians in order that the land may be sold to the company. Authority to take the surrender and instructions as well as surrender forms will be sent you in a separate letter.

I may explain that the right of way and other lands in Indian reserves required for railway purposes may be taken without the consent of the Indians. As this land

W.B.L.Donald,Esq.,M.D.,

Indian Agent,

Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

is required for town-site purposes, a formal surrender is necessary.

Two blue print plans will be sent you which may be retained for use in your office.

Your obedient servant,

Sgd. F. D. McLean

Asst. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, August 11, 1914.
File 440,317.

DESCRIPTION FOR SURRENDER.

All of the South East quarter of Section Sixteen, Township Seventy-four, Range Fifteen, West of the Fifth Meridian, in the Sucker Creek Indian Reserve Number One Hundred and Fifty - A, Province of Alberta and Dominion of Canada, excepting thereout the Right of Way of the Edmonton, Dunvegan and British Columbia Railway, and containing one hundred and ~~ninety-three~~ fifty-three acres and ~~seventy-five~~ ninety-five hundredths of an acre, be the same more or less.

E. Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, August 11, 1914.
File 440,317.

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E. Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

F. 440,317.

(Draft)

Know all Men by these Presents

THAT WE, the undersigned Chief and Principal men of

The Sucker Creek Band of Indians

resident on our Reserve south of Lesser Slave Lake

in the Province of Alberta and Dominion of Canada, for and acting on behalf of the whole people of our said Band in Council assembled, Do hereby release, remise, surrender, quit claim and yield up unto OUR SOVEREIGN LORD THE KING, his Heirs and Successors forever, ALL AND SINGULAR, that certain parcel or tract of land and premises, situate, lying and being in the Sucker Creek Indian Reserve No. 150 A, in the ~~County of~~ and Province of Alberta containing by admeasurement one hundred and ~~ninety-three~~ fifty-three acres and ~~seventy-five~~ ninety-four hundredths of an acre be the same more or less and being composed of all of the Southeast quarter of section Sixteen, township seventy-four, range fifteen. west of the Fifth Meridian, in the said Indian reserve. excepting thereout the right of way of the Edmonton, Dunvegan and British Columbia Railway.

Form No. 65.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

TO HAVE AND TO HOLD the same unto His said Majesty THE KING, his Heirs and Successors forever, in trust to sell the same for town-site purposes ~~the same~~ to such person or persons, and upon such terms as the Government of the Dominion of Canada may deem most conducive to our welfare and that of our people.

AND upon the further condition that all moneys received from the sale thereof, shall, ~~after deducting the usual proportion for expenses of management,~~ be placed to our credit and interest thereon paid to us, in the usual way.

AND WE, the said Chief and Principal men of the said

The Sucker Creek Band of Indians do on behalf of our people and for ourselves, hereby ratify and confirm, and promise to ratify and confirm, whatever the said Government may do, or cause to be lawfully done, in connection with the sale of the said land and the disposition of the moneys derived therefrom.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this day of in the year of our Lord one thousand nine hundred and fourteen.

Signed, Sealed and Delivered,

IN THE PRESENCE OF

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, August 12, 1914.

Sir,-

Referring to letter addressed you on the 7th instant, in connection with the surrender of a portion of land on the Sucker Creek Indian reserve for a town-site, I beg to inclose form of surrender, in duplicate, which you are hereby authorized to submit to the Indians under and in accordance with the provisions of the Indian Act.

I am also inclosing copy of instructions for taking the surrender, which should be carried out by you, and information called for therein furnished the Department.

Your obedient Servant,

W. D. McLEAN

Acting Deputy Superintendent General of Indian Affairs.

W. B. L. Donald, Esq., M. D.,
Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

466124 440 317

Canadian Pacific Railway Company's Telegraphs

TERMS AND CONDITIONS

All messages are received by this Company for transmission, subject to the terms and conditions printed on their Blank Form No. 2, which terms and conditions have been agreed to by the sender of the following message. This is an unrepeated message, and is delivered by request of the sender under these conditions.

D. McMILLAN, Gen. Supt., Winnipeg, Man. — W. J. CAMP, Assistant Manager, Montreal, Que.
J. F. RICHARDSON, Supt., Vancouver, B.C. — D. H. BOWEN, Supt., Sudbury, Ont.
R. V. YOUNG, Supt., Calgary, Alta. — W. MARSHALL, Supt., Toronto, Ont.
D. COONEY, Supt., Moose Jaw, Sask. — F. J. MAHON, Supt., Montreal, Que.
E. M. DAVIS, Supt., Winnipeg, Man. — W. M. GODSOE, Supt., St. John, N.B.

JAS. KENT,
Manager Telegraphs, Montreal.

DEPARTMENT OF INDIAN AFFAIRS

B152 RA RC 13 Collect 605P Via Edmonton,

Grouard Alb 11-14

J D McLean ,

Secy Dept Interior Ottawa.

If land required is west of swan River $25 Per acre

W J MacDonald.

ACCOUNTANTS
GRANDE

DEPT. OF INDIAN AFFAIRS
AUG 19 1914
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(18-4-10-6332) T.D. FORM 2 G

CANADIAN PACIFIC R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank.

JAS. KENT, Manager Telegraphs

SENT NO.	SENT BY	RECEIVED BY	TIME SENT	TIME FILED	CHECK

Send the following night lettergram, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

Ottawa, Aug. 13, 1914.

W.B.L.Donald, Esq., M.D.,
Indian Agent,
Grouard, Alta.

The land required in Swan River Reserve lies West of Swan River. Please explain why you value right of way at Fifteen dollars per acre and the extra land required at Twenty-five dollars per acre. ~~Usually extra land same price or even less than the right of way.~~

J. D. McLean.

Charge Dept. I.A.

Encl
L.B.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(15-4-10-6332)

466492

440,317

CANADIAN PACIFIC R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank.

JAS. KENT, Manager Telegraphs

RECEIVED AT

(WHERE ANY REPLY SHOULD BE SENT)

16RN.JO.

20Collect NL Via Edmonton,

Grouard , Alta Aug 14-14

J.D.McLean,
Secy Dept Indian Affairs Ottawa.

Land on each side of right of way west of Swan River better than on right of way itself.

W.B.Donald.

740a

DEPT. OF INDIAN AFFAIRS
AUG 15 1914
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

1 Sy: Minister

Ottawa, Aug. 29, 1914

Sir,

With reference to your letter of the 6th instant and preceding correspondence, I beg to inform you that on examination of the plans submitted of the right of way of the Edmonton, Dunvegan and British Columbia Railway through Indian Reserves Nos. 150, 150A, 150E and 150H, Alberta, the following errors appear on the plans:-

The area through the main part of No. 150 is noted 44.90 acres, which should be 46.01 acres.

In the right of way through the Eastern addition to the said reserve the area is noted 2.56 acres; it should be 1.56 acres.

Dr. W. B. L. Donald, Indian Agent, Grouard, Alta., has placed a value of $15.00 per acre for the right of way through the said four reserves and a value of $25.00 per acre on the extra width of 60.3 acres required in the Swan River Indian Reserve No. 150E. If you concur in these valuations the following sums are due and should be forwarded to the Department with as little delay as may be possible:-

Sawridge Indian Reserve No. 150H and addition.

52.90 acres at $15.00 per acre..... $ 793.50

Swan River Indian Reserve No. 150E

37.36 acres at $15.00 per acre..... 560.00

D. W. Campbell, Esq.,
Ass't. Sec.-Treas., Edmonton, Dunvegan & British Columbia Rwy.,
OTTAWA, Ont.

P.O.Box 64.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

Drift Pile Indian Reserve No. 150 and additions	
72.45 acres at $15.00 per acre.....	$ 1086.75
Sucker Creek Indian Reserve No. 150A and additions	
67.08 acres at $15.00 per acre.....	1006.20
Extra width in 150 E	
60.43 acres at $25.00 per acre.....	1510.75
TOTAL.....	$ 4957.20

I have, therefore, to request that the sum of $4957.20 be forwarded to this Department and on its receipt an Order in Council will be applied for, authorizing the sale of the said lands to the railway.

Your obedient servant,

Sgd J. D. McLean

Assistant Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPT. OF INDIAN AFFAIRS
SEP 8 1914
SURVEYS

DEPARTMENT OF INDIAN AFFAIRS
SEP 4 1914

OTTAWA, ONT.
P.O. BOX 64

Sept. 3, 1914.

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

467196

Re Indian Reserves Nos. 150, 150A, 150E, 150H.

Your file 440317.

With reference to your letter of the 29th ult. regarding above, I beg to say that the valuation of $15.00 per acre for the right of way required by the Company through these Indian Reserves is extremely excessive and I am sure these would not bring the price at an open sale.

With regard to the extra width required by the Company in Indian Reserve 150E upon which you place a valuation of $25.00 per acre, I beg to say that that price is beyond all reason. As an instance, I can quote that I personally own 320 acres of excellent farming land adjoining Castlewood on the C. P. R. and the Divisional Point Bigger on the G. T. P., for which I will gladly accept $20.00 per acre. In view of these absurd valuations I would respectfully request that you appoint a competent valuator to examine these lands.

Your obedient servant,

H. W. Campbell

HF-Mc

Assistant Secretary Treasurer.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, September 8th, 1914.

Memorandum.

Mr. Scott,-

I beg to submit for your special consideration, the request hereunder of the Assistant Secretary Treasurer of the Edmonton, Dunvegan & British Columbia Railway Company, to have a valuator appointed to decide on the compensation that should be paid for the right of way of the Railway through Indian Reserves at Lesser Slave Lake.

I may add that as far as I am able to judge Mr. Campbell's contention is correct that the values put upon the right of way and extra width required, by our Indian Agent Dr. W. B. L. Donald, appeares to be much greater than the situation of the lands would warrant..

J. Bray
Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL

OTTAWA September 22, 1914.

DEPT. OF INDIAN AFFAIRS
SEP 24 1914
SURVEYS

The Surveys' Branch,-

Mr. A. Driscoll, D.L.S., Room 308, Agency Building, Edmonton, may be employed to make valuation in connection with right of way of the Edmonton, Dunvegan & British Columbia Railway Company through the Lesser Slave Lake reserves?

Duncan Campbell Scott
D. S. G. I. A.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Plans forwarded by
accepted mail on the
30th Sept.-

Copies of the plans, showing these rights of way will be forwarded to you by registered mail. I shall be obliged if you will be good enough to perform this service at as early a date as may be reasonbaly possible.

I have also to request you to make a careful valuation of the South East quarter of Section 16, Township 74, Range 15, W-5-M, in the Sucker Creek Indian Reserve No. 150, excepting thereout the right of way of the Edmonton, Dunvegan and British Columbia Railway and containing approximately 193.75 acres, for which the Railway Company has made application.

You will be allowed at the rate of $10.00 per day, together with all reasonable travelling and board expenses. Please forward your account with supporting vouchers for all payments.

Your obedient servant,

Dgd J. McLean

Assistant Deputy and Secretary.

JM.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, Sept. 24, 1914.

Sir,

I have to request you to be good enough to make careful valuations of the land and damages thereto and separately damages to Indian improvements if any, in the right of way required by the Edmonton, Dunvegan and British Columbia Railway through the Indian Reserves Nos. 150, 150 A, 150 E and 150 H, at Lesser Slave Lake; also an extra width of 60.43 acres in Reserve 150 E. For your information I have to say that the following is the valuation made by Dr. W. B. L. Donald, Indian Agent, Grouard, Alberta, to which the Railway Company has taken exception as being extremely excessive:-

	Sawridge Indian Reserve No. 150H and addition.	
52.90 acres	at $15.00 per acre.....	$ 793.50
	Swan River Indian Reserve No. 150E	
37.36 acres	at $15.00 per acre.....	560.00
	Drift Pile Indian Reserve No. 150 and additions	
72.45 acres	at $15.00 per acre.....	1086.75
	Sucker Creek Indian Reserve No. 150A and additions.	
67.08 acres	at $15.00 per acre.....	1006.20
	Extra width in 150 E	
60.43 acres	at $25.00 per acre.....	1510.75
	TOTAL.....	$4957.20

A. Driscoll, Esq., D.L.S.,
Room 30,
Agency Building,
Edmonton, Alta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Plans forwarded M
30 Sept -
registered mail on the

Copies of the plans, showing these rights of way will be forwarded to you by registered mail. I shall be obliged if you will be good enough to perform this service at as early a date as may be reasonbaly possible.

I have also to request you to make a careful valuation of the South East quarter of Section 16, Township 74, Range 15, W-5-M, in the Sucker Creek Indian Reserve No. 150, excepting thereout the right of way of the Edmonton, Dunvegan and British Columbia Railway and containing approximately 193.75 acres, for which the Railway Company has made application.

You will be allowed at the rate of $10.00 per day, together with all reasonable travelling and board expenses. Please forward your account with supporting vouchers for all payments.

Your obedient servant,

Dgd J. McLean

Assistant Deputy and Secretary.

JM.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(16-4-10-6332)

440317

CANADIAN PACIFIC R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank.

JAS. KENT, Manager Telegraphs

188 Ra. De. 30 Collect [illegible] Edmonton. 2 45pm Sept 23/14. AT

(WHERE ANY REPLY SHOULD BE SENT)

Grouard, Alta, Sept. 21/14. 440280

D. McLean,
Dept. Indian Affairs,
Ottawa, Ont. 468371

D. & BC Ry cut bridge timber on reserve; timber now under seizure please amount should be charged for spruce trees 20 in diameter at butt.

W. B. L. Donald.

INDIAN BRANCH SEP 24 1914

Answ.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

T. D. FORM 2 G

CANADIAN PACIFIC R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank.

JAS. KENT, Manager Telegraphs

SENT NO.	SENT BY	RECEIVED BY	TIME SENT	TIME FILED	CHECK

Send the following night lettergram, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

Ottawa, September 24, 1914.

W. B. L. Donald,
Indian Agent,
Grouard, Alberta. via Edmonton

Measure timber over eighteen feet long butts and tops, divide by two for centre diameter; compute contents in cubic form, Measure logs eighteen feet long and under at small end and compute contents in board measure.

Charge twenty four dollars per thousand cubic feet for long timber and two dollars and fifty cents for short logs per thousand feet board measure.

On receipt of payment and expenses release logs from seizure.

J. D. McLean.

Chge. D. I. A.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Driscoll & Knight
Engineers
Edmonton, Alta.

440317

DEPARTMENT OF INDIAN AFFAIRS
OCT 5 1914

September 28th. 1914

469006

Sir,-

I have the honour to acknowledge the receipt of your letter of the 24th. Inst. asking me to make valuations of the land and damages thereto, in the right of way required by the Edmonton, Dunvegan and B.C.Ry. thro. the Indian Reserves Nos. 150, 150 A. 150 E. and 150 H. at Lesser Slave Lake; copies of which right of way is now being forwarded to me by your Department.

Also as to valuation in Sec. 16-74-15-5, in Sucker creek Indian Reserve No. 150.

I am holding myself in readiness to make this valuation at, as you request, as early a date as possible, and will leave on arrival of right of way plans you are sending me.

DEPT. OF INDIAN AFFAIRS
OCT 6 1914
SURVEYS

I am, Sir,

Your Obedient Servant

A. Driscoll
D.L.S.

The Secretary,
Dept. of Indian Affairs.
Ottawa,

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

INDIAN AGENT'S OFFICE,

Grouard, Alberta

Oct. 17th. 1914

IN YOUR REPLY REFER TO
No.
ALSO
TO DATE OF THIS LETTER.

470562

Sir,—

I have the honour to enclose a draft for $120.00 dues received from the Edmonton, Dunvegan & British Columbia R.R. for timber cut on the Driftpile river reserve as instructed in Dept. telegram of Oct. 24th. 1914.

Your obedient servant,

W.B.Wonnacott

Indian Agent.

The Secretary,
Dept. of Indian Affairs,
Ottawa.

DEPARTMENT OF INDIAN AFFAIRS OCT 29 1914

LANDS BRANCH NOV 2 1914

440317

BANK RECEIPT No. 45126

Amt. $120.00 dft.

G.T.P.

470562

Date 29-10-1914

Entered Journal No. 18 Folio 111

376

LANDS BRANCH OCT 30 1914

Dept. Receipt No. 35107

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, Nov. 30, 1914.

Sir,

Referring to your letter of Sept. 28, last, I beg to inform you that the plans showing the right of way and extra width required through certain Indian Reserves by the Edmonton, Dunvegan & British Columbia Railway were sent you on Sept. 30, last. I have to request you to be good enough to forward the valuations requested.

Your obedient servant,

Asst. J. McLean

Assistant Deputy and Secretary.

A. Driscoll, Esq., D.L.S.,

EDMONTON, Alta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Vote No.....

Treaty No.....

Department of Indian Affairs

To George Hartey, Jr., Cromard, Alta.

A/c transportation of A. Driscoll, D.L.S. through Lesser Slave Lake Reserves

1924		SERVICE.	AMOUNT.	
Oct.	I4	Services of team and driver to Sucker Creek and return - 2 days @ $8.00	I6	
	I7	Services of self and 3 horses to Swan River and return - 6 days @ $6.00 -	36	
	I5	Paid J. Whitford - I meal and stabling noon	I	
	I5	" " - I sk. oats	I	50
	I6	" Thomasis - meals and stabling overnight	2	
		Received payment Geo. Hartey Jrs.		
			56	50
		TOTAL,		

I HEREBY CERTIFY that this Voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also that the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada.

.....

Agent.

472804

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C O P Y.

The Department of Indian Affairs

IN ACCOUNT WITH

A. Driscoll.

1914.

To personal services in the valuation of land taken by the E.D. & B.C. Ry. thro I.R.150,150E, 150A,150H & S.E. ¼ 16-74-15-5 Lesser Slave L.			
Oct. 7th to Oct.20th, inclusive, 14 days @		$10.00	$140.00
Living expenses	14 " @	2.00	28.00
Railway fare, Edmonton to Sawridge & return			13.50
Steamboat fare Sawridge to Grouard			5.00
Paid Indians for hay and stabling			6.00
Geo.Harvey for hire of 3 horses,Veh. "A"			56.00
			$248.50

4984

Rec'd Dec. 22nd

Certified,work performed,
charges fair and just.

(Sgd) S. Bray,

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Driscoll & Knight
Surveyors & Engineers
Agency Block
Edmonton, Alta.

No.440,317

December 1st. 1914

Sir,-

In accordance with your letter of the 24th of Sept. last, I have examined the ground covered by the right of way of the Edmonton, Dunvegan and British Columbia Railway through the following mentioned lands, and showing the area taken by the Ry. Company for that purpose, together with other areas adjoining required for Station purposes. Viz,-

1.	Sawridge Indian Reserve No.150H	52.90 Ac.	634.80
2.	Swan River Indian Reserve No.150F.	97.79 Ac.	1466.85
3.	Drift Pile Indian Reserve No.150	72.45 Ac.	1086.75
4.	Sucker Creek Indian Reserve No.150A.	67.08 Ac.	1006.20
			4194.60
5.	S.E.Qr.Sec.16, Tp.74, R.15, W.of 5th. Mer.	153.75 Ac.	2306.25
			6500.85

Apart from that portion of the above mentioned right of way which runs thro. the Sawridge Indian Reserve, the land in general is of good quality, and a uniform price per acre should be considered in dealing with it.

Fifteen dollars per acre throughout, with the above exception, would in my opinion be a fair settlement between the Dept. acting for the Indians, and the Railway Company, for all that land required for right of way purposes, together with the extra width applied for by the Company, at Swan River. This valuation covering any damages or benefits which either party may have under consideration.

I consider Twelve dollars per acre a fair valuation for the land required by the Company for Right of Way through the

Sawridge

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Driscoll & Knight
Barristers & Engineers
Edmonton, Alta.

Sawridge Indian Reserve, No 150H. and taking as above remarked, the question of damages and benefits into consideration.

In regard to the South East Quarter of Section 16, Tp. 74 Range 15, West of 5th. Mer. it is evident that it is a logical site for the purposes of the Railway Company, at that point, altho. an adjacent quarter might serve them as well. And it is prob--able that if it were owned by some farmer or speculator, he would take advantage of the situation and ask a considerable greater amount for it. I however think Fifteen Dollars per acre a fair valuation for any good quarter Section of land in that District, and equally so of this land.

I might further say, that the Ry. Co. will no doubt be glad to secure this Qr. at that figure, and in addition to it being of service for Ry. purposes they will no doubt realize some profit after plotting it into Town lots; but notwithstanding these features I think the above valuation a fair one.

Summarizing the above areas and values, would make a pay--ment to the Indians amounting to $6500.85

Your obedient servant,

A. Driscoll

The Secretary,
Dept of Indian Affairs,
Ottawa,

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Driscoll & Knight
Dominion Land Surveyors
Edmonton, Alta.

DEPT. OF INDIAN AFFAIRS
DEC 10 1914
SURVEYS

DEPARTMENT OF INDIAN AFFAIRS
DEC 7 1914
RECEIVED

No.440,317

December 1st. 1914

472804

Sir,-

I have the honour to send you herewith, my report on the values of land taken by the Edmonton, Dunvegan and British Columbia Railway; through the Indian Reserves adjoining the South side of Lesser Slave Lake.

I am also enclosing my account in connection with the above report and which might have been in much sooner had I not had to wait for the voucher attached.

In connection with my living expenses, I might say that the difficulty of getting vouchers on a trip such as I was on, was such that I have put in a minimum rate instead.

Trusting that the delay in sending in my report has not caused any inconvenience,

I am, Sir,

Your obedient servant,

A. Driscoll

The Secretary,
Dept. of Indian Affairs,
Ottawa,

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

1 by Minister
2 Secty

Ottawa, Dec. 21, 1914

Sir,

With reference to your letter of Sept. 3, last, I beg to inform you that Mr. A. Driscoll, D.L.S., Edmonton, Alta., was specially engaged to value the right of way of the Edmonton, Dunvegan & British Columbia Railway through the Sawridge, Swan River, Driftpile and Sucker Creek Indian Reserves and also the SE ¼ Sec. 16, Tp. 14, Rge. 15, W-5-M, which your Company desires to acquire.

Mr. Driscoll's valuation is as follows:-

Sawridge I.R. No. 150 H:

52.90 acres @ $12.00 per acre..... $ 634.80

Swan River I.R. No. 150 E:

97.79 acres @ $15.00 per acre..... 1466.85

Driftpile I.R. No. 150:

72.45 acres @ $15.00 per acre..... 1086.75

Sucker Creek 150 A:

67.06 acres @ $15.00 per acre..... 1006.20

Total..... $4194.60

The said sum should be forwarded to the Department in payment for the said rights of way.

~~The question of surrender has been submitted~~ Our Indian Agent has not yet reported on the question of the surrender of the ~~to the Indians of the Sucker Creek Indian Reserve but only~~ said quarter-section.

D.W.Campbell, Esq.,
Sec.-Treas., Edmonton, Dunvegan & British Columbia Rwy.,
P.O. Box 64,
OTTAWA, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

~~our Indian Agent has not yet reported~~. In the event of the Indians executing the necessary surrender and on the surrender being duly accepted the Company will be called on to pay at the rate of $15.00 per acre, in accordance with Mr. Driscoll's valuation. The quarter section contains 153.75 acres at $15.00 per acre..... $2306.25.

Your obedient servant,

Jos. L. D. McLean

Assistant Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

240,317.

1 Sy. Minister
2 Secty

Ottawa, Dec. 21, 1914

Sir,

I beg to inform you that the Edmonton, Dunvegan & British Columbia Railway Company having taken exception to your valuations of the land required for right of way in Reserves Nos. 150, 150 A, 150 E & 150 H, also to your valuation of the SE ¼ Sec. 16, Tp. 74, Rge. 5, W-5-M, Mr. A. Driscoll, D.L.S., of Edmonton, Alta., was specially engaged to place valuations on these lands.

Mr. Driscoll has valued the right of way through the Sawridge Indian Reserve at $12.00 per acre and all the other lands at $15.00 per acre. The Department is satisfied with these prices.

I have to request you to be good enough to report in reply to letter to you of Aug. 12, last, as to whether you have taken the surrender of the said ¼ section from the Sucker Creek Indians.

S. B.
Ltr to Ldr

Your obedient servant,

Asst Deputy and Secretary.

Harold Laird, Esq
~~W.B.L. Donald, Esq., M.D.~~,
Acting Indian Agent,
GROUARD, Alta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA.

440,317.

Ottawa, Dec. 11, 1914.

Memorandum for Mr. Scott:-

I beg to submit for your special consideration the drafts of two letters hereunder to Mr. D. W. Campbell and to Dr. W.B.L.Donald, Indian Agent, Grouard, Alta., respectively, and also to recommend that Mr. Driscoll's account for his services in making the valuations in question, amounting to $248.50, be paid.

S. Bray

Chief Surveyor.

OK

DS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL

OTTAWA December 16th. 1914.

DEPT. OF INDIAN AFFAIRS
DEC 17 1914
SURVEYS

MEMORANDUM

Mr. Bray -

Was not Mr. Robertson in this vicinity last summer? Please ascertain what is his opinion of these valuations.

Duncan Dec 15

D. S. G. I. A.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, Dec. 17, 1914.

File 440,317.

ACCOUNTANTS
DEC 21 1914
BRANCH

Mr. Gray:

Previous to my having seen the valuations ofeither Dr. Donald or Mr. Driscoll, from information I obtained when at Grouard and Sawridge, I had arrived at a value of $15.00 per acre for the land desired by the Edmonton, Dunvegan and British Columbia Railway Company for right of way through those reserves to the South of Lesser Slave Lake.

I would therefore consider that Mr. Driscoll's valuation would not be unfair to either the Indians or the Railway Company.

Donald F. Robertson

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

4-10311

...onton, Dunvegan & British Columbia Railway Co.

REFER TO FILE 210.

EDMONTON, ALTA.,

June 24th, 1913.

DEPARTMENT OF THE INTERIOR
JUN 30 1913
REGISTRATION BRANCH
OTTAWA

Secretary,

DEPARTMENT OF THE INTERIOR,

Ottawa, Canada.

440277

Dear Sir:-

Kindly let us have sheet maps of Indian Reserves 150, 150 A, and 150 E.

Thanking you in advance, I beg to remain,

Yours very truly,

F. K. Smith

Chief Engineer.

WJ

JBF

DEPT. OF INDIAN AFFAIRS.
JUL 4 1913
SURVEYS.

SCHOOLS BRANCH
JUL 4 1913

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

473574

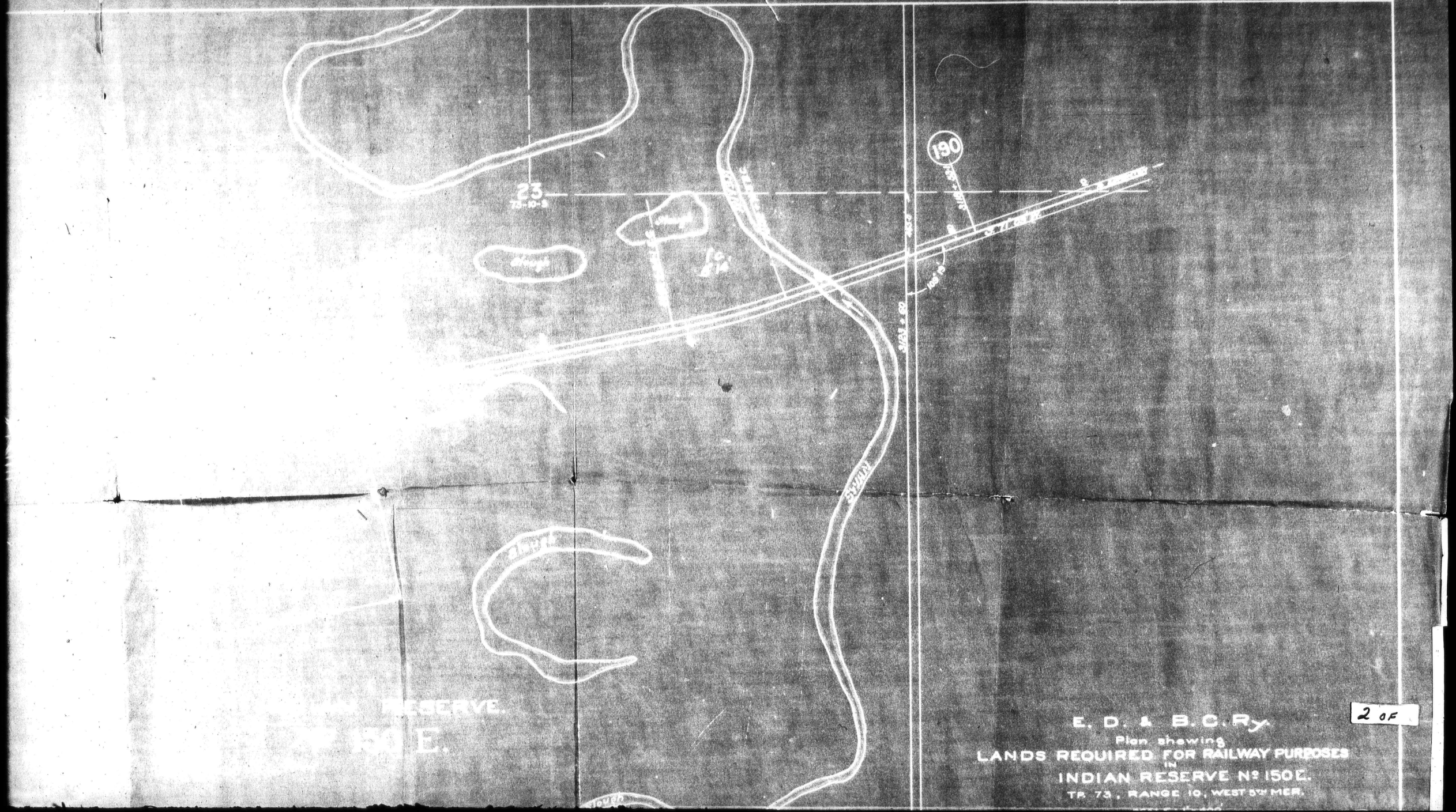
Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

INDIAN RESERVE.
№ 150 E.

E.
LANDS REQ
IND
TR.

1 OF


23
73-10-5
190
E. D. & B. C. Ry.
Plan shewing
LANDS REQUIRED FOR RAILWAY PURPOSES
IN
INDIAN RESERVE Nº 150E.
TP. 73, RANGE 10, WEST 5TH MER.
2 OF

23
T3-10-5

Slough

Slough

(51)

SWAN RIVER

R. of Way - - - - -	24.68
Station-grounds - - -	13.84
	38.72 acres

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

3 OF

23
73-10-5

Slough

Slough

10
8°14'

RIVER

E.

R.o Way ---- 24.68
Station-grounds -- 13.84
38.72 acres

E. D. & B. C. Ry

Plan showing

LANDS REQUIRED FOR RAILWAY PURPOSES

IN

INDIAN RESERVE No 150 E.

TP. 73, RANGE 10, WEST 6TH MER.

SCALE: 1"=400'

OFFICE OF CHIEF ENGINEER,
EDMONTON, MAR. 18TH, 1913.

Chief Engineer.

SUPERCEDES PREVIOUS PLAN DATED JUNE 18TH, 1914.

1415-A

4 of 4.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY FILM

LESSER SLAVE LAKE.

H.W.L. 1883.0 JULY, 1913.

I.R. 150 E

I.R. 150 E

TP. 74

TP. 73.

RANGE 11

RANGE 10 W 5TH

RANGE 9 W 5TH

UNSUBDIVIDED.

UNSUBDIVIDED.

ROUTE MAP

SHOWING LOCATION OF PROPOSED PIPE-LINE.

Scale: 1" = 5000 Ft.

PUMP DESCRIPTION AND CAPACITY

B.of.R. = 1914

1915

DATUM 1890

0 1 2

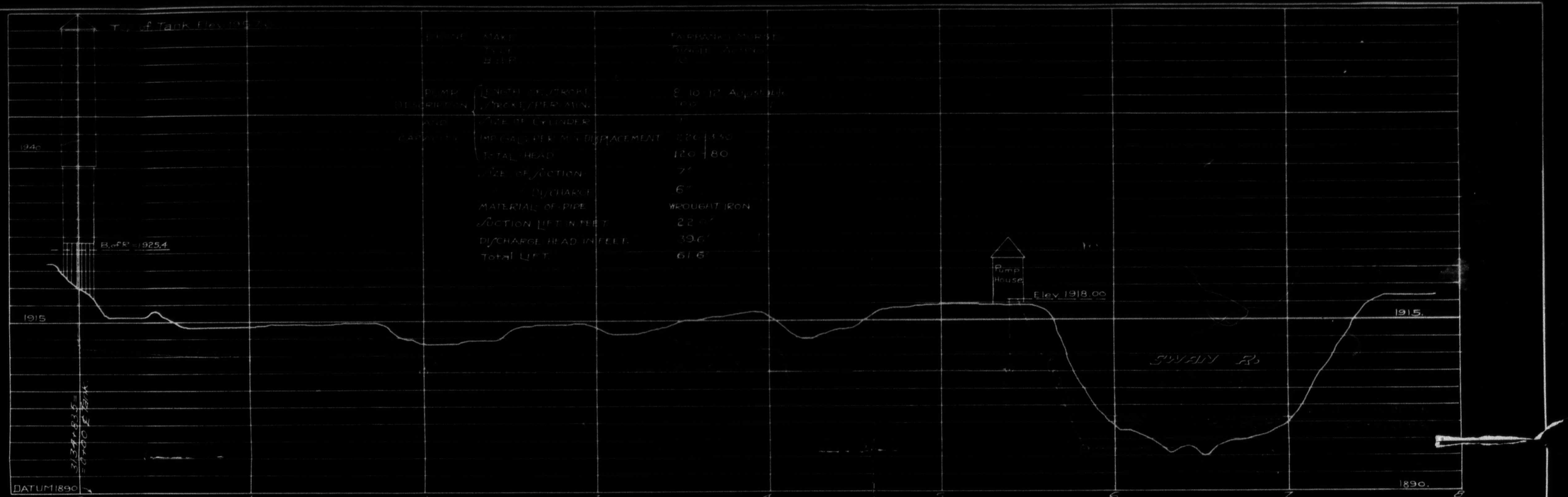
PLAN OF PROPOSED PIPE-LINE

SCALE 1" = 400 FT.

191

1 OF

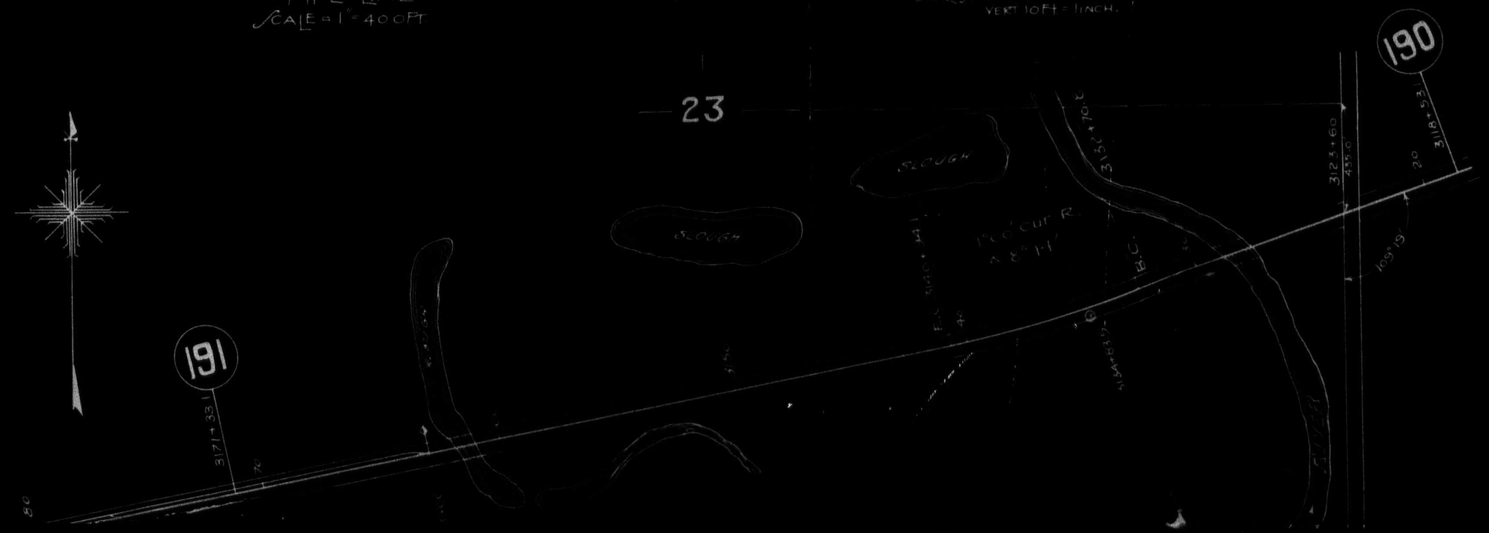
A1 FD/A



PUMP	MAKE	FAIRBANKS MORSE
	BUILT	
DESCRIPTION	LENGTH OF STROKE	8 10 12" Adjustable
AND	STROKES PER MIN.	
CAPACITY	SIZE OF CYLINDER	
	IMPERIAL GAL. PER MIN. DISPLACEMENT	220 / 330
	TOTAL HEAD	120 / 80
	SIZE OF SUCTION	7"
	DISCHARGE	6"
MATERIAL OF PIPE		WROUGHT IRON
SUCTION LIFT IN FEET		22.0"
DISCHARGE HEAD IN FEET		39.6"
Total LIFT		61.6

PROFILE OF PROPOSED PIPE LINE FROM TANK OPPOSITE STATION 3134+83.5 TO THE SWAN RIVER
SCALES HOR 40 FT = 1 INCH. VERT 10 FT = 1 INCH.

PLAN OF PROPOSED PIPE LINE
SCALE = 1" = 400 FT



EDMONTON DUNVEGAN & B.C.RY.
WATER SUPPLY MILE 191
IN L.S. 15 O E. TP 73. RGE 10 W 5TH

2 OF

LESSER SLAVE LAKE.

H.W.L. 1883 & JULY, 1915.

I.R. 150 E

I.R. 151

I.R. 74

UNSUBDIVIDED.

UNSUBDIVIDED.

TP. 73.

RANGE 11

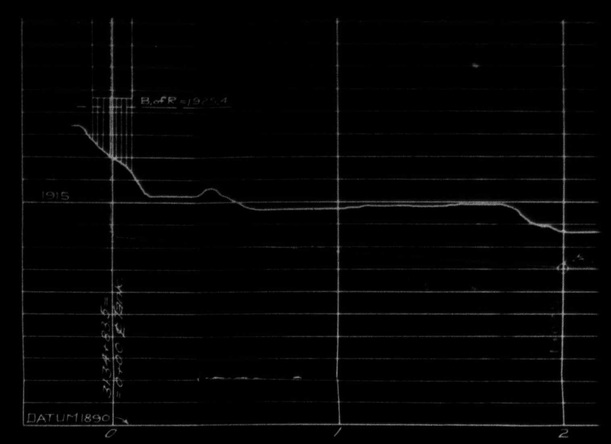
RANGE 10 W 5TH

RANGE 9 W 5TH

ROUTE · MAP ·

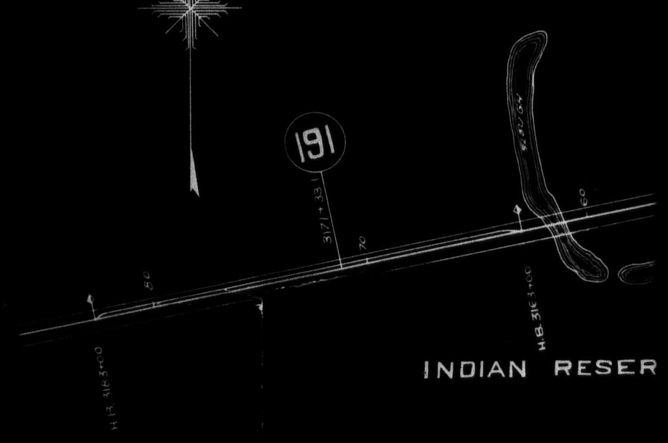
SHOWING LOCATION OF PROPOSED PIPE-LINE.

Scale: 1" = 5000 ft.



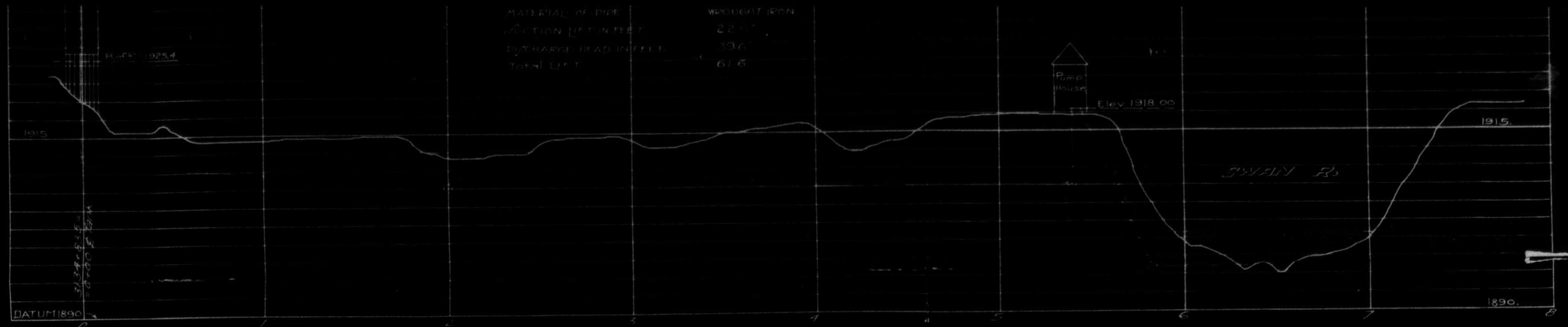
PLAN OF PROPOSED · PIPE · LINE ·

SCALE = 1" = 400 FT.



PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MATERIAL OF PIPE	WROUGHT IRON
DIAMETER (INSIDE) IN FEET	2.25
DISCHARGE HEAD IN FEET	39.0
TOTAL LIFT	61.6



PROFILE OF PROPOSED PIPE-LINE.
FROM
TANK OPPOSITE STATION 3134+83.5
TO THE
"SWAN RIVER"
SCALES HOR 40 FT = 1 INCH.
VERT 10 FT = 1 INCH.

PLAN OF PROPOSED
PIPE LINE
SCALE = 1" = 400 FT

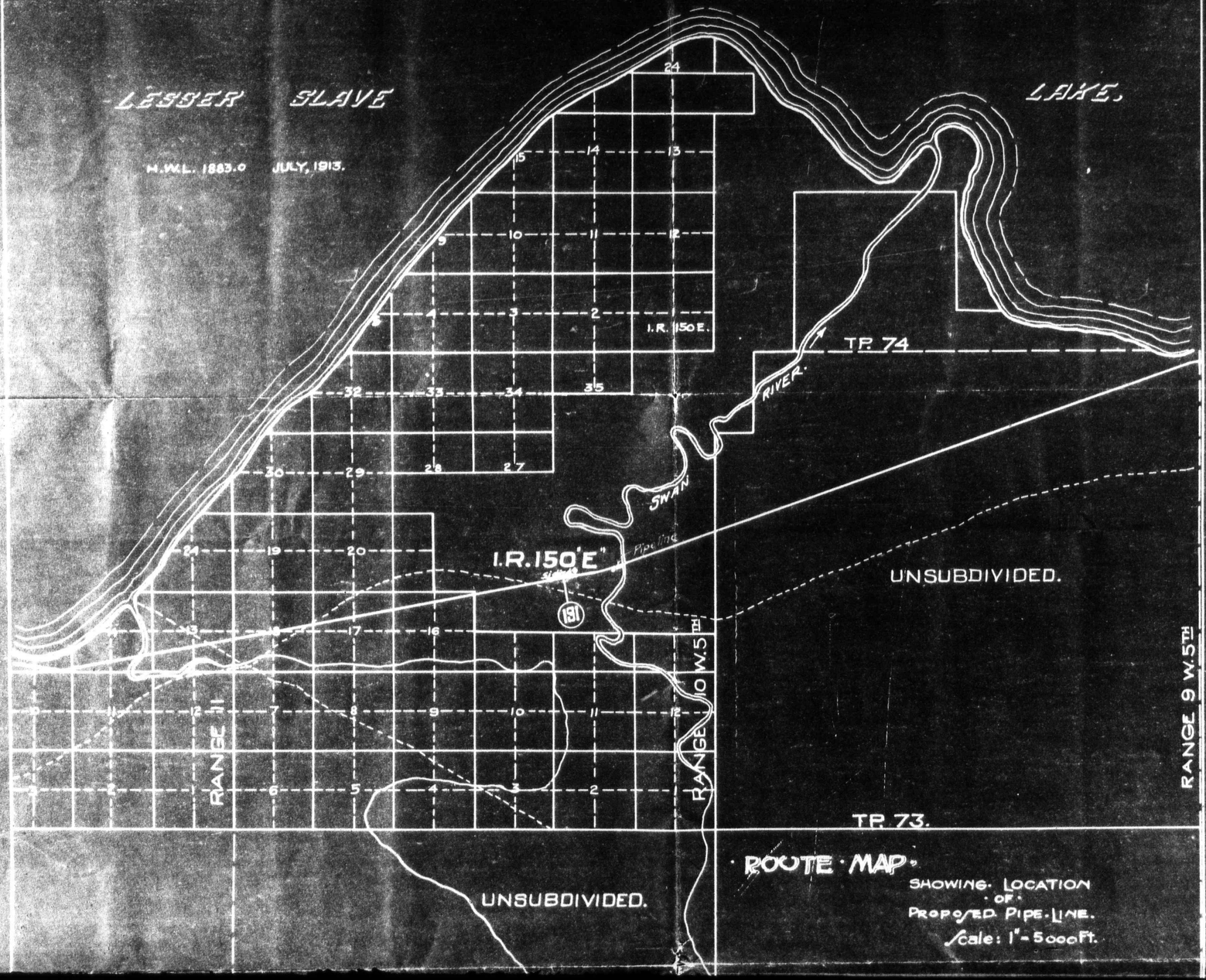


EDMONTON DUNVEGAN & B.C.RY.
WATER SUPPLY MILE 191
IN I.R. 150 E. TP 73. RGE 10 W 5TH
DISTRICT OF NORTH ALBERTA — PROVINCE OF ALBERTA.
OFFICE OF CHIEF ENGINEER
SCALES AS NOTED.
EDMONTON ALBERTA.
NOV. 20TH 1914.
CHIEF ENGINEER.
8th Jan 1915

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

LESSER SLAVE LAKE.

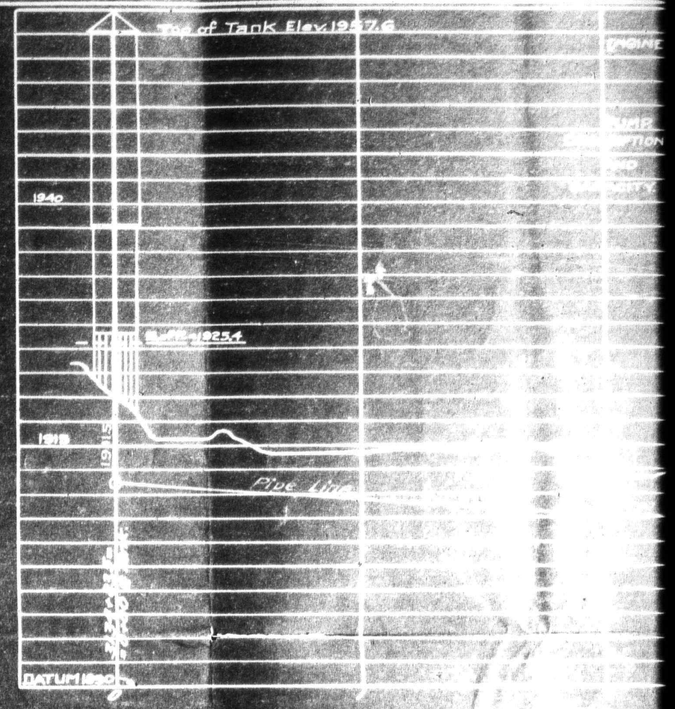
H.W.L. 1883.0 JULY, 1913.



ROUTE MAP

SHOWING LOCATION OF PROPOSED PIPE LINE.

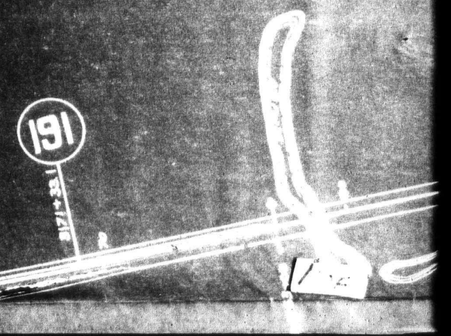
Scale: 1" - 5000 Ft.



PLAN OF PROPOSED PIPE LINE

Scale 1" = 40 Ft.





134 174 A-1 FP474.

Top of Tank Elev. 1957.6

ENGINE. MAKE		FAIRBANKS MORSE.
TYPE. B.H.P		SINGLE ACTING. 10
PUMP DESCRIPTION AND CAPACITY.	LENGTH. OF. STROKE	8-10-12 Adjustable.
	STROKE PER. MIN.	100.
	SIZE OF CYLINDER	9"...
	IMP GALS. PER. MIN. DISPLACEMENT	220-330
	TOTAL HEAD	120-180.
	SIZE. OF SUCTION.	7".....
	" " DISCHARGE	6".....
	MATERIAL. OF. PIPE	WROUGHT IRON.
	SUCTION. LIFT. IN. FEET.	22.0'...
	DISCHARGE. HEAD. IN FEET.	396'....
	Total LIFT.	418'....

1940

1938

Pipe Line

Bend

Pipe Line

1907.5

Pump House

Elev. 1918.00

Suction Pipe

1907.5

Elev. 1896.0

Swan River

PROFILE. OF. PROPOSED. PIPE. LINE.
. FROM.
. TANK. OPPOSITE. STATION. 3134+88.7
. TO THE.
. SWAN. RIVER.
SCALES: HOR. 40 Ft. = 1 INCH.
VERT. 10 Ft. = 1 INCH.

PLAN OF PROPOSED.
. PIPE. LINE.
SCALE = 1" = 400 Ft.

RANGE 8 W. 5TH

23

SLOUGH

SLOUGH

1°00' Curve R.
Δ 8° 14'

E.C. 3140+94.1

3150

3100

3123+00

3132+88.7

190

191

TREES. ABOVE

TREES. ABOVE

100' R/W

CREEK

CREEK

TELEPHONE LINE

TELEPHONE LINE

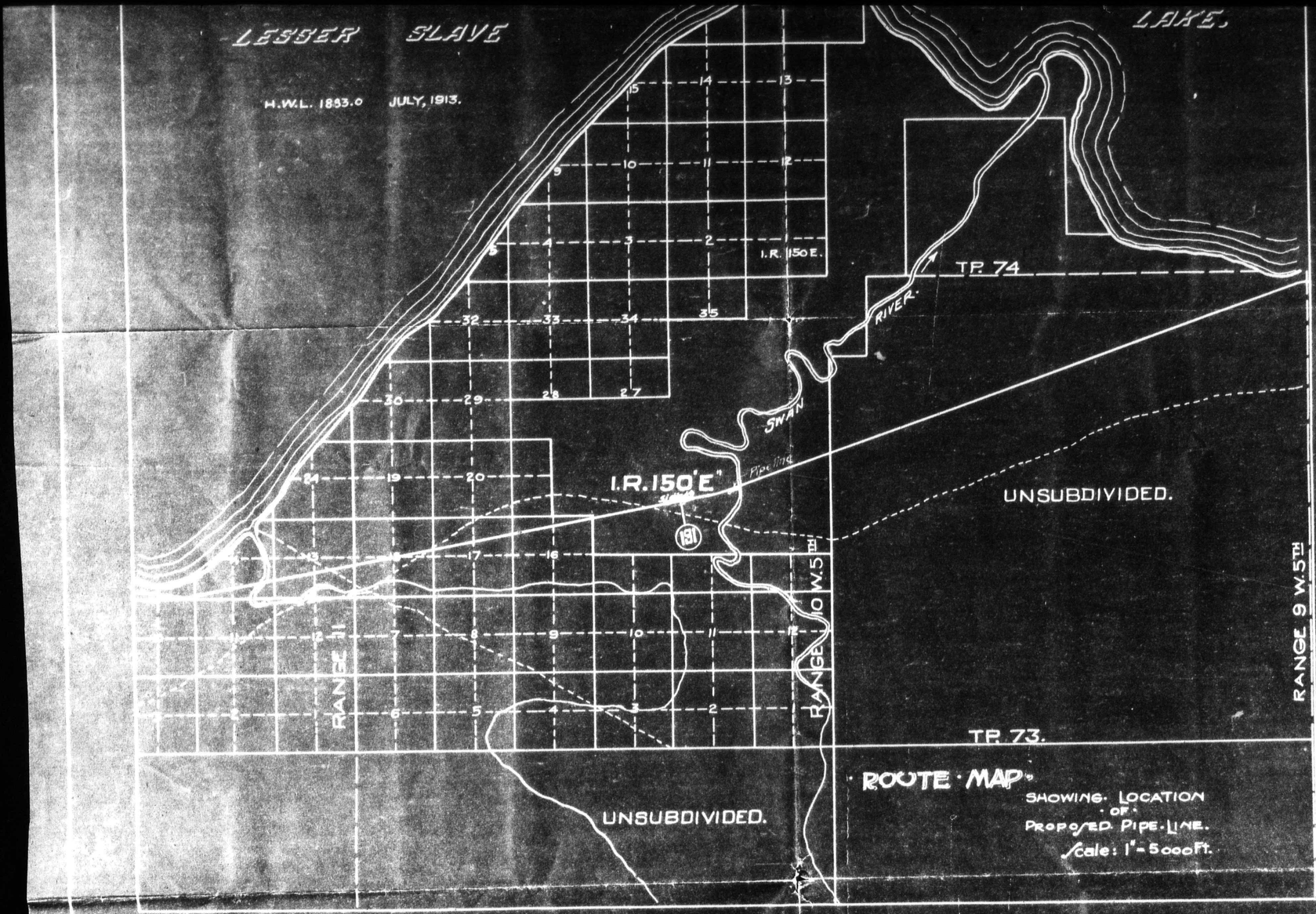
SHED

EDMONTON. DUNVEGAN & B. C. R'Y.
WATER. SUPPLY. MAP. No. 19
IN I R. 15 O E. TP. 73. RGE. 10. W. 5

2

LESSER SLAVE LAKE.

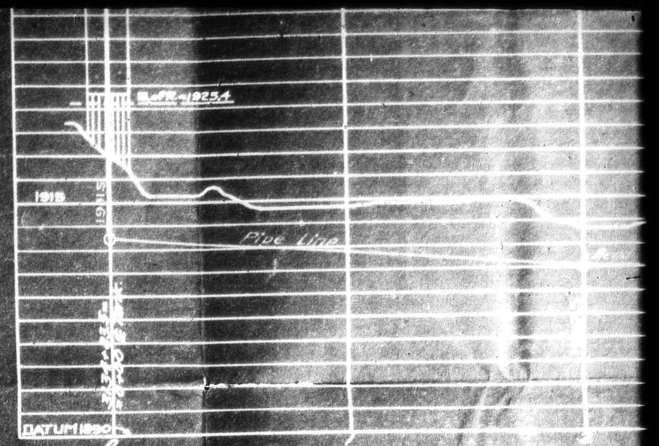
H.W.L. 1893.0 JULY, 1913.



ROUTE MAP

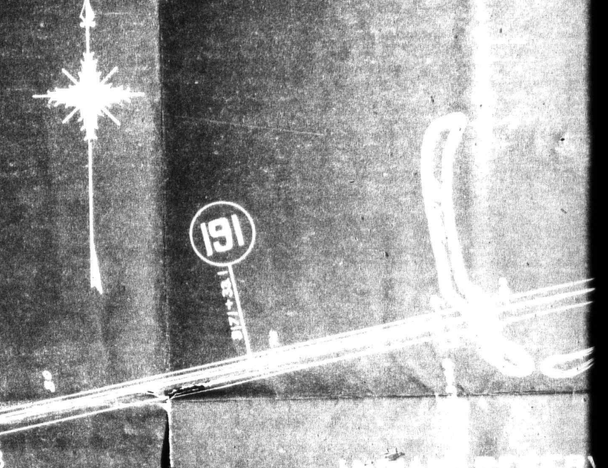
SHOWING LOCATION OF PROPOSED PIPE-LINE.

Scale: 1" = 5000 ft.



PLAN OF PROPOSED PIPE-LINE

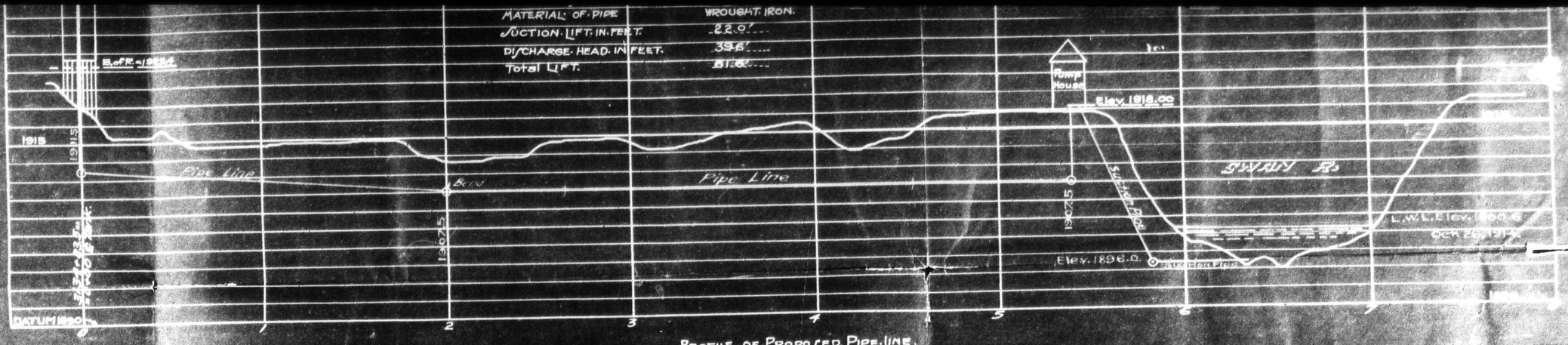
SCALE 1" = 40 CHS



3 of

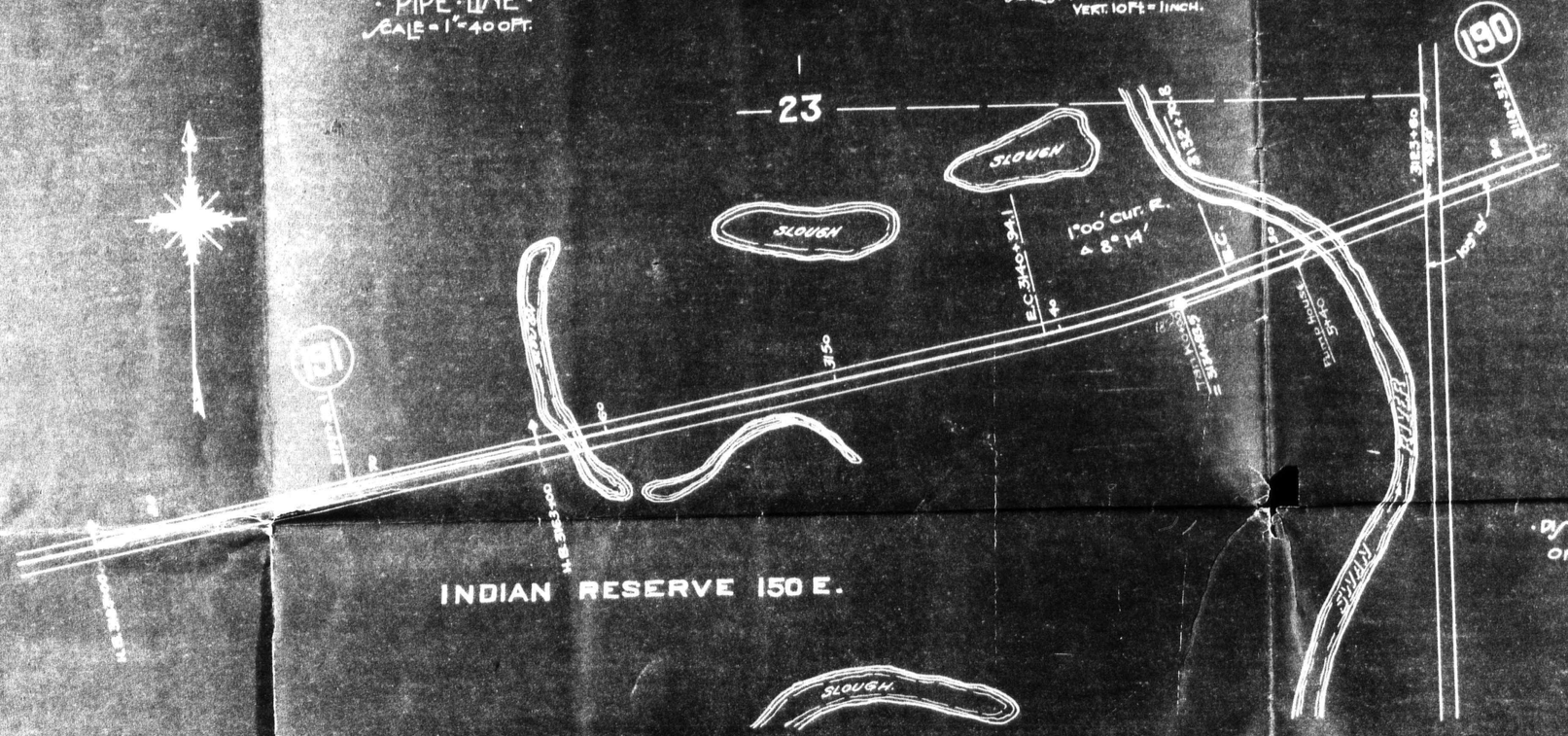
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MATERIAL OF PIPE	WROUGHT IRON.
SUCTION LIFT IN FEET.	22.0'
DISCHARGE HEAD IN FEET.	396'
Total LIFT.	418'.



PROFILE OF PROPOSED PIPE LINE
FROM
TANK OPPOSITE STATION 3134+83.5
TO THE
"SWAN RIVER"
SCALES: HOR. 40 FT. = 1 INCH.
VERT. 10 FT. = 1 INCH.

PLAN OF PROPOSED
PIPE LINE
SCALE = 1" = 400 FT.



EDMONTON DUNVEGAN & B.C.
WATER SUPPLY
IN I.R. 150 E. TP. 79 RGE.
DISTRICT OF NORTH ALBERTA
OFFICE OF CHIEF ENGINEER.
SCALES AS NOTED.
CHIEF ENGINEER.

4 of 4.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER
ADDRESS YOUR REPLY "THE SUPERINTENDENT OF IRRIGATION, DEPARTMENT OF THE INTERIOR"

440317

IN YOUR REPLY PLEASE QUOTE THIS
FILE NO. 2519 Irr.

DEPT. OF INDIAN AFFAIRS
FEB 9 1915

H.E.D.

DEPARTMENT OF THE INTERIOR
CANADA

Irrigation Branch

47:3574

OTTAWA, February 8th, 1915.

DEPT. OF INDIAN AFFAIRS
FEB 10 1915
SURVEYS

Sir,-

An application has been received in this department from the Edmonton, Dunvegan, and British Columbia Railway Company to divert water from Swan river at a point on Indian Reserve No.150E in township 73, range 10, west of the 5th meridian, for industrial purposes, at Mile 191.

According to the plans filed it is shown that a small portion of the Company's works are situated on the Indian Reserve, outside of the Company's railroad right of way, and right of way will be required from your department for these works. Will you kindly advise me if any application has been submitted by the Company.

I am enclosing herewith a blue print- showing the location of the works.

Enc.

Your obedient servant,

E. F. Drake

Superintendent of Irrigation.

J.D.McLean, Esq.,
Ass't. Deputy Minister and Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 12th February 1915.

Sir,-

In reply to your letter of the 5th instant I beg to inform you that the Edmonton and Dunvegan, and British Columbia Railway Company has not as yet put in an application for land in the Indian Reserve No.150E required in connection with its water supply from Swan River. It is presumed that the application will be made as soon as the right to take the water has been granted by your Department.

Your obedient servant,

J.B. sgd J D McLean

Asst.Deputy and Secretary.

The Superintendent of Irrigation,
Department of the Interior,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 12th February 1915.

Sir,-

I beg to draw attention to letter to you of the 21st December last, informing you that the sum of $4194.60 should be forwarded to this Department in payment for the right of way through the four Indian Reserves mentioned in the said letter. I have to state that no entry should be made on these Reserves until the right of way has been duly arranged for.

In this connection I have to inform you that we have been notified by the Superintendent of Irrigation that you will require a small extra width on the Indian Reserve No.150E, in Township 73, Range 10, West of the 5th Meridian, in connection with a proposed water supply from the Swan River. Application should be made to this Department for the land required, accompanied by a plan.

Your obedient servant,

sgd J. D. McLean

Asst. Deputy and Secretary.

D.W.Campbell Esq.,
Sec.Treas.,
Edmonton, Dunvegan & British Columbia Rly.Co.,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

DEPARTMENT OF INDIAN AFFAIRS
FEB 16 1915

Edmonton, Dunvegan & British Columbia Railway Company

HEAD OFFICE - WINNIPEG, MAN.

DEPT. OF INDIAN AFFAIRS
FEB 18 1915
SURVEYS

OTTAWA, ONT.
P.O. BOX 64

15th. February, 1915.

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

4,5008

Dear Sir:-

Re Indian Reserves 150, 150A, 150E & 150H.

With reference to your lettersof thw 21st. Dec., last and the 12th instant, I beg to say that I was awaiting the further advice from you which you said you would give with reference to the S. E. ¼ 16-74-15 W. 5th. before forwarding you cheque in payment for the right of way required by the Company. It is impossible for the Company to make their final arrangements in this vicinity until we know whether you will sell us the said portion of 16 for which the Company made application. I would be obliged if you would advise me regarding this at an early date. In the meantime I am requesting the Company to send me a cheque in payment for the right of way required.

With reference to the extra width required on reserve No. 150E in Tp 73-10 W. 5th. in connection with a

LANDS BRANCH
FEB 20 1915

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE · WINNIPEG, MAN.

OTTAWA, ONT.
P.O. BOX 64

#2

proposed water supply from the Swan River, I beg to say that I will advise you regarding this at a later date.

Your obedient servant,

A.W. Campbell

Asst. Secretary Treasurer.

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440 327

INDIAN AGENT'S OFFICE,

Lesser Slave Lake Agency,

Grouard, February 5th 191 5

IN YOUR REPLY REFER TO
No.
ALSO
TO DATE OF THIS LETTER.

DEPARTMENT OF INDIAN AFFAIRS
FEB 16 1915

DEPT. OF INDIAN AFFAIRS
FEB 24 1915
SURVEYS

Sir,—

47992

Referring to Department letter, dated December 21st, 1914, No. 440,327.

I beg to say that it is impossible at present to take a formal surrender of the land, required by the E. D. & B. C. Railway Company for a townsite, from the Sucker Creek Indians as never since the date of the Annuity Payments has there been a majority of the adult Indians on the Reserve.

When the hunting season is over, there will be no difficulty in getting a full meeting of this Band.

Your obedient servant,

Harold Laird

Assistant Indian Agent

The Secretary,
Department of Indian Affairs,
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK S

F. 440,317.

February 22

SURVEYS

Sir,-

Referring to letter addressed the late Agent Donald on the 12th of August last, authorizing the submission of a surrender to the Sucker Creek band of Indians, of a portion of the Sucker Creek Indian reserve, No. 150 A, I beg to say that no action appears to have been taken in this matter, and I am, therefore, inclosing new forms of surrender, which you are hereby authorized to submit to the Indians under and in accordance with the provisions of the Indian Act.

I am inclosing a copy of instructions to guide you in taking surrender.

It will be necessary for you to prepare a voters' list, showing the members of this band entitled to vote, the number of members present at the meeting and the number voting for and against the surrender, and these lists should be forwarded to the Department along with the surrender.

Your obedient Servant,

Duncan C. Scott

Deputy Superintendent General.

Harold Laird, Esq.,
Acting Indian Agent,
Grouard,
Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

ADDRESS REPLY "THE SUPERINTENDENT OF IRRIGATION, DEPARTMENT OF THE INTERIOR"

IN YOUR REPLY PLEASE QUOTE THIS FILE NO. 2519 Irr.

DEPT. OF INDIAN AFFAIRS MAR 5 15

H.E.D.

DEPARTMENT OF THE INTERIOR
CANADA

Irrigation Branch

DEPT. OF INDIAN AFFAIRS
MAR 6 1915
SURVEYS

47653

OTTAWA, March 3rd, 1915.

Sir,-

With reference to your letter of the 12th ultimo, respecting the application of the Edmonton, Dunvegan and British Columbia Railway Company for right of way in connection with their water supply scheme from Swan river, I beg to say that I am now advised by the Commissioner of Irrigation that the pump-house and pipe-line are situated wholly within the Company's railroad right of way- the edge of the pump-house being about three feet from the boundary thereof.

There will, therefore, be no necessity for the Company to acquire right of way over Indian Reserve No.150E. in township 73, range 10, west of the 5th meridian.

Your obedient servant,

E. A. Drake

Superintendent of Irrigation.

J.D.McLean, Esq.,
Ass't. Deputy Minister and Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

O. H. M. S.

THE SECRETARY,

Department of Indian Affairs,

OTTAWA, Ont.

44037

DEPT. OF INDIAN AFFAIRS
MAR 17 1915
SURVEYS

DEPARTMENT OF INDIAN AFFAIRS
MAR 16 1915

47067

Sir,

I have the honour to enclose herewith a clipping from the Edmonton Bulletin of the 20th inst. containing notice of application by the Edmonton, Dunvegan & British Columbia Railway Company for the right to divert water from Swan River at a point on Indian Reserve No. 150 E in township 73, range 10, West of the 5th Meridian, for industrial purposes, and for the right to construct the necessary works, as shown by the memorial and plans filed, to enable the water so diverted to be used for the said industrial purposes, in the Company's tanks, engines and buildings, situated at Mile 191.

A portion of the said Indian Reserve is effected by right-of-way for the proposed works.

I have the honour to be,

Sir,

Your obedient servant,

De

Th. Gouard Newo
Feb 20th 1915.

F. C. AKIN
Agent
Athabasca, Alberta

NOTICE

"NOTICE is hereby given that, in accordance with the provisions of The Irrigation Act, the EDMONTON, DUNVEGAN & BRITISH COLUMBIA RAILWAY COMPANY have filed the necessary memorial and plans required by Sections 13 and 15 of the said Act, with the Commissioner of irrigation at Calgary, Alta.

The applicant Company applies for the right to divert one-fifth or one cubic foot of water per second from Swan River at a point on Indian Reserve No. 150 E in township 73, range 10, West of the 5th Meridian, for industrial purposes, and for the right to construct the necessary works, as shown by the memorial and plans filed, to enable the water so diverted to be used for the said industrial purposes, in the Company's tanks, engines and buildings, situated at Mile 191.

A portion of the said Indian Reserve is effected by right-of-way for the proposed works.

DATED at Edmonton, Alta., the 1st day of February, 1915.

E. D. & B. C. Ry., Co.,
Applicants".

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

INDIAN AGENT'S OFFICE,

MAR 22 1915

Lesser Slave Lake Agency,

Grouard, March 15th 1915

IN YOUR REPLY REFER TO
No. .....
ALSO
TO DATE OF THIS LETTER.

477265

Sir,—

I beg to acknowledge receipt of your letter of Feb'y. 22, 1915, No. F440,317.

I have just returned from the Sucker Creek reserve, but owing to the absenceof Headman Moostoos and about two-thirds of the Indians, who are out hunting, I was unable to take any action re. the surrender of the portion of the reserve.

As soon as these Indians return I will carry out your instructions,

I have the honour to be, Sir,
Your obedient servant,

Harold Laird
Acting Indian Agent.

Duncan C. Scott, Esq.,
Deputy Superintendent General,
Ottawa.

LANDS BRANCH MAR 23 1915

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

HXD

Ottawa, 23rd March 1915.

Sir,-

I beg to inform you that we have not received any communication from you since the 15th ultimo in connection with payment for the right of way of the Edmonton, Dunvegan and British Columbia Railway across Indian Reserves at Lesser Slave Lake. I have to urge that payment for these rights of way be made as soon as possible.

We have received two communications dated the 5th ultimo and the 15th instant from our Indian Agent to the effect that he has not been able to take action re-the surrender by the Indians of the Sucker Creek Reserve of the S.E.¼ 16-74-15,W.5.M. which your Company desires to purchase, on account of the absence of the Indians. Immediately on their return he will submit the surrender to them.

Ltr
S.B.

Your obedient servant,

dgd J D McLean

Asst. Deputy and Secretary.

D.W.Campbell Esq.,
Asst.Secy-Treasurer,
Edmonton, Dunvegan & B.C.Railway Co.,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPT. OF INDIAN AFFAIRS
MAR 26 1915
SURVEYS

OTTAWA, ONT.
P.O. BOX 64

25th. March, 1915.

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

477386

Dear Sirs:-

Re - Indian Reserves 150, 150A, 150E & 150H.

Your fyle 440317.

With reference to your letter of the 23rd. inst. regarding above, I beg to say that I have communicated with the Right of Way Agent of the Company regarding this matter, but as pointed out in my letter of the 15th. ultimo the Company cannot make it's final arrangements regarding this matter until they know whether that portion of the S. E. ¼ 16-74-15 West 5th. for which I made application will be sold to the Company. If it is not the intention of the Department to sell this then our right of way will require to be considerably revised; and if the right of way through the Indian Reserves is not altogether eliminated it will at least be considerably reduced. I would be obliged therefore if you would advise me with reference to the S. E. ¼ 16-74-15 West of the 5th. Meridian at your earliest convenience, and

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

#2

OTTAWA, ONT.
P.O. BOX 64

trusting that you have no objection to adjusting this matter all at one time, I am

Your obedient servant,

D.W. Campbell M.

Asst. Secretary Treasurer,

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

PLAN
SHEWING ADDITIONS MADE TO

SUCKER CREEK

INDIAN RESERVE No. 150 A

EXTENSION OF LEAN D.L.S. in 1912
IN TPS. 72 & 73 RGS 14 & 15, W. 5 M.

LESSER SLAVE LAKE
ALTA.

Scale 40 chains to 1 Inch.

1 OF

PLAN
SHOWING ADDITIONS MADE TO

SUCKER CREEK
INDIAN RESERVE No. 150 A

SURVEYED BY A. McLEAN D.L.S. in 1912
IN TPS. 24 RGS. 14 & 15, W. 5 M.

LESSER SLAVE LAKE
ALTA.

Scale 40 chains to 1 Inch.



Approved
Assistant Superintendent General
of Indian Affairs.

C. Gray
Chief Surveyor
Dept. of Indian Affairs.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2 of 2

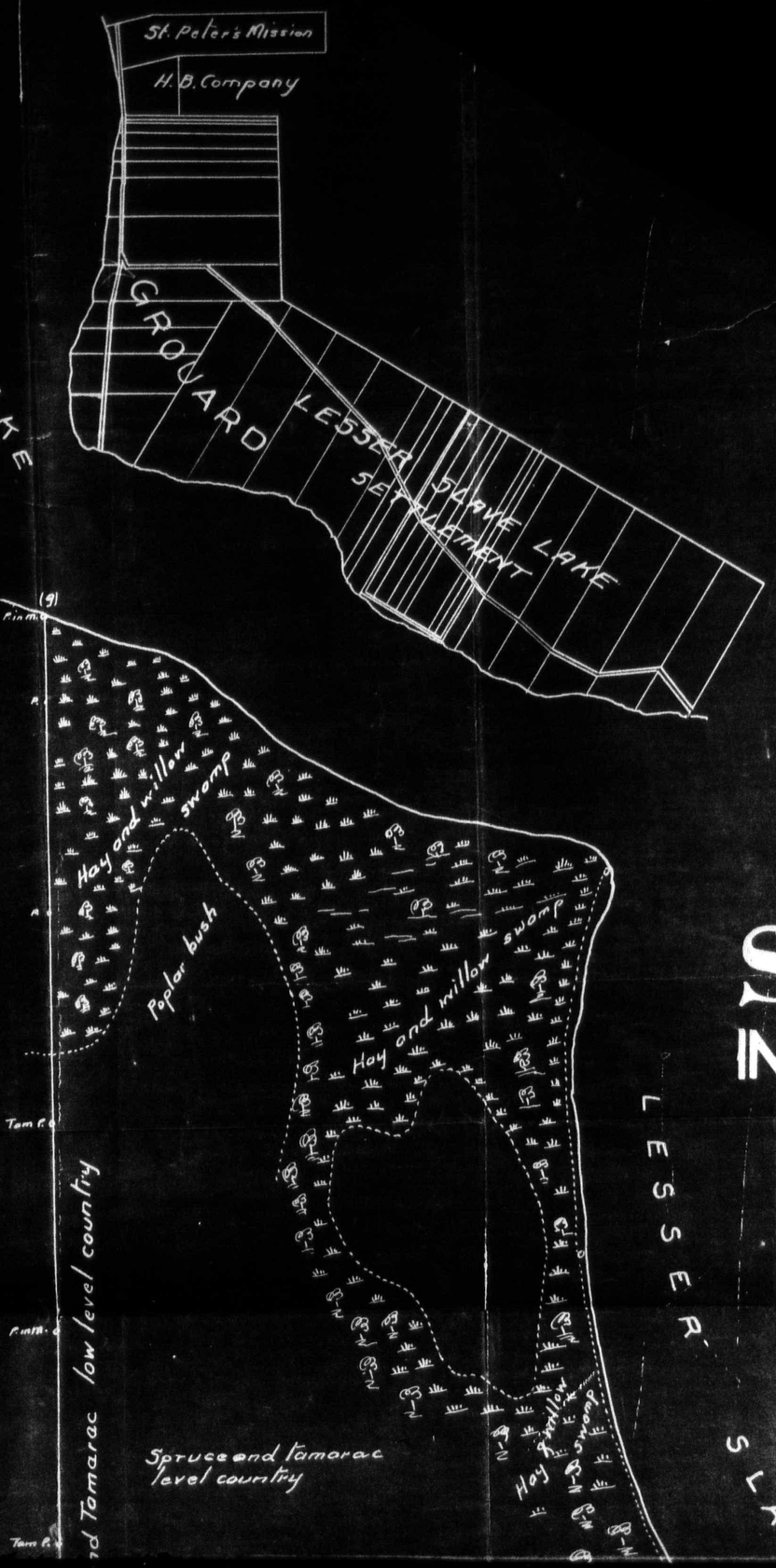
PLAN
SHOWING ADDITIONS MADE TO

SUCKER CREEK
INDIAN RESERVE No. 150 A

BY J.K. McLEAN D.L.S. in 1912
IN TP. 74 RGS. 14 & 15, W. 5 M.

LESSER SLAVE LAKE
ALTA.

Scale 40 Chains to 1 Inch.



Area of Eastern Addition 1102. Acres.
" " Western " 2134. "

PLAN

SHOWING ADDITIONS MADE TO

SUCKER CREEK INDIAN RESERVE No. 150 A

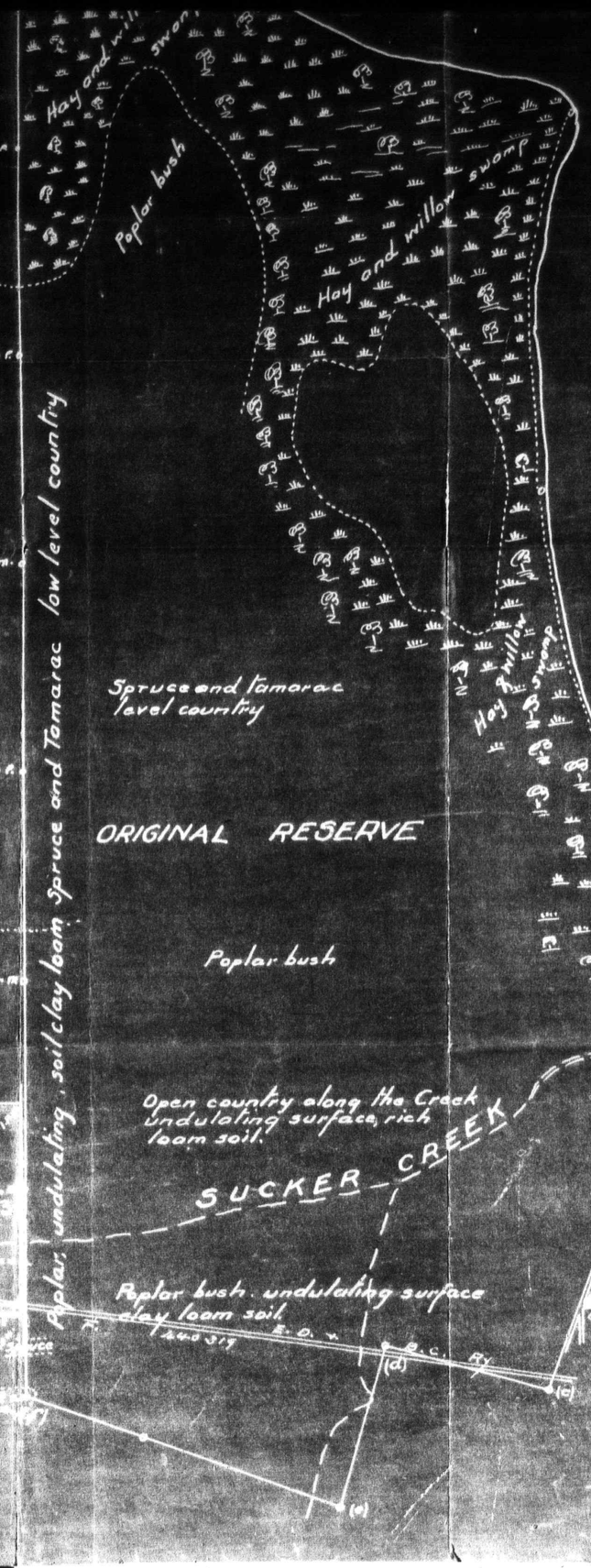
BY J.K. McLEAN D.L.S. in 1912

IN TP. 74 RGS. 14 & 15, W. 5 M.

LESSER SLAVE LAKE ALTA.

Scale 40 Chains to 1 Inch.

Area of Eastern Addition 1102. Acres.
" " Western " 2134. " .



PUBLIC ARCHIVES
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CANADA

1244

2 of 2

440317

INDIAN AGENT'S OFFICE,

Lesser Slave Lake Agency,

Grouard, March 29th 1915

IN YOUR REPLY REFER TO
No.
ALSO
TO DATE OF THIS LETTER.

477786

I have the honour to enclose papers relating to the surrender of the S. E. ¼, sec. 16 - 74 - 15, by the Sucker Creek Band of Indians, on March 26th, 1915.

I respectfully draw your attention to the fact that the Chief, Kinnosayo, has been made a party to the transaction, as chief of the Lesser Slave Lake Indians. He gave his assent to the surrender.

I have the honour to be

Sir,

Your obedient servant,

Harold Laird

Acting Indian Agent.

Duncan C. Scott, Esq.,

Deputy Superintendent General,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

- VOTER'S LIST -

Sucker Creek Band,

Lesser Slave Lake.

March 17th, 1915.

Moostoos

Alexan. Moostoos

Jean Marie Moostoos

Seckachees

Edward Seckachees

Isadere Seckachees

Okemow

William Okemow

Estachewan Felix

Michell Wusineunepe

Basil Wusineunepe

Benjamin Wusineunepe - Weetigo

Simon Walker

Francois Kesaynees

Baptiste Moostoos -(Kesaynees)

Johnny Martineau

Casmir Cardinal

Louis Courtereille

John Kakinoosit

Adam Cardinal

Joseph Weetigo

Isadore Martineau

Francois Seckachees

Baptiste Victore

Joseph Kesaynees — 15 —

For - 16
Against 2
Absent 4

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

F.p4-

Poll. Book

Lucker Creek Band.

March 26. 1915.

Moostoos	Yes
Alex Moostoos	Yes
Jean Marie Moostoos	Yes
Beckachees	Yes
Edward Beckachees	Yes
Isadore Beckachees	Yes
Okemow	Yes
Wiliam Okemow	Yes
Estachewan Felix	Yes
Michell Wusimeenepe	Yes
Basil Wusimeenepe	No
Francois Kesaymees	No
Baptiste Kesaymees	Yes
Casmir Cardinal	absent
John Katimoosit	Yes
adam Cardinal	Yes

-2-

Poll Book - Continued

Joseph Weetigo	Yes
Francois Beckachees	Yes
Batiste Victors	absent.
Binjamin Wusimeenepe	Yes
Simon Wacker	absent.
Johnny Martineau	absent.
Louis Courtereille	absent.
Isador Martineau	absent.
Joe Kesaymees.	absent.

Votes -	25
For	16
Against	2
Absent	7

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, April 10 1915.

His Royal Highness

The Governor General in Council.

The undersigned has the honour to submit herewith a surrender, in duplicate, made on the 26th day of March, 1915, by the Sucker Creek band of Indians, of a parcel of land in the Sucker Creek Indian reserve No. 150a, in the Province of Alberta, containing 193.75 acres and being composed of all of the South-east quarter of section 16, township 74, range 15, west of the 5th meridian, in the said Indian reserve, excepting thereout the right of way of the Edmonton, Dunvegan and British Columbia Railway; the said surrender having been made in order that the land covered thereby may be sold for the benefit of the Indians.

153.95 acres

The surrender has been duly authorized, executed and attested in the manner required by the 49th section of the Indian Act, and the undersigned would recommend that the same be accepted by Your Royal Highness in Council and that the land may be sold on such conditions as the Superintendent General may deem best in the interest of the Indians; the original surrender to be returned to the Department of Indian Affairs and the

duplicate

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

duplicate thereof to be kept of record in the Privy Council Office.

W. J. Roche

Superintendent General
of Indian Affairs.

10
Acc 12
8/1
23 19
PC 19

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

P.C. 840

Certified copy of a Report of the Committee of the Privy Council approved by His Royal Highness the Governor General on the 24th April, 1915.

DEPT OF INDIAN AFFAIRS
APR 29 1915

PRIVY COUNCIL
CANADA

The Committee of the Privy Council have had before them a report, dated 10th April, 1915, from the Superintendent General of Indian Affairs, submitting a surrender, in duplicate, made on the 26th day of March, 1915, by the Sucker Creek band of Indians, of a parcel of land in the Sucker Creek Indian reserve No. 150a, in the Province of Alberta, containing 193.75 acres and being composed of all of the south-east quarter of section 16, township 74, range 15, west of the 5th meridian, in the said Indian reserve, excepting thereout the right of way of the Edmonton, Dunvegan and British Columbia Railway; the said surrender having been made in order that the land covered thereby may be sold for the benefit of the Indians.

The Minister recommends, as the surrender has been duly authorized, executed and attested in the manner required by the 49th section of the Indian Act, that the same be accepted by Your Royal Highness in Council and that the land may be sold on such conditions as the Superintendent General may deem best in the interest of the Indians; the original surrender to be returned to the Department of Indian Affairs and the duplicate thereof to be kept of record in the Privy Council Office.

The Committee submit the same for approval.

Clerk of the Privy Council.

The Honourable
The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

TY ▲ FILM ■

F. 440,317.

May 3, 1915.

Sir,-

Referring to the latter portion of letter addressed you on the 21st of December last, in connection with application of the Edmonton, Dunvegan & British Columbia Railway for the S. E. ¼ of Sec. 16, Tp. 74, Rge. 15, W. 5th M., Sucker Creek Indian Reserve No. 150 A, I beg to say that the surrender of this land granted by the Indians has been duly accepted by His Royal Highness in Council, and the Department is, therefore, in a position to carry out a sale to the Company at the terms indicated in letter above referred to.

Your obedient Servant,

Duncan C. Scott

Deputy Superintendent General.

W. Campbell, Esq.,
Secretary-Treasurer,
Edmonton, Dunvegan & British Columbia Railway,
P. O. Box 64,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

440317

Ottawa, 5th May, 1915.

Sir,

I have the honour to enclose herewith for registration in your Department a surrender made by the Sucker Creek band of Indians of a parcel of land in the Sucker Creek Indian reserve No.150a, in the Province of Alberta, with a view to the same being sold for the benefit of the Indians, which surrender was accepted by His Royal Highness the Governor General in Council on the 24th April, 1915.

Be good enough to return the instrument to this Department as soon as possible with a certificate of registration endorsed thereon.

Enc.

Your obedient servant,

J. D. McLean

Asst. Deputy and Secretary.

Thomas Mulvey, Esq., B.A., K.C.,
Under Secretary of State,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
MAY 7 1915

OTTAWA, ONT.
P.O. BOX 64

6th. May, 1915.

Mr. Duncan C. Scott,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa, Ont.

478961

Dear Sir:-

Re S. E. ¼ 16 - 74 - 15 W. 5th.
Sucker Creek Indian Reserve No 150A.
Your fyle # F. 440317.

I beg to acknowledge with thanks the receipt of your letter of the 3rd. instant advising that the sale of the above land may now be made to the Company. So soon as I can hear from the Engineering Department of the Company in answer to my letter regarding this matter I shall advise you.

Your obedient servant,

A. W. Campbell.

Assistant Secretary Treasurer.

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
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CANADA

I253
MAL.

440317

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

DEPARTMENT OF INDIAN AFFAIRS
MAY 7 1915

Ottawa, 6th May, 1915.

4.0911

Sir,-

I have the honour to acknowledge the receipt of your letter of the 6th instant, enclosing a surrender made by the Sucker Creek band of Indians of a parcel of land in the Sucker Creek Indian reserve No.150a, in the Province of Alberta, and to state that the matter shall be duly attended to.

I have the honour to be,

Sir,

Your obedient servant,

LANDS BRANCH
MAY 12 1915

Thomas Mulvey

Under-Secretary of State.

The Secretary,

Department of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

479151

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

SUGAR CREEK
INDIAN RESERVE No. 150 A

AVE LAKE

1 OF

SUCKER CREEK
INDIAN RESERVE No. 150 A

LESSEE SLAVE LAKE

ALTA.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2 of 2



Area of Eastern Addition 1102. Acres.
" " Western " 2134. "

PLAN
SHOWING ADDITIONS MADE TO

SUCKER CREEK
INDIAN RESERVE No. 150 A

BY J.K. McLEAN D.L.S. in 1912
IN TP. 74 RGS. 14 & 15, W. 5 M.

LESSER SLAVE LAKE
ALTA.

Scale 40 Chains to 1 Inch.

1 of 2

PLAN

SHOWING ADDITIONS MADE TO

SUCKER CREEK

INDIAN RESERVE No. 150 A

BY J.K. McLEAN D.L.S. in 1912

IN TP. 74 RGS. 14 & 15, W. 5 M.

LESSER SLAVE LAKE

ALTA.

Scale 40 chains to 1 Inch.

Area of Eastern Addition 1102. Acres.
" " Western " 2134. "

Hay and willow swamp

Poplar bush

Hay and willow swamp

Spruce and tamarac level country

Poplar, undulating, soil clay loam Spruce and Tamarac low level country

ORIGINAL RESERVE

Poplar bush

Open country along the Creek undulating surface, rich loam soil.

SUCKER CREEK

Poplar bush undulating surface clay loam soil

LESSER SLAVE LAKE

TP. 74. R. 15 W. 5 M.

Western addition to the Sucker Creek I.R. No 150

B.C. J.K. McLean. D.L.S. 1912

addition to Sucker Creek I.R. No. 150

TP 74 R. 14 W. 5 M.

(a) (b) (c) (d) (e) (f)

Approved and Recommended

Deputy Superintendent General of Indian Affairs.

E. Bray
chief Surveyor
Dept. of Indian Affairs.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

DEPARTMENT OF INDIAN AFFAIRS MAY 15 1915

2 Letters

S.No.12533

Ottawa, 14th May, 1915.

DEPT. OF ... AFFAIRS MAY 26 1915 SURVEYS

479281

Sir,-

I beg to return to you herewith, the same having been duly registered, a surrender made by the Sucker Creek Band of Indians.

I have the honour to be,

Sir,

Your obedient servant,

encl.

LANDS BRANCH MAY 19 1915

Thomas Mulvey

Assistant Under-Secretary of State.

The Secretary,

Department of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 15th June 1915.

Sir,-

I beg to acknowledge the receipt of your letter of the 12th May instant and see the change you make in the land required for the Edmonton, Dunvegan and British Columbia Railway in the Swan River Indian Reserve No.150E.

The lands for which your Company has applied are as follows,-

Sawridge Indian Reserve No.150H	52.90 ac. @	$12.00 ac.	$634.80
Swan River Indian Res. No.150 E.right of way Station grounds	(24.68 / 13.84 ac. 38.72 @	$15.00 ac.	$580.80
Drift Pile Indian Res. No.150	72.45 ac. @	$15.00 ac.	$1086.75
Succor Creek Ind.Res. No.150A.	67.08 ac. @	$15.00 ac.	$1006.20
			3308.55

It is understood that your Company has taken possession of these lands. I have to request you to forward the said sum immediately.

You will be informed in a separate letter with regard to your application for a tract of land containing 44.42 acres in the Swan River Indian Reserve No.150E required for townsite purposes. I have to request that in future you will be good enough to deal with lands required for Railway purposes in a separate letter from those required for town site or other purposes.

Your obedient servant,

(Sgd) J D M Lean

Asst.Deputy and Secretary.

D.W.Campbell Esq.,
Secy.Treas.
Edmonton, Dunvegan,
& B.C.Rly.,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

1 Dy. Minister
2 Secty

Ottawa, 25th June 1915.

Sir,-

Referring to your letter of the 25th March last and previous correspondence, I beg to inform you that the Indians of the Sucker Creek Indian Reserve No.150A, have executed a surrender of the S.E.¼ of Section 16.Tp.74, R.15, W.5.M., situated in the said reserve, for the purpose of its sale to your Railway. The price that has been put upon the land by the valuator is $15.00 per acre; the sum due is therefore $2309.25. On the receipt of this sum the sale of the land will be made to the Edmonton, Dunvegan and British Columbia Railway Company.

153-95 ac at $15 per acre.

Fair Plan

J.B.

Your obedient servant,

(sgd) J D McLean

Asst. Deputy and Secretary.

D.W.Campbell Esq.,
Secy.Treas.,
Edmonton, Dunvegan & B.C.Railway,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA.

F.440317 Ottawa, 11th June 1915.

MEMORANDUM

Mr. Scott,-

In addition to the rights of way acquired by the Edmonton, Dunvegan and British Columbia Railway through the various reserves at Lesser Slave Lake, they made application for the S.W.¼ of Section 16, Township 74, Range 15, West if the 5th Meridian, in the Sucker Creek Indian Reserve, for townsite purposes. The Railway Company represented that if they were unable to obtain this ¼ section, it would cause them to immediately change their arrangements as to the location of their stations. The proposed station is located at this point.

The Indians executed the surrender of the said ¼ section for the purpose of its sale to the Railway Company. The surrender was accepted on the 24th April last.

It is to be noted by referring to the plan that the ¼ section in question is a part of a strip of land added to the reserve in order to make up the complement of land due to the Indians . A townsite at this point will apparently have no

DEPT. OF INDIAN AFFAIRS
JUN 14 1915
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
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CANADA

have no detrimental effect on the reserve proper, whereas if the ¢ section is not sold to the Railway Company and consequently the Company removes its station to a greater distance from the reserve, this would result in considerable inconvenience to the Indians.

A rate of $15.00 per acre was arrived at by our special valuator, Mr. E. Driscoll. This appears to be a very reasonable price and will undoubtedly be of greater benefit to the Indians than if they held the land vacant.

J. Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 16th June 1915.

Sir,-

Sale 1 4/18

Referring to letter to you of even date I beg to inform you that the Department is now prepared to sell to the Edmonton, Dunvegan & British Columbia Railway Co., the S.W.¼ of Section 16, Tp. 74, R.15, W.5.M. in the Sucker Creek Indian Reserve, Alberta, required for townsite purposes. The area is 160 acres, less the right of way of the railway, 153.95 acres.

Our valuator, who was especially appointed for the purpose, placed a value of $15.00 per acre on this land. The sum of $2309.25 will therefore be due.

Your obedient servant,

ogh J. D. McLean

Asst. Deputy and Secretary.

ampbell Esq.,
-Treasurer, Edmonton, Dunvegan & B.C.Rly.,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
JUN 17 1915

480564 OTTAWA, ONT.
P.O. BOX 64

16th. June, 1915.

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Indian Affairs Department,
Ottawa, Ont.

Dear Sir:-

Re Right of Way and Station Grounds.
Your fyle 440317.

I beg to acknowledge receipt of your letter of the 15th. instant advising me of the amounts required by the Department in payment for right of way and station grounds in certain Indian Reserves and I beg to say that I have referred this matter to the Treasurer of the Company and have requested him to forward cheque in payment for same without delay.

Your obedient servant,

A.W. Campbell

Assistant Secretary Treasurer.

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS JUN 17 1915

2 Letters

480564 OTTAWA, ONT.
P.O. BOX 64

16th. June, 1915.

DEPT. OF INDIAN AFFAIRS JUN 21 1915 SURVEYS

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Indian Affairs Department,
Ottawa, Ont.

Dear Sir:-

Re - S. E. ¼ 16 - 74 - 15 W. 5th Mer.
Sucker Creek Indian Reserve No. 150A.
Your fyle 440317.

I beg to acknowledge with thanks the receipt of your letter of the 15th. instant advising me of the amount of valuation placed upon the above land by the Department and that a transfer of this land will be made to the Company upon their payment of that amount to the Department. I am communicating with the Treasurer of the Company requesting him to send me a cheque for that amount and will write you further regarding same when this cheque has been received.

Your obedient servant,

H. W. Campbell

Asst. Secretary Treasurer.

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
JUN 28 1915

OTTAWA, ONT.
P.O. BOX 64

25th. June, 1915.

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

480837

See Memo 5 Oct. 1915

Re S. E. ¼ 16-74-15 W. 5th.
Sucker Creek Indian Res. No. 150A.
Your fyle #440317.

With reference to your letter of the 15th. inst. regarding above, I now beg to enclose herewith a cheque for $2309.25 in favor of the Department of Indian Affairs as payment for the above land required by the Company in connection with its railway operations. Kindly acknowledge receipt of this payment and have the patent for the land issued with as little delay as possible.

Your obedient servant,

A. W. Campbell

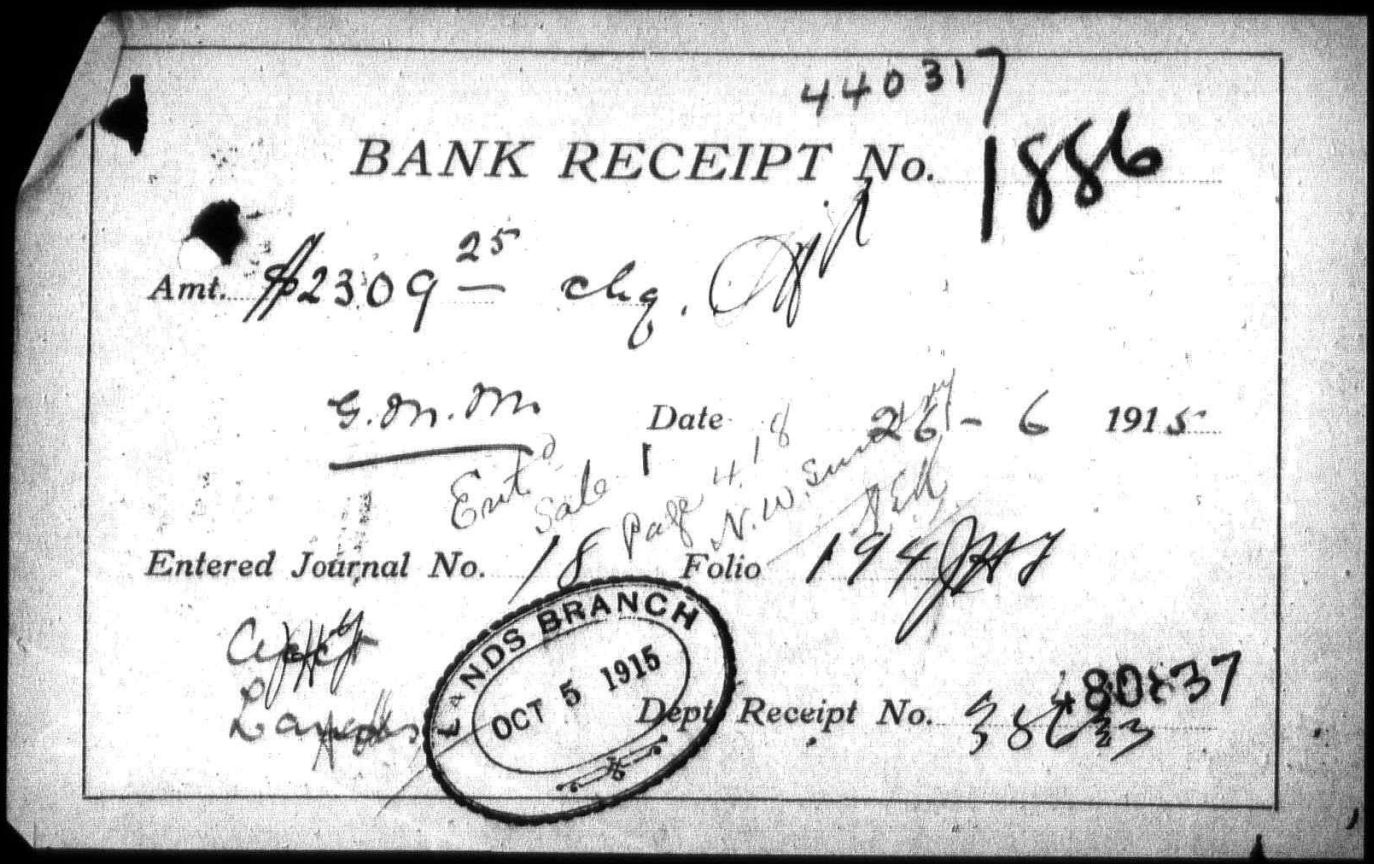
Asst. Secretary Treasurer.

only need this for 1 Oct 15

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



440317

BANK RECEIPT No. 1886

Amt. $2309.25 chq. D.A.R.

G.M.M.

Date 1st Oct 26th - 6 1915

Ent'd Sale 1 pcl N.W. Sec 26 - 6 - 21 W.

Entered Journal No. 18 Folio 194 D.A.R.

Lands Branch OCT 5 1915

Dept. Receipt No. 38833

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

OTTAWA, ONT.
P.O. BOX 64

Company's line through these reserves is subject to revision and I told him that was the reason the payment of these lands was being withheld. He informed me verbally that in case a revision of the line were made, a refund at the above rate would be made to the Company in case less land were taken than specified herewith.

Kindly acknowledge receipt of this cheque and advise me of when the patents for these lands will be issued.

Your obedient servant,

D.W. Campbell

Asst. Secretary Treasurer.

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS JUN 30 1915

OTTAWA, ONT.
P.O. BOX 64

25th. June, 1915.

DEPT. OF INDIAN AFFAIRS JUN 30 1915 SURVEYS

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Indian Affairs Department,
Ottawa, Ont.

480835

Dear Sir:

Re - Right of Way and Station Grounds.
Your fyle # 440317.

With reference to your letter of the 15th. inst. asking for a cheque in payment for the following lands, namely,-

4135/4	Sawridge Indian Reserve No. 150H.	~~52~~ 39.50 .90 ac. @	$12.00	$ 634.80
S5/1147	Swan River Indian Res. No. 150E. Right of Way and Station Grounds.	24.68 ~~13.84~~ ~~38.72~~ 82.52 ac. @	$15.00	$ 580.80
S3/418	Drift Pile Indian Res. No. 150,	~~72.45~~ 66.995 ac. @	$15.00	$1086.75
S2/419	Sucker Creek Ind. Res. No. 150A.	~~67.08~~ ac. @	$15.00	$1006.20
			Total.	$3308.55.

I now beg to enclose herewith a cheque for $3308.55 in favor of the Department of Indian Affairs as payment for these lands.

Some time ago I explained to Mr. Bray that the

LANDS BRANCH OCT 5 1915

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

OTTAWA, ONT.
P.O. BOX 64

J. D. McLean, Esq. Page 2.

Company's line through these reserves is subject to revision and I told him that was the reason the payment of these lands was being withheld. He informed me verbally that in case a revision of the line were made, a refund at the above rate would be made to the Company in case less land were taken than specified herewith.

Kindly acknowledge receipt of this cheque and advise me of when the patents for these lands will be issued.

Your obedient servant,

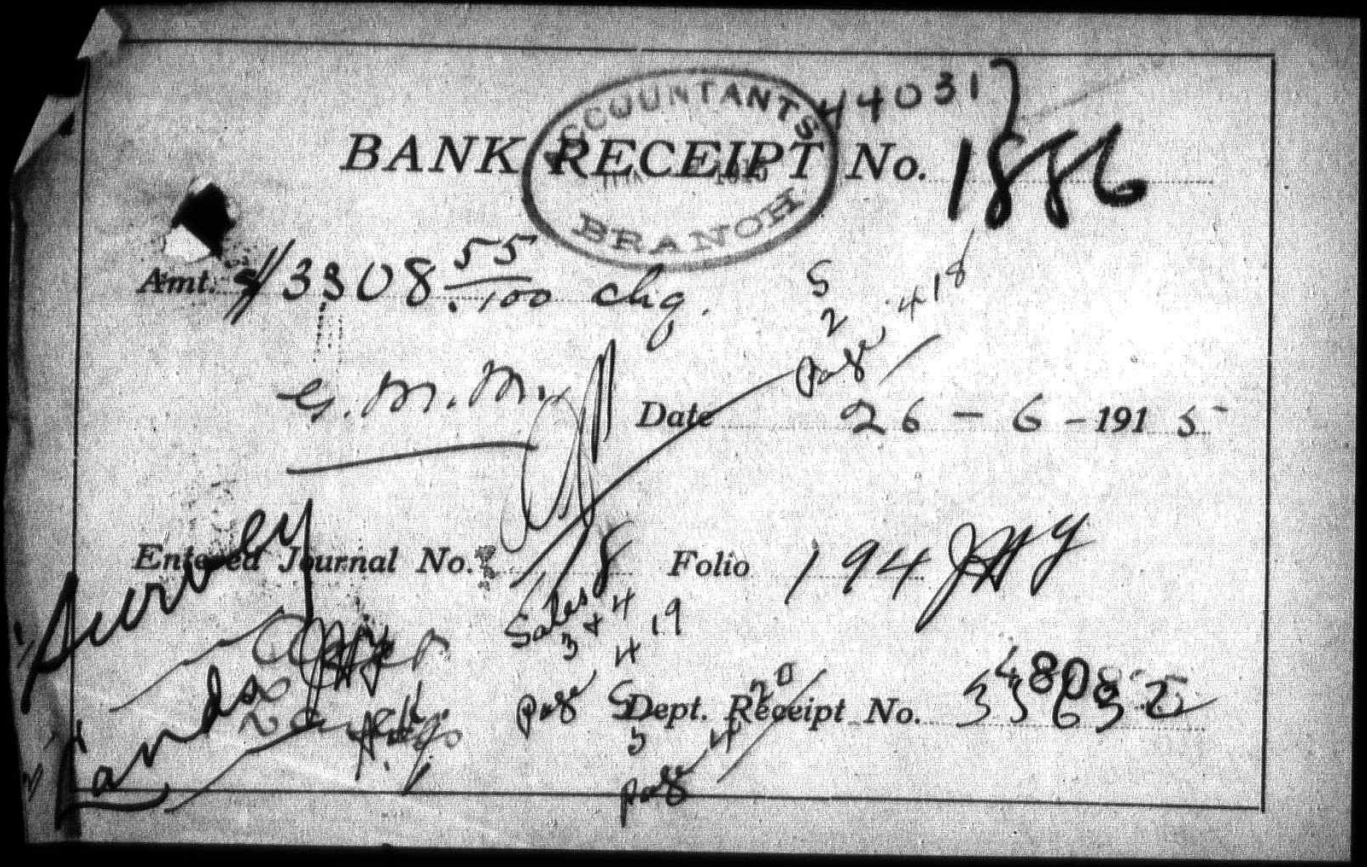
D. W. Campbell

Asst. Secretary Treasurer.

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

140317

Ottawa, July 3rd. 1915.

Sir,-

I beg to acknowledge the receipt of your letter of the 25th. ult. and accompanying cheque for $3,308.55 in payment of rights of way through

Sawridge Indian Reserve No. 150-H.
X Swan River " " " 150-E.
Drift Pile " " " 150
Sucker Creek " " " 150-A.

You are requested to state whether you desire patents to issue according to plans previously filed, or to await other plans which I infer from your letter may be sent by your company.

Your obedient servant,

(Sgd) J. Stewart
Asst. Secretary.

D. W. Campbell, Esq.,
Asst. Sec. and Treasurer E. D. & B. C. Ry. Co.,
P. O. Box 64
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPT. OF INDIAN AFFAIRS
JUL 22 1915
SURVEYS

DEPARTMENT OF
JUL 20 1915

OTTAWA, ONT.
P.O. BOX 64

19th. July, 1 9 1 5.

481432

Mr. S. Stewart,
Asst. Secretary,
Indian Affairs Department,
Ottawa, Ont.

Dear Sir:-

Re Right of Way and Station Grounds.
Your fyle #440317.

With reference to your letter of the 3rd. inst. acknowledging receipt of cheque for $3,308.55 as payment for right of way through certain Indian Reserves, I beg to advise you that the Engineering Department of the Company are at present working on plans of the constructed road and so soon as these have been completed, a copy of same will be forwarded to your Department so that you may see the correct area as approved by the Railway Commission.

Your obedient servant,

A.W. Campbell

Assistant Secretary Treasurer.

LANDS BRANCH
OCT 5 1915

HF-Mc

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317

Department of Indian Affairs,

Ottawa, 5th Oct - 1915

1st Survey

To furnish description for patent for the S.E. 1/4 Sec. 16 Tp. 74 Rge 10 W 5 M. Sucker Creek Res. as per letter of 16 June last.

DEPT. OF INDIAN AFFAIRS
OCT 5 1915
SURVEYS

2nd Layton.

Ref 18, Miller. As it is expected the company will furnish new plans of right of way which may change the area remaining in the Reserve, I think the issue of patent must be delayed until the plan is received when

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317 ~~Grouard~~ LA

INDIAN AGENT'S OFFICE,

Lesser Slave Lake Agency

Grouard, February 2nd, 1916

DEPARTMENT OF INDIAN AFFAIRS FEB 8 1916

IN YOUR REPLY REFER TO
No.
ALSO
TO DATE OF THIS LETTER.

Sir

437374

Re surrender of part of Swan River Indian Reserve, No. I50 E.

I beg to enquire if the Swan River Indians did not have their Reserve lands alloted in severalty.

At Swan River, the Edmonton, Dunvegan and British Columbia Railway passes through (from east to west) lands claimed by Michell Giroux - ½ mile, Felix Giroux - I mile and Benjamin Giroux - I mile. The 44.42 acres (just surrendered), wanted by the Railway Company for townsite purposes, lie within the lands allotted to the Councillor Felix Giroux.

Should not the above Indians receive the whole of the interest from the money received for said lands?

LANDS BRANCH FEB 11 1916

Your obedient servant,

Harold Laird

Acting Indian Agent

The Secretary,
Department of Indian Affairs,
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

1 Dy Minister
2 Secty Lands

Ottawa, 15th February 1916.

Sir,—

In reply to your letter of the 2nd instant I beg to inform you that the Indians of Swan River did not have their lands allotted to them in severalty.

When lands have been taken for right of way or other purposes, through lots in Indian Reserves which are the acknowledged property of individual Indians, 90% of the money received for the said right of way etc., has been paid to each individual owner the remaining 10% being credited to the Band funds.

If the right of way of the British Columbia railway passes through lands rightfully claimed by Michell Giroux and Felix Giroux you will please submit to the Department either by resolution of the Indian Council or by other evidence that these men are in rightful occupation of the land, you should then submit their claim for as stated not more than 90% of the sum received. The endorsation of yourself will be required to the effect that the claims are right and proper.

Similarly when the matter of the land applied for by the said railway company for townsite purposes, the claim of the Indian occupant or owner will require to be submitted and endorsed by yourself. I have also to add that it is necessary to have the endorsation of the Indian Council in all these and similar claims.

Your obedient servant,

(sgd) J. Bruchesi

Asst. Deputy and Secretary.

Harold Laird Esq.,
Acting Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317

Department of Indian Affairs.

DEPT. OF INDIAN AFFAIRS
MAY 8 1916
SURVEYS

LANDS BRANCH
MAY 9 1916

Ottawa, 5th May — 1916.

1st Mr. Gray

(1) Have the plans, referred to in letter of the 3rd July last and reply thereto of the 19th of that month, been received?

No. When the above plans (4 parcels) referred to in letter from Mr. Campbell of 25th June last, are received, refer to Lands.

(2) Is an O. C. required in connection with Ry. R.t. of way

W.W. N.C. Kemp

440317

Ottawa, 19th May 1916.

Sir,-

I beg to draw your attention to letter of the 1st July 1915 and to inform you that the right of way plans of the Edmonton-Dunvegan and British Columbia Railway through the Indian Reserves referred to have not yet been received. Kindly state when these may be expected.

Your obedient servant,

(sgd) D. Stewart

Asst. Deputy and Secretary.

D.W.Campbell Esq.,
Asst. Secy-Treasurer,
Edmonton, Dunvegan and B.C.Rly.,
P.O.Box 64,
Ottawa, Ont.

S.B.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

...n, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
FEB 9 1917

OTTAWA, ONT.
P.O. BOX 64

8th February 1917.

497751

Mr. S.Stewart,
Assistant Secretary,
Department of Indian Affairs,
Ottawa.

DEPT. OF INDIAN AFFAIRS
FEB 10 1917
SURVEYS

Dear Sir:-

Your fyle 440317.

With reference to your letter of the 2nd November last regarding right-of-way required through certain Indian reserves by the E.D. & B.C. Ry. Co., I beg to advise you that as there will probably be a revision of the Company's line somewhere in this vicinity, we are not prepared as yet to file these plans, and I cannot give a definite answer at present of how soon these plans will be filed. However, so soon as the Company have got this matter finally decided, you will be advised immediately.

Your obedient servant,

D.W. Campbell

Assistant Secretary Treasurer.

HE/DM

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, 2nd November 1916.

Sir,-

I beg to inform you that no reply has been received to our letter of the 19th May last and that the plans of the right of way of the Edmonton-Dunvegan and British Columbia Railway through certain Indian reserves have not come to hand.

Your obedient servant,

(sgd) J Stewart

Assistant Secretary.

S.B.
A.S.

D.W.Campbell Esq.,
Asst. Secy-Treasurer,
Edmonton-Dunvegan and B.C.Railway,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

479151

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
MAY 10 1917

DEPT. OF INDIAN AFFAIRS
MAY 10 1917
SURVEYS

OTTAWA, ONT.
P.O. BOX 64

10th May, 1917.

500545

Mr. J.D. McLean,
Assistant Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

Dear Sir:-

Re- Swan River Indian Reserve # 150 E.
Your file 479151.

In answer to your letter of the 10th ult. and with reference to a letter of the 2nd March last regarding above, I must apologize for not having been able to answer your letter at an earlier date, but owing to absence and other matters intervening, it was impossible for me to write you.

This Company has now placed on file a plan of the finally constructed railway through the Indian Reserve referred to, and this plan is of record No. 25371 in the Department of the Interior.

Kindly advise me if this plan at the Department will be sufficient for your information, or if a copy of that plan, for the portion through the Indian Reserve, is required to be filed at your Department also.

Faithfully yours,

H.W. Campbell

Asst. Secretary-Treasurer.

HF/DM

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

479151

E.D.

Ottawa, 11th May 1917.

Sir,-

In reply to your letter of the 10th instant, I have to say that it will be necessary to file a plan on tracing cloth of the right of way of your railway in all cases where it passes through an Indian reserve. The plan should contain all the usual information, such as areas, distances, widths, connections etc., Indian lands are under the control of this Department and are not dealt with by the Department of the Interior.

L.B.

Your obedient servant,

(sgd) J.D.McLean

Asst. Deputy and Secretary.

D.W.Campbell Esq.,
Asst. Secy-Treasurer,
E.D.and B.C. Railway Company,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

~~479157~~ 479157

DEPARTMENT OF INDIAN AFFAIRS JUN 12 1917

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPT. OF INDIAN AFFAIRS JUN 14 1917 SURVEYS

OTTAWA, ONT.
P.O. BOX 64

11th June 1917.

Mr. J. D. McLean,
Assistant Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

501553

Dear Sir:-

With reference to your letter of the 11th ult., I beg to say that I have advised the Company's Right of Way Department to make the necessary tracings which you require to be placed on file in your Department, and these will be forwarded so soon as possible.

Faithfully yours,

W. Campbell

Asst. Secretary Treasurer.

HF/DM

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44031?

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS AUG 21 1917

DEPT. OF INDIAN AFFAIRS AUG 14 1917 SURVEYS

OTTAWA, ONT.
P.O. BOX 64

503014

10th August 1917.

Mr. J. D. McLean,
Asst. Deputy and Sevretary,
Department of Indian Affairs,
Ottawa.

Dear Sir:-

Re- Right of Way.
Your file 479151.

With further reference to my letter of the 11th June last regarding Right of Way plans required by your Department, of the Company's railway through Indian Reserves, I now beg to send you herewith a tracing plan of the Company's right of way through Indian Reserves Nos. 150H, 150 E, 150 and 150A. Each section is a correct copy of plans already filed in the North Alberta Land Registration Office, and the plan you will note is duly certified by the Registrar as such. So far as I can understand, there are no other Indian Reserves through which the Company's line passes.

Your obedient servant,

D.W. Campbell

Asst. Secretary Treasurer.

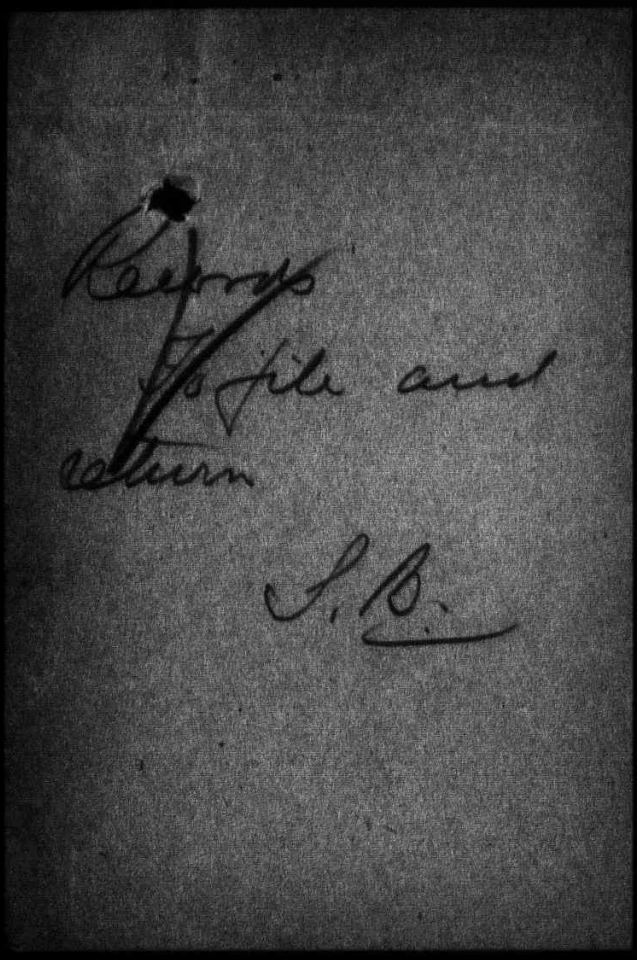
The plan has been received
L.B.

HE/DM

No. 1418-A

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of Indian Affairs.

Ottawa, ... 191

Sawridge 150 H

52.90 at $12.00 = 634.80

Addition excepted 39.50 ac at 12.00 474.00

Swan River 150-E

38.72 @ 15.00 = 580.80.

57.28 Cons 0.45 - Miscellaneous 50.76 @ 15.00 761.40

Swan River Settlement

Driftpile 150

72.45 @ 15.00 = 1086.75

82.54 @ 15.00 1238.10

Road diversion 1.36 @ 15.00 20.40

Sucker Creek 150-A

67.08 @ 15.00 = 1006.20

67.00 @ 15 1005.00

Plan 1418-A

3308.55 $ 3498.90

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Dr. Minister
1 2 Regd

Ottawa, 27th August 1917.

Sir,-

I beg to acknowledge the receipt of your letter of the 10th instant and of the plan showing the right of way of the Edmonton, Dunvegan and B.C. Railway Company through the Indian reserves Nos. 150-H, 150-E, 150 and 150-A and note that it is a correct copy of plans already filed in the Northern Alberta Land Registration Office.

You will note by reference to your letter of the 25th June 1915 that you paid the sum of $3308.55 for rights of way through the said four reserves, which was the sum payable in accordance with the areas stated in your letter.

The areas and amounts payable according to the plans now filed are as follows,-

S.B.

Sawridge No.150-H; through the main reserve only, the addition on the plan was not granted ...39.50 ac. @ $12.00 = $474.00

Swan River No.150-E, 51.21 ac. less an allowance 66ft. wide ~~from~~ the Swan River Settlement road, 0.45ac.,
✓ 50.76 ac. @ 15.00 = $761.40

Driftpile No.150 ✓ 82.54 ac. @ 15.00 = 1238.10

Road diversion ✓ 1.36 ac. @ 15.00 = 20.40

Sucker Creek No.150-A
✓ 67.00 ac. @ 15.00 = 1005.00
$3498.90

Plan 1419-A

ACI
JC

S.W.Campbell Esq.,
Asst.Secy-Treasurer,
E.D.and B.C.Rwy.,
P.O.Box 64,
Ottawa, Ont.

I have

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

I have to request you to be good enough to forward at your early convenience the balance of $190.35 which is due. Please note, as above stated, that the addition to the Indian reserve No.150-H was not made; you will probably have to communicate with the Department of the Interior for the right of way through this tract.

You will also note that we have excepted the necessary allowance for the Swan River Settlement road in reserve No.150-E. You will require to pay for the land taken by the road diversion in reserve No.150 but the said road diversion will not be included in the patent. The Order-in-Council will be immediately applied for and on its receipt and on the receipt of the balance above mentioned a patent for these rights of way will be immediately prepared; please state in what name they are to be issued.

S
3
Page 419

Your obedient servant,

(sgd) J.D.McLean

For

Asst. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
SEP 6 1917

OTTAWA, ONT.
P.O. BOX 64

4th September 1917.

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

R

Dear Sir:-

Your letter of the 27th ult. has been received. Mr. D. W. Campbell is away from town for a few weeks, and this matter will be brought to his attention immediately upon his return.

Yours very truly,

(Miss) D. Marsolais.

/DM

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

1 Asst
2 Papers

506393

DEPARTMENT OF INDIAN AFFAIRS
DEC 13 1917

OTTAWA, ONT.
P.O. BOX 64

11th Dec. 1917.

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa.

Dear Sir:-

Re- Right of way through Indian Reserves
150H, 150E, 150 and 150A.
Your file 440317.

With reference to your letter of the 27th August last regarding above, I now beg to send you herewith a marked cheque for $190.35, as requested in your said letter of the 27th August being in payment for the balance required by your Department for the above mentioned right of way. Kindly acknowledge receipt of this payment and advise me of when the patents for these lands will issue.

Your obedient servant,

D W Campbell

HF/DM

Asst. Secretary Treasurer.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

BANK RECEIPT No. 1760

506393

Amt. $190.35 chq.

5 5 per 4.20 G.M.R. Date 11 — 12 — 1917

V.W.B.

Entered Journal No. 19 Folio 60 223

417 = 180 97 5

418 190.

Dept. Receipt No. 37930

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Memo: Transfered

413 C Dr — 160.80

419 C Dr — 1.20

Cr — 418 C 162.00

Transfer to adjust payt for Rt of Way

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
DEC 12 1917

506303 OTTAWA, ONT.
P.O. BOX 64

11th Dec. 1917.

Mr. J. D. McLean,
Acting Deputy & Secretary,
Department of Indian Affairs,
Ottawa.

Dear Sir:-

Re- Right of Way through Indian Reserves
150H, 150E, 150 & 150A.
Your file 440317.

With further reference to my letter of this date with which I sent you a cheque for $190.35, I beg to say that the patents for the pieces of lands paid for should be issued in the name of the Edmonton, Dunvegan & British Columbia Railway Company.

Your obedient servant,

A. W. Campbell

Asst. Secretary Treasurer.

DEPT. OF INDIAN AFFAIRS
DEC 12 1917
SURVEYS

HE/DM

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
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CANADA

DEPARTMENT OF INDIAN AFFAIRS DEC 24 1917

440,317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

440317

OTTAWA, ONT.
P.O. BOX 64

11th Dec. 1917.

508363

OTTAWA JAN 11 1918 BRANCH

Mr. J. D. McLean,
Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa.

Dear Sir:-

Re- pipe Line and Dam Site.

On behalf of the Edmonton, Dunvegan & British Columbia Ry. Co., I herewith beg to make application for the area of 0.64 acres, indicated upon the enclosed plan herewith, which is required for water supply in connection with the Company's tank located at this point.

I would be obliged if you would advise me regarding this application at your earliest convenience.

Your obedient servant,

DEPT. OF INDIAN AFFAIRS
JAN 18 1918
SURVEYS

A.W. Campbell

Asst. Secretary Treasurer.

HE/DM

Enc. tracing & two blue prints.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of Indian Affairs.

Ottawa, 14 Dec. 1917

Mr. Bray. - May I ask, for the purposes of an O.C., whether you consider the valuations as paid for by the E.D.&B.C. Ry Co. through Lots 150, 150A, 150E and 150H are fair & reasonable?

R.D.M.

I think they are fair and reasonable.

S. Bray

14 Dec 1917

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, December 14, 1917.

Re Expropriation
The Governor General in Council.

The undersigned has the honour to report that application has been made to the Department of Indian Affairs by the Edmonton, Dunvegan & British Columbia Railway Company for right of way for its line through the following mentioned Indian reserves near Lesser Slave Lake in the province of Alberta,- Driftpile River, No. 150, 82.54 acres at $15 per acre = $1238.10, and 1.36 acres road diversion at $15 per acre = $20.40; Sucker Creek, No.150A, 67 acres at $15 per acre = $1005.00; Swan River, No.150E, 50.76 acres at $15 per acre = $761.40; and Sawridge, No. 150H, 39.50 acres at $12 per acre = $474.00.

The areas applied for as above are shown on a plan, No.1418A, of record in the Department of Indian Affairs, and the above mentioned valuations, which were made by a competent valuator employed by the Department and which have been paid in full by the Railway Company, are considered by the Chief Engineer of the Department of Indian Affairs as being fair and reasonable.

The undersigned would accordingly recommend that, under the provisions of Section 46 of the Indian Act, as amended by Section 1, Chap. 14, 1-2 Geo.V.,

authority

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

authority be given for the sale of the above mentioned areas to the Edmonton, Dunvegan & British Columbia Railway Company for right of way purposes.

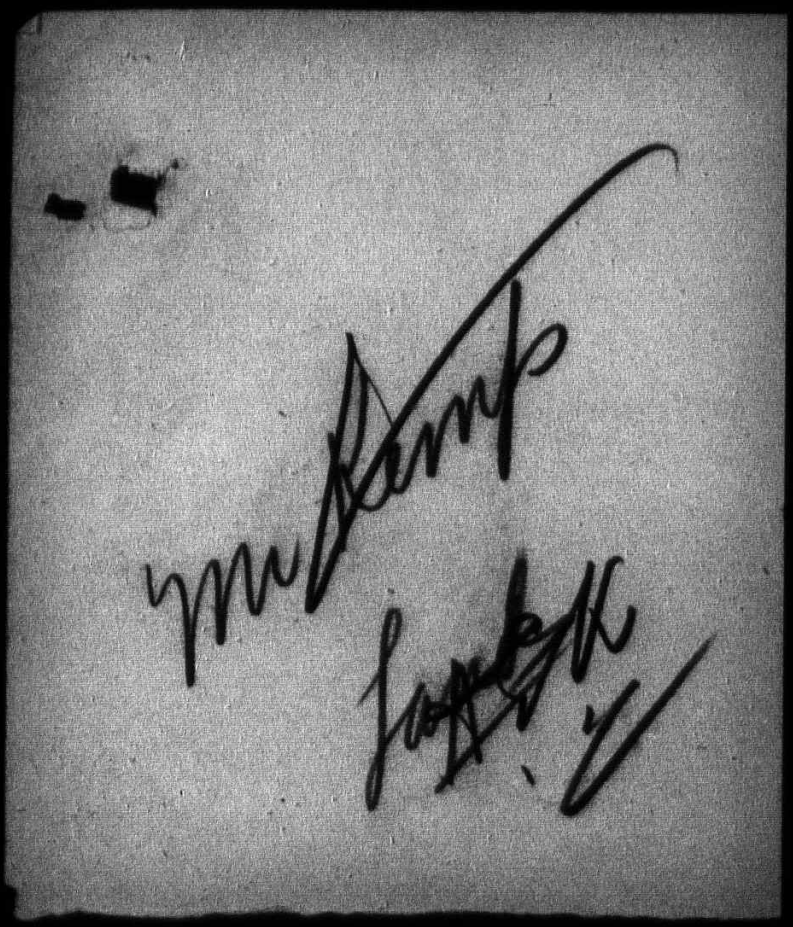
(D. Arthur Meighen)

Superintendent General
of Indian Affairs.

14
Dec 18
21 28
28
PC

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS JAN 16 1918

1 Answered
2

DEPT. OF INDIAN AFFAIRS
JAN 16 1918
SURVEYS

OTTAWA, ONT.
P.O. BOX 64

15th January 1918.

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
OTTAWA, Ont.

507441

Dear Sir:-

Re- Right of Way through Indian Reserves
150H, 150E, 150 & 150A.
Your file 440317.

With reference to my letter of the 11th ultimo with which I sent you a cheque for $190.35, being the payment of the balance owing your Department, on account of the areas required in the above reserves by the E. D. & B. C. Ry., and I would now request that you advise me when the patents for these lands will be issued.

Your obedient servant,

D. W. Campbell

Asst. Secretary Treasurer.

HE/DM

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG. MAN.

DEPARTMENT OF INDIAN AFFAIRS JAN 16 1918

DEPT. OF INDIAN AFFAIRS JAN 16 1918 SURVEYS

OTTAWA, ONT.
P.O. BOX 64

15th January 1918.

507431

Mr. J. D. McLean,
Asst. Deuty and Secretary,
Department of Indian Affairs,
OTTAWA, Ont.

Dear Sir:-

Re- S.E. 16----74-15 W. 5.
Sucker Creek Indian Reserve 150A.
Your file 440317.

Upon the 25th June 1915 I sent you a cheque for $2,309.25 in payment for the above land, but I do not seem to have received an advice of the patent having been issued to the Company for this land. Kindly advise me regarding this at your earliest convenience.

Your obedient servant,

H.W. Campbell Jr.

HE/IM

Asst. Secretary Treasurer.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 18th January 1918.

Sir,-

There has been sent you by registered mail a roll containing a plan on tracing cloth and two blue prints showing a piece of land containing 0.64 acres in the Sucker Creek Indian reserve No.150-A,at Lesser Slave Lake required by the Edmonton,Dunvegan and B.C.Railway evidently for the purposes of a water supply. I shall be obliged if on examination it is decided that this land is necessary for the purposes of the railway,the usual certificate of the proper officer of the Board be placed on the three plans. The plan on tracing cloth and one blue print should be returned here,the remaining blue print may be retained for record in your office if so desired.

S.B.
Ltr.

Your obedient servant,

(sgd) J.D.McLean

Asst. Deputy and Secretary.

The Secretary,
Board of Railway Commissioners,
Ottawa,Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317 Ty

Ottawa, 18th January 1918.

Sir,-

I beg to acknowledge the receipt of your application of the 11th ultimo for a small portion of land containing an area of 0.64 acres in the Sucker Creek Indian reserve No.150-A, Alberta and of a tracing and two blue prints showing the portion of land desired. The matter will receive immediate attention.

Your obedient servant,

(sgd) J.D. McLean

Asst. Deputy and Secretary.

D.W.Campbell Esq.,
Assistant Secretary-Treasurer,
Edmonton, Dunvegan & B.C.Railway,
P.O.Box 64,
Ottawa, Ont.

over

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

440317

Ottawa, 16th January 1918.

Sir,-

I beg to acknowledge the receipt of your letters of the 15th instant and to inform you that the patents for the right of way of the Edmonton, Dunvegan and British Columbia Railway through the Indian reserves Nos. 150-H, 150-E, 150 and 150-A will be prepared and transmitted to you forthwith.

L.B.

Your obedient servant,

(sgd) J D M Lean

Asst. Deputy and Secretary.

D.W.Campbell Esq.,
Asst.Secretary-Treasurer,
Edmonton, Dunvegan & B.C.Rwy.,
P.O.Box 64,
Ottawa, Ont.

plan 1713

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 22nd January 1918.

Sir,-

With reference to your letter of the 15th instant and previous correspondence regarding a patent for the rights of way and station grounds of the Edmonton, Dunvegan and British Columbia Railway Company I beg to enclose a draft of the following descriptions,-

Right of way through Driftpile I.R.No.150

" " " Sucker Creek I.R. No.150-A

" " " remaining portion of the S.E.¼, Sec.16, Tp.74, R.15, W.5.M., purchased by your Company.

" " " Swan River I.R. No.150-E

" " " Sawridge I.R.No. 150-H.

I shall be obliged if you will be good enough to have these descriptions checked and if they are found satisfactory they will be embodied in the patents. Should you find an error or wish to change the descriptions, kindly return them duly corrected or another description in duplicate.

Your obedient servant,

(sgd) J.D. McLean

Assistant Deputy and Secretary.

D.W.Campbell Esq.,
Asst. Secretary-Treasurer,
Edmonton, Dunvegan & B.C.Rwy.,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

Survey.

OTTAWA, ONT.
P.O. BOX 64

29th January 1918

DEPARTMENT OF INDIAN AFFAIRS
JAN 30 1918

507885

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

Dear Sir;-

Re- Pipe line and Dam site. - 0.64 acres.
Indian Reserve No. 150A. Alberta.
Your file 440317 Ty.

I beg to acknowledge with thanks the receipt of your letter of the 18th instant, and I would be obliged if you would have all possible despatch used in completing this matter, as the Company is anxious to obtain their water license from the Department of the Interior at the earliest possible date.

Your obedient Servant,

H. W. Campbell

Asst. Secretary Treasurer.

HF/DM

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE -- WINNIPEG, MAN.

DEPT. OF RAILWAYS
JAN 30 1918
SURVEYS

DEPARTMENT OF INDIAN AFFAIRS
JAN 30 1918

OTTAWA, ONT.
P.O. BOX 64

29th January 1918.

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
OTTAWA.

507897

Dear Sir:-

Re- Right of Way through Indian Reserves
150H, 150E, 150 and 150A.
Your file 440317.

I beg to acknowledge receipt of your letter of the 22nd instant, enclosing therewith descriptions of the pieces of land for which the Company has paid, in the above mentioned reserves. These descriptions have been forwarded to the Company's Right of Way Agent, with a request that he checked them and return them at his earliest convenience. So soon as his report has been received, you will be further advised.

Your obedient Servant,

H. W. Campbell M.

HE/DM

Asst. Secretary Treasurer.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Department of Indian Affairs,

Ottawa, 21st January 1918.

DESCRIPTION FOR PATENT

All that parcel of land situate in the Sucker Creek Indian reserve number one hundred and fifty A (150-A), and the western addition to the said reserve containing by admeasurement two hundred and nineteen acres and eight hundred and fifteen thousandths of an acre more or less, being composed of the right of way of the Edmonton, Dunvegan, and British Columbia railway company, and the remaining portion of the Southeast quarter of Section sixteen, township seventy-four, range fifteen, West of the Fifth Meridian. The said parcels may be more particularly described as follows,- The right of way of the said railway consists of a strip of land ninety-nine feet wide, that is to say, forty-nine and a half feet wide on each side of the centre line and bounded on the East by the East limit of the said reserve and on the West by the West limit of the said addition. The said centre line may be described as follows,- Commencing at a point on the easterly limit of the said reserve distant three hundred and twenty-two feet and three-tenths of a foot measured northerly from the South-east corner of said reserve which corner is situate in the North-east quarter of section eight, township seventy-four, range fourteen, West of the Fifth Meridian; thence westerly making a South-west angle of seventy-eight degrees six minutes with the said easterly limit of the reserve a distance of thirty-one thousand five hundred and fifty-five feet and one-tenths of a foot more or less to a point on the said westerly limit of the said westerly addition which point is in line with the said course and a point of ninety-two feet and eight-tenths of a foot North of the quarter section post on the East limit of Section seventeen, township seventy-four, range fifteen,

West

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

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CANADA

West of the Fifth Meridian, excepting thereout and therefrom the portions included which lie in fractional section eight, township seventy-four, range fourteen, West of the Fifth Meridian outside of the said reserve and the portion of the road which surrounds the said section. The said right of way contains sixty-five acres and nine hundred and five thousandths of an acre more or less. The said right of way is shown on a plan thereof of record in the Survey Branch of the Department of Indian Affairs under number 1418-A as surveyed by J.L.Cote, A.L.S., under date of 9th July 1917, certified as a correct copy of portions of the right of way of the said railway duly entered and registered in the Land Titles Office for Northern Alberta Land Registration District at Edmonton

SECONDLY,- All the South-east quarter of Section sixteen, township seventy-four, range fifteen, West of the Fifth Meridian except the right of way of the Edmonton, Dunvegan and British Columbia railway containing one hundred and fifty-three acres and ninety-~~five~~ six hundredths of an acre more or less.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

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CANADA

150 E

1

~~DESCRIPTION FOR PATENT~~ Swan River

~~All that parcel of land situate in Kinoosayo Indian reserve number 150 E in the province of Alberta and Dominion of Canada~~ containing by admeasurement fifty acres and seventy-six hundredths of an acre more or less ~~being more particularly described as follows,-~~ the right of way and station grounds of the Edmonton, Dunvegan and British Columbia railway in and through the said reserve more particularly described as follows,- A strip of land ninety-nine feet wide, that is to say forty-nine and a half feet on each side of the centre line except the station grounds which include a width of one hundred feet on the South side and two hundred feet on the North side of the centre line. The right of way is bounded on the East by the East limit of the said reserve and on the West by the West limit of the said reserve, the said centre line may be described as follows,- Commencing at a point on the said East limit of the said reserve distant one thousand two hundred and thirty-seven feet South of the North-east corner of section twenty-four, township seventy-three, range ten, West of the Fifth Meridian; thence South-west making a South-west angle of seventy degrees forty-five minutes with the said East limit a distance of six thousand five hundred and forty-one feet and six-tenths of a foot; thence on a one degree curve to the right a distance of eight hundred and twenty-five feet; thence on a tangent to the said curve a distance of two thousand one hundred and sixty-four feet to the easterly limit of the station grounds thence continuing in a straight line along the said tangent three thousand feet to the westerly limit of the station grounds; thence continuing on said tangent three thousand one hundred and eighty-three feet and one-tenth of a foot more or less to the West limit of the said reserve, excepting thereout and therefrom the Swan River Settlement road allowance. The said right of way is shown on a plan thereof of record in the Survey

Sale 5

Ref. 18.183 NEK

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Survey Branch of the Department of Indian Affairs under number 1416-A,as surveyed by J.L.Cote, A.L.S.,under date of 9th July 1917,certified as a correct copy of portions of the right of way of the said railway duly entered and registered in the Land Titles Office for the Northern Alberta Land Registration District at Edmonton.

W Rowlie

L.B.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

. Sawridge 150 H

F.440317

Department of Indian Affairs,

Ottawa, 22nd January 1918.

~~DESCRIPTION FOR PATENT~~

Sale 4

~~All that parcel of land situate in the Sawridge Indian reserve number 150 H, in the province of Alberta and Dominion of Canada, being composed of~~ the right of way of the Edmonton, Dunvegan and British Columbia railway through the said reserve, containing by admeasurement thirty-nine acres and fifty hundredths of an acre more or less and more particularly described as a strip of land ninety-nine feet wide, that is to say, forty-nine and one half feet wide on each side of the centre line of the said railway and bounded on the South east by the South limit of Indian reserve 150-H and on the North-west by the West limit of the said reserve. The said centre line may be described as follows,- Commencing at a point on the said South limit of the said reserve distant one thousand one hundred and ninety-nine feet East of the Iron post and mound marking the East limit of section four, township seventy-three, range six, West of the Fifth meridian; thence North-westerly making a westerly angle of forty-seven degrees eleven minutes with the said South limit, a distance of seventeen thousand three hundred and eighty feet and four tenths of a foot more or less to the West limit of the said reserve. The said right of way is shown on a plan thereof of record in the Survey Branch of the Department of Indian Affairs under number 1418-A as surveyed by J.L.Cote, Alberta Land Surveyor, under date of 9th July 1917, certified as a correct copy of portions of the right of way of the said railway, registered in the Land Titles Office for North Alberta Land Registration District at Edmonton.

Ref. 18.182 AEK

W. Rankin

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

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ARCHIVES PUBLIQUES
CANADA

Driftpile 150

F.440317

Department of Indian Affairs,

Ottawa, 21st January 1918.

DESCRIPTION FOR PATENT

~~All those parcels of land situate in the Driftpile Indian reserve number one hundred and fifty and additions to the said reserve in the Province of Alberta and Dominion of Canada~~ containing together by admeasurement eighty-two acres and fifty-four hundredths of an acre more or less, ~~being composed of~~ the right of way and station grounds through and in the said reserve and which may be more particularly described as follows,- FIRST,-a triangular shaped portion in the South-west corner of the said eastern addition in fractional section twenty-four, township seventy-three, range twelve, West of the Fifth Meridian, described as follows,- Commencing at the said South-west corner of the said eastern addition; thence northerly along the West limit of said easterly addition two hundred and seventy feet and eight-tenths of a foot to a point forty-nine and one half feet perpendicularly distant from the centre line of the said railway; thence south-easterly parallel with and forty-nine and one half feet perpendicularly distant northerly from the centre line of the said railway a distance of seven hundred and four feet and seventy seven hundredths of a foot to the East limit of said section twenty-four; thence South along said East limit fifty-five feet and forty-one hundredths of a foot to the South limit of said easterly addition; thence West along said South limit six hundred and thirty-six feet and two-tenths of a foot to the place of commencement containing two acres and forty-three hundredths of an acre more or less.

82.54

Sale 3 p. 419

Ref. 18,181

N.E.K.

B.K.N.W. 2

Second

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

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CANADA

SECONDLY;-a small triangle in the South-west corner of Section nineteen, township ~~seventy-two~~ seventy-three, range eleven, West of the Fifth Meridian, containing three-hundredths of an acre more or less described as follows,- Commencing at the South-west corner of said section nineteen; thence North along the West limit of said section nineteen a distance of ~~sixty-two~~ thirty-two feet and ninety-hundredths of a foot more or less to a point forty-nine and a half feet perpendicularly distant from the centre line of the said railway; thence South-easterly parallel with the said centre line ninety-one feet and two-tenths of a foot to the South limit of said section nineteen; thence West along said South limit eighty-six feet more or less to the place of commencement containing by admeasurement three-hundredths of an acre more or less.

THIRDLY,-the right of way and station grounds in the original Driftpile Indian reserve number one hundred and fifty containing fifty-five acres and thirty-nine hundredths of an acre more or less described as a strip of land on each side of the centre line as hereinafter designated.

A parcel of land bounded on the South-east by the South boundary of the said reserve and on the West by the West boundary of the main reserve and described as commencing at a point on the North-west limit of section twenty-two, township seventy-three, range twelve, West of the Fifth Meridian, distant three hundred and sixty feet and one-tenth of a foot measured South-west along the said North-west limit from the angular point on the North limit of said section twenty-two; thence north-westerly making a North-west angle of one hundred and nineteen degrees seventeen minutes with the said North-west limit a distance of seventy-five feet and seven-tenths of a foot to the South limit of the said original reserve

which

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

which is the place of beginning; thence continuing along the said course a distance of two thousand one hundred and forty-six feet and four-tenths of a foot to the westerly limit of the station grounds and including a width of two hundred feet on the North side and one hundred feet on the South side, ~~the westerly boundary being the South boundary of the said reserve~~ thence continuing the westerly production of the centre line a distance of eight thousand three hundred and eighty-six feet and three-tenths of a foot; thence on a one degree curve to the right a distance of eight hundred and one feet and seven-tenths of a foot; thence along a tangent to the said curve a distance of four thousand one hundred and seventy-six feet and six-tenths of a foot; thence on a one degree curve to the left a distance of nine hundred and forty-three feet and three-tenths of a foot; thence on a tangent to the last mentioned curve a distance of three thousand four hundred and seventy-two feet and two-tenths of a foot to the West limit of the said reserve and including a width of ninety-nine feet, that is forty-nine and a half feet on each side of the above centre line from the said West limit of the said station grounds to the said westerly limit of the said reserve.

FOURTHLY,- The right of way of the said railway company through fractional sections thirty-five and thirty-six, township seventy-three, range thirteen, West of the Fifth Meridian, which sections form the so-called westerly addition to the Driftpile Indian reserve number one hundred and fifty, the said right of way may be described as a strip of land ninety-nine feet wide, that is to say, forty-nine and a half feet wide on each side of the centre line of the said railway and bounded on the South-east by the

South

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

South boundary of the said addition and on the West by the West boundary of the said addition. The said centre line may be described as follows,- Commencing at a point on the said South limit distant two hundred and fifty-nine feet and seven-tenths of a foot measured westerly along the said boundary from the West limit of the original reserve number one hundred and fifty; thence North-westerly making an angle of fifteen degrees thirty-seven minutes with the said South boundary a distance of two thousand six hundred and four feet and seven-tenths of a foot; thence on an ascending spiral to a three degree curve to the right of six chords of thirty-nine feet; thence on a three degree curve to the right two hundred and eighty-eight feet and eight-tenths of a foot; thence on a descending spiral to the three degree curve for six chords of thirty-nine feet; thence on a tangent to the said spiral a distance of one thousand one hundred and seventy-nine feet and three-tenths of a foot; thence on an ascending spiral to a two degree curve to the right of four chords of forty-two feet; thence on a two degree curve to the left four hundred and sixty-one feet and six-tenths of a foot; thence on a descending spiral to the two degree curve for four chords of forty-two feet; thence on a tangent to the said spiral a distance of ~~one~~ Two thousand four hundred and forty-one feet and four-tenths of a foot; thence on an ascending spiral to a three degree curve to the left for six chords of thirty-nine feet; thence on a three degree curve to the left three hundred and fifty feet; thence on a descending spiral to the said curve for six chords of thirty-nine feet; thence on a tangent to the said spiral two thousand two hundred and sixty-six feet and eight-tenths of a foot more or less to the said West boundary of the said westerly addition and containing twenty-four acres and sixty-nine hundredths

of an

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

of an acre more or less. The said right of way and station grounds are shown on a plan thereof of record in the Survey Branch of the Department of Indian Affairs under number 1418-A as surveyed by J.L.Cote,A.L.S.,under date of 9th July 1917 certified as a correct copy of portions of the right of way of the said railway duly entered and registered in the Land Titles Office for Northern Alberta Land Registration District at Edmonton.

W Rutherford

J.B.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Sucker Creek
150 A

F.440317

Department of Indian Affairs,

Ottawa, 21st January 1918.

Sale
2
Part 14, 18
No. 150 Sk
66.995 ac

Ref 18, 180 ASK

DESCRIPTION FOR PATENT

All that parcel of land situate in the Sucker Creek Indian reserve number one hundred and fifty A (150-A), and the Western addition to the said reserve containing by admeasurement sixty-six acres and nine hundred and ninety-five thousandths of an acre more or less, being composed of the right of way of the Edmonton, Dunvegan and British Columbia Railway Company, through and in the said reserve, and the triangular portion of the north-west quarter of Section Sixteen, township seventy-four, range fifteen, West of the Fifth Meridian, lying south of the right of way of the Edmonton, Dunvegan & British Columbia Railway, the said parcels may be more particularly described as follows:-

Firstly:- The right of way of the said railway, consisting of a strip of land ninety-nine feet wide, that is to say, forty-nine and a half feet wide on each side of the center line and bounded on the East by the East limit of the said reserve and on the West by the West limit of the said addition. The said center line may be described as follows:- Commencing at a point on the Easterly limit of the said reserve distant three hundred and twenty-two feet and three-tenths of a foot measured northerly from the South-east corner of said reserve, which corner is situate in the North-east quarter of section eight, township seventy-four, range fourteen, West of the fifth meridian; thence Westerly making a south-west angle of seventy-eight degrees, six minutes with the said Easterly limit of the reserve, a distance of thirty-one thousand, five hundred and fifty-five feet and one-tenth of a foot more or less to a point on the said Westerly limit

of the

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

KODAK SAFETY ▲ FILM

of the said Westerly addition, which point is in line with the said course and a point ninety-two feet and eight-tenths of a foot North of the quarter-section post on the East limit of section seventeen, township seventy-four, range fifteen, West of the Fifth Meridian, excepting thereout and therefrom the portions included which lie in fractional section eight, township seventy-four, range fourteen, West of the fifth Meridian, outside of the said reserve, and the portion of the road which surrounds the said section. The said right of way contains sixty-six acres and nine hundred and five thousandths of an acre more or less.

The said right of way is shown on a plan thereof of record in the Survey Branch of the Department of Indian Affairs, under number 1418-A, as surveyed by J.L.Cote, A.L.S., under date of 9th July, 1917, certified as a correct copy of portions of the right of way of the said Railway dulyx entered and registered in the Land Titles Office for Northern Alberta Land Registration District at Edmonton.

Secondly:- That remaining portion of the South-west corner of the North-West quarter of Section sixteen, Township seventy-four, Range fifteen, West of the Fifth Meridian, said parcel being bounded on the North by the South boundary of said right of way and on the South by the South boundary of the said quarter section, and on the West, by the West Boundary of the said quarter section, said parcel containing nine hundredths of an acre.

J.B.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

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CANADA

Extra Copy

440317.

Department of Indian Affairs.

Ottawa, 21st January 1918.

DESCRIPTION FOR PATENT.

All that parcel of land situate in the Sucker Creek Indian reserve number one hundred and fifty A (150-A), and the Western addition to the said reserve containing by admeasurement Sixty-six acres and nine hundred and ninety-five thousandths of an acre more or less, being composed of the right of way of the Edmonton, Dunvegan and British Columbia Railway Company, through and in the said reserve, and the triangular portion of the north-west quarter of Section Sixteen, township seventy-four, range fifteen, West of the Fifth Meridian, lying south of the right of way of the Edmonton, Dunvegan & British Columbia Railway. The said parcels may be more particularly described as follows:-

Firstly:- The right of way of the said railway, consisting of a strip of land ninety-nine feet wide, that is to say, forty-nine and a half feet wide on each side of the center line and bounded on the East by the East limit of the said reserve and on the West by the West limit of the said addition. The said center line may be described as follows:- Commencing at a point on the Easterly limit of the said reserve distant three hundred and twenty-two feet and three-tenths of a foot measured northerly from the South-east corner of said reserve, which corner is situate in the North-east quarter of section eight, township seventy-four, range fourteen, West of the fifth meridian; thence Westerly making a south-west angle of seventy-eight degrees, six minutes with the said Easterly limit of the Reserve, a distance of thirty-one thousand, five hundred and fifty-five feet and one-tenth of a foot more or less to a point on the said Westerly limit of the said Westerly addition, which point is in line with the said course and a point ninety-two feet and eight-tenths of a foot North of the quarter-section ppst on the East limit of section seventeen, township seventy-four, range fifteen, West of the Fifth Meridian,

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

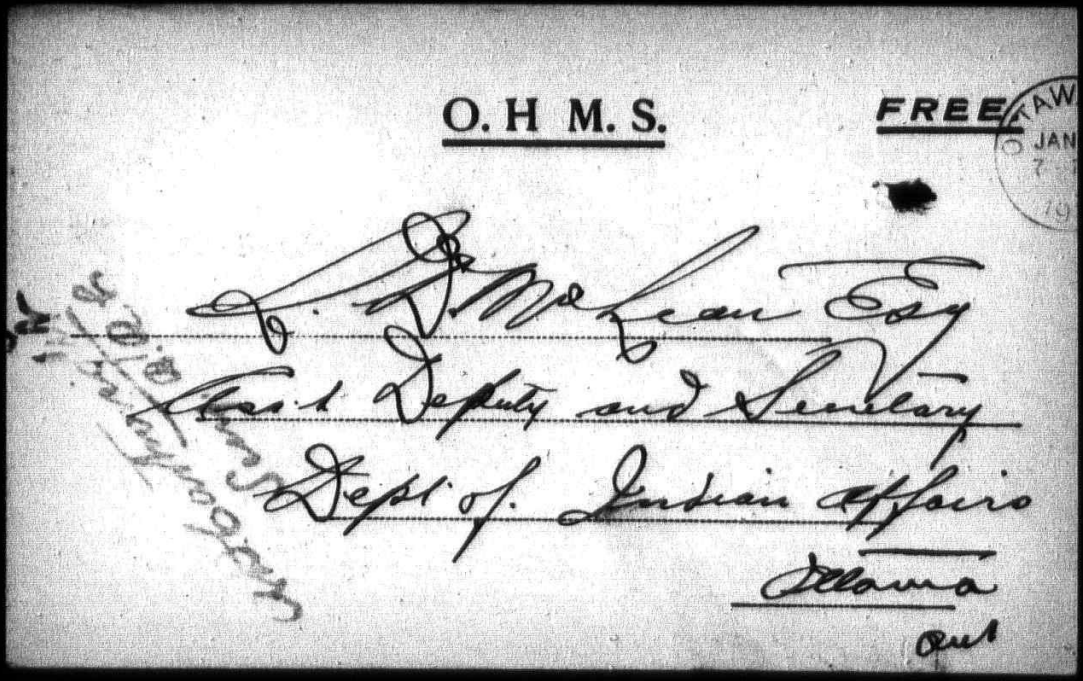
excepting thereout and therefrom the portions included which lie in fractional section eight, township seventy-four, range fourteen, West of the fifth Meridian, outside of the said reserve, and the portion of the road which surrounds the said section. The said right of way contains sixty-six acres and nine hundred and five thousandths of an acre more or less.

The said right of way is shown on a plan thereof of record in the Survey Branch of the Department of Indian Affairs, under number 1418-A, as surveyed by J.L. Cote, A.L.S. , under date of 9th July, 1917, certified as a correct copy of portions of the right of way of the said Railway duly entered and registered in the Land Titles Office for Northern Alberta Land Registration District at Edmonton.

Secondly:- That remaining portion of the South-west corner of the North West quarter of Section sixteen, Township seventy-four, Range fifteen, West of the Fifth Meridian, said parcel being bounded on the North by the South boundary of said right of way and on the South by the South boundary of the said quarter section, and on the West, by the West Boundary of the said quarter section, said parcel containing nine hundredths of an acre.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

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CANADA



Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

BOARD OF RAILWAY COMMISSIONERS FOR CANADA

OTTAWA, Jan 4 1918

I beg to acknowledge the receipt of your letter of Jan 4 18/18 which will receive the attention of the Board. Your file 440317

In writing further on this subject, please refer to File No. 21136.4

R. RICHARDSON,
Asst. Secretary.

NOTE.---Letters addressed to this Board are carried FREE by the Post Office Department.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

A. D. CARTWRIGHT, SECRETARY.

BOARD OF
RAILWAY COMMISSIONERS
FOR CANADA

OFFICE OF THE SECRETARY, OTTAWA

DEPARTMENT OF INDIAN AFFAIRS JAN 1918

January 23rd/1918.

507772

Dear Sir,- File 21136.4

Referring to yours of the 18th instant (your file 440317), I now return herewith, as requested, one tracing and one blue print of plan showing a piece of land containing 0.64 acres in the Sucker Creek Indian Reserve No.150-A, at Lesser Slave Lake required by the Edmonton, Dunvegan & British Columbia Railway Company, duly certified to by the Board's Assistant Engineer.

Encs.

Yours truly,

A. D. Cartwright
Secy.

DEPT. OF INDIAN AFFAIRS
JAN 26 1918
SURVEYS

plan 1713.

The Secretary,
Dept. of Indian,
Affairs, Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317 ty

Ottawa, 26th January 1915.

Sir,-

I beg to enclose herewith a blue print plan, which may be retained for use and reference in your office, showing a small portion of land in the Sucker Creek Indian reserve No.150-A containing 0.64 acres required by the Edmonton, Dunvegan and B.C.Railway. I have to request you to be good enough to report what compensation should be demanded from the Company for this piece of land. For your information I have to say that the price the Company paid for their right of way through this reserve was at the rate of $15.00 per acre.

Your obedient servant,

(sgd) J.D.McLean

Assistant Deputy and Secretary.

H.Laird Esq.,
Acting Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44317

Edmonton, Dunvegan & British Columbia Railway Company

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
FEB 21 1918

DEPT. OF INDIAN AFFAIRS
FEB 21 1918
SURVEYS

OTTAWA, ONT.
P.O. BOX 64
20th February 1918.

508582

Mr. J. D. McLean,
Assistant Deputy and Secretary,
Department of Indian Affairs,
OTTAWA.

Dear Sir:-

Re- Right of Way through Indian Reserves
150H, 150E, 150 and 150A.
Your file 44317.

With reference to your letter of the 22nd ultimo, I now beg to send you herewith a corrected description for insertion in the Patent of Sucker Creek Indian Reserve 150A. Upon comparing the enclosed description with the one submitted by you, you will notice that we have made several alterations, but the most important is the elimination of that part of the original description referred to " the remaining portion of the South-east quarter of Section 16, Township 74, Range 15, West of the 5th Meridian". This area excepted, was originally applied for by the Company to be used as a townsite location. Since that time, in order to meet the demand of the settlers and upon the approval of the Board of Railway Commissioners, the townsite was moved three miles farther westerly. The area of 153.75 acres for which the Company paid at the rate of $15.00 per acre, not now being required by the Company, I would request that you make us a refund of the amount paid on account of that application, namely $2309.25, as of course no patent has issued for this land as yet.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
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CANADA

Edmonton, Dunvegan & British Columbia Railway Company.
HEAD OFFICE - WINNIPEG, MAN.

OTTAWA, ONT.
P.O. BOX 64

The only other correction which we found necessary to make to the descriptions was in the description of the Drift-pile Indian Reserve No. 150, on page 2, of which the word "fifty-two" occurring on the 7th line should read "thirty-two". We have not made a new description in this case as there was merely this one correction to be made.

Trusting that it will now be possible to issue these patents, I remain

Your obedient servant,

D.W. Campbell

Asst. Secretary Treasurer.

HF/DM

Enc.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440.317.

I Appeals
re his claim
Ottawa & Immaculate
D.C.

DEPT. OF INDIAN AFFAIRS
MAR 1 1918
SURVEYS

Ottawa, March 1, 1918.

Sir,-

I have to acknowledge the receipt of your letter of the 20th ultimo, in regard to right of way through Indian Reserves 150H, 150E, 150 and 150A, and in reply to say that the question of issue of patents is receiving due consideration.

In regard to your desire to have eliminated from description in patent the remaining portion of the S. E. ¼ of sec. 16, Tp. 74, Rge. 15, W. 5th, I beg to say that the Department is not in a position to accede to your request, as a sale has been duly entered in the name of the Company and provision is not made in the Act for cancellation thereof for the reasons assigned. It will, therefore, be necessary to include this land in the patents which will be issued.

Sale 2 4 18
Page
N.W. Br.

WAD

Your obedient Servant,

J. D. McLean

Assistant Deputy & Secretary.

D. W. Campbell, Esq.,
Assistant Secretary-Treasurer,
Edmonton, Dunvegan & British Columbia Railway,
P. O. Box 64,
O t t a w a.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

F.440317

Department of Indian Affairs,

Ottawa, 1st March 1918.

~~DESCRIPTION FOR PATENT~~

~~All that parcel of land situate in the western addition to the Sucker Creek Indian reserve number one hundred and fifty-A, in the Province of Alberta and Dominion of Canada being composed of~~ the South-east quarter of section number sixteen in township seventy-four, range fifteen, West of the fifth meridian in the aforesaid Indian Reserve excepting thereout and therefrom the right of way of the Edmonton, Dunvegan and British Columbia Railway, containing by admeasurement one hundred and fifty-three acres and ninety-six hundredths of an acre more or less.

S.B.

LANDS BRANCH MAR 2 1918

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

OTTAWA, ONT.
P.O. BOX 64
4th March 1918.

509482

Mr. J. D. McLean,
Assistant Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

Dear Sir:-

Re- Right of Way through Indian Reserves
150H. 150E, 150 & 150A.
Your file 44317.

With reference to your letter of the 1st instant in which you advise me that it will not be possible to make a refund to the Company of the amount paid by them in connection with the portion they require of the S.E.¼ 16--74-15 W. 5. If that refund is not possible I would suggest that instead of making a refund to the Company that $1110.50 be taken from the amount which the Company paid in full for the portion in the said quarter section not now required, and that the balance $1198.75 be held at your Department in payment for other lands which the Company will no doubt require to purchase from your Department.

We would be greatly obliged if you would advise us that this arrangement will be satisfactory to you.

Your obedient servant,

H. W. Campbell

HE/DM

Asst. Secretary Treasurer.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of Indian Affairs

File No. 440,317-

Canada

Lands and Timber Branch

Ottawa, 6th March, 1918- 191

Memo.

500484

Deputy Minister,

In regard to letter of the 4th Instant, from Mr. Campbell, as to application of money paid on the sale made tothe Company, of the S.E.¼ Sec. 16, T. 74, R. 15, W. 5 M. in payment for other lands, which the Edmonton, Dunvegan & British Columbia Railway Company may acquire, I would refer to letter addressed Mr. Campbell, on the 1st Instant, and to say that this proposition does not, in any way, change the position of the matter.

Mr. Fitzsimmons called yesterday, and stated he would like to interview you, when it might be convenient for him to call. His phone No. is Queen 695.

W. Cobb

Officer in Charge-

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317 3

INDIAN AGENT'S OFFICE

Lesser Slave Lake Agency,

Grouard, March 7th 191 8

IN YOUR REPLY REFER TO
No.
ALSO
TO DATE OF THIS LETTER

DEPARTMENT OF INDIAN AFFAIRS
MAR 14 1918

DEPT. OF INDIAN AFFAIRS
MAR 15 1918
SURVEYS

509264

Sir,—

Re. Department letter of January 26th, 1918, No.440317 ty.

I beg to state that Sucker Creek supplies the main amount of water used by the Indians for domestic and other purposes on this Reserve. The majority of the Indians live on or close to its banks, and should a dam be constructed it might cut off their supply of water at a time when they would have the most need of it.

At present I am unable to consult the Indians in regard to this matter, as the majority of them are out hunting and traping, but I will do so at the earliest opportunity.

I am aware that the land taken for the right of way was bought for $15.00 per acre, but this is not a question of land, but of water.

Your obedient servant,

Harold Laird

Acting Indian Agent.

The Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, March 16, 1918.

Sir,-

I beg to acknowledge the receipt of your communication of the 4th instant, in regard to desire of the Edmonton, Dunvegan & British Columbia Railway Company to be allowed to apply the purchase money paid on the S. E. ¼ of sec. 16, Tp 74 Rge. 15 W. 5th on other land which the Company might acquire.

In reply I would point out that the Indians ceded this land to the Crown to be disposed of for their benefit, and a sale was accordingly made to the Company and the purchase money received therefor placed to the credit of Indian funds, and the Indians are entitled to the interest accrued and which may accrue thereon in yearly distributions.

It will readily be understood in view of the above that the Indians would have reason to complain if the Department deprived them of the revenue which they may be entitled to receive in accordance with the terms of the surrender above referred to.

As there is no provision in the Indian Act which would warrant such action, it is regretted that the Department is unable to meet the wishes of the Company in this matter.

Your obedient Servant

J. D. McLean

Asst Deputy & Secretary.

D. W. Campbell, Esq.,
Asst Secretary-Treasurer,
Edmonton Dunvegan & British Columbia Railway Company,
P. O. Box 64,
O t t a w a.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

OTTAWA, March 28, 1918.

Sir,—

I beg to inclose for registration in your office, the following Crown Grants:

Edmonton, Dunvegan, and British Columbia Railway Company for right of way through Sucker Creek Indian reserve No.150A and western addition thereto and also portion of the southwest corner of the northwest ¼ of sec.16, T.74, R.15, W.5 M.

Your obedient servant,

WWD

W. A. Orr.

Registrar of Indian Lands Patents

The Registrar of Titles,

Edmonton,

Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, March 28, 1918.

Sir,-

I beg to inform you that letters patent have been issued to the Edmonton, Donvegan and British Columbia Railway Company for right of way through Sucker Creek Indian reserve No.150A and western addition thereto and also portion of the southwest corner of the north-west ¼ of sec.16, T.74, R.15, W. 5 M., and has been forwarded direct to the Registrar of Titles, Edmonton.

Your obedient servant,

W. A. Orr.

W.W.O

In charge Lands & Timber Branch.

D.W.Campbell, Esq.,
Asst. Secretary-Treasurer,
Edmonton, Dunvegan &
British Columbia Railway Company,
P.O.Box 64,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Edmonton, Dunvegan & British Columbia Railway Company.

HEAD OFFICE - WINNIPEG, MAN.

DEPARTMENT OF INDIAN AFFAIRS
APR 4 1918

DEPT. OF INDIAN AFFAIRS
APR 5 1918
SURVEYS

OTTAWA, ONT.
P.O. BOX 64

3rd April 1918.

Mr. J. D.McLean,
Assistant Deputy & Secretary,
Department of Indian Affairs,
OTTAWA.

510060

Dear Sir:-

Re- Pipe Line and Dam Site. - 0. 64 acres.
Indian Reserve 150A. Alberta.
Your file 440317 Ty.

Referring to your letter of the 18th January last regarding above, I beg to say that I do not seem to have received a reply from you regarding this matter. As the Company is very anxious to make their final arrangements in this connection at the earliest possible date, I would be obliged if you would send me an advice at your earliest convenience.

Your obedient servant,

H.W. Campbell

Asst. Secretary Treasurer.

HE/DM

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

EXD

Ottawa, 5th April 1918.

Sir,-

In reply to your letter of the 3rd instant I have to inform you that we have received a report from our Agent to the effect that the majority of the Indians live on or close to the banks of Sucker Creek in the Indian reserve No.150-A and that should a dam be constructed it might cut off their supply of water at a time when they would have the most need of it. Our Agent will look into this case at the earliest opportunity and as soon as his report is received you will be advised.

S.B.

Your obedient servant,

(sgd) J.D.McLean

Assistant Deputy and Secretary.

D.W.Campbell Esq.,
Asst. Secretary-Treasurer,
Edmonton, Dunvegan & B.C.Ry.,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of Indian Affairs

Canada

File No.

Lands and Timber Branch

Ottawa, April 6, 1918.

Memo.

510449

The Deputy Minister.

In regard to letter from Mr.Campbell of the 23rd ultimo, as to the cancellation of sale of land purchased by the Company for a townsite on Indian reserve No.150A, containing 153.96 acres, and a return of the money paid therefor, amounting to $2,309.25, I beg to point out that a sale was completed to the Company for this land and duly entered on the books of the Department.

In order to meet the wishes of the Company, it would be necessary to cancel the sale, and a cancellation of sale can only take place under the provisions of section 61 of the Indian Act provided the Superintendent General is satisfied that any purchaser has been guilty of any fraud or imposition, or has violated any of the conditions of the sale, or if any sale has been made or issued in error or mistake.

As the reason for cancelling this sale, namely, the fact that the company do not now require the land for the purposes acquired, does not come within the provisions of the section above referred to, I do not see that the Department is in a position to meet the wishes of the Company.

W. Scott

Officer in Charge.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

File

April 8, 1918.

EXD

Memorandum.-

Hon. Mr. Meighen.

Incl. With reference to the attached letter from Mr. D. W. Campbell, Assistant Secretary-Treasurer, Edmonton, Dunvegan & British Columbia Railway Company, asking for cancellation of sale of land on Indian Reserve 150A, containing 153.96 acres, purchased by the Company for a townsite, and a return of the money paid therefor, which amounted to $2309.25, I would say that the facts as they present themselves to the Department are as follows : -

A sale was completed to the Company for this land and duly entered on the books of the Department. In order to meet the wishes of the Company, it will be necessary to cancel the sale, and cancellation of sale can only take place under the provisions of Section 61 of the Indian Act, provided the Superintendent General is satisfied that any purchaser has

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

been guilty of any fraud or imposition,or has violated any of the conditions of the sale, or if any sale has been made in error or mistake. The Company, in making the request, states that the reason for cancelling this sale is that they do not now require the land for the purposes for which it was acquired; as this reason would not come within the previsions of the section above referred to, I do not think we can favourably consider the request.

Duncan C. Scott

Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA.

OTTAWA, April 11, 1916.

Sir,—

I beg to inclose for registration in your office, the following Crown Grants:

Edmondon, Dunvegan & British Columbia Railway Company for right of way through Sawridge Indian reserve No.150H, Alberta.

Edmonton, Dunvegan & British Columbia Railway Company for right of way and station grounds in Indian reserve Driftpile No.150 and additions thereto, Alberta.

Edmonton, Dunvegan & British Columbia Railway Company for right of way and station grounds in Swan River or Kinoosaya Indian reserve No.150E, Alberta.

Your obedient servant.

WWD

W. A. Orr.

Registrar of Indian Lands Patents

The Registrar of Titles,

Edmonton,

Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, April 11, 1918.

Sir,-

I beg to inform you that letters patent have been issued to the Edmonton, Dunvegan & British Columbia Railway Company for right of way through Sawridge Indian reserve No.150H, for right of way and station grounds on Driftpile reserve No.150, and additions thereto, and for right of way and station grounds on Swan River or Kinoosaya Indian reserve No.150E, all in the province of Alberta, and have been forwarded direct to the Registrar of Titles, Edmonton.

Your obedient servant,

W.A. Orr.

In charge Lands & Timber Branch.

D.W.Campbell, Esq.,
Asst.Secretary-Treasurer,
Edmonton,Dunvegan &
British Columbia Railway Company,
P.O.Box 64,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
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CANADA

440317

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER. ADDRESS YOUR REPLY THE "SUPERINTENDENT OF IRRIGATION, DEPARTMENT OF THE INTERIOR"

IN YOUR REPLY PLEASE QUOTE THIS FILE NO.

2732 Irr.

DEPARTMENT OF THE INTERIOR
CANADA

N.R. **Irrigation Branch**

OTTAWA, April 16th, 1918.

510467

DEPARTMENT OF INDIAN AFFAIRS
APR 17 1918

DEPT. OF INDIAN AFFAIRS
APR 19 1918
SURVEYS

Sir,-

An application was received in this office some little time ago, from the Edmonton, Dunvegan and British Columbia Railway Company, to use water from Sucker creek for industrial purposes at Mile 220. Right of way is required over the Indian Reserve No. 150A, in township 74, range 14, west of the 5th meridian. Will you kindly let me know what arrangements have been made between the Railway Company and your Department regarding this matter.

Your obedient servant,

E. D. Dvd

Superintendent of Irrigation.

The Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 20th April 1916.

Sir,-

With reference to your letter of the 16th instant, No.2732, I beg to state that Mr.D.W.Campbell, Asst.Secretary-Treasurer of the Edmonton, Dunvegan & B.C.Railway, was informed on the 5th instant that we had received a report from our Agent to the effect that the majority of the Indians live on or close to the banks of Sucker Creek in Indian reserve No.150-A and that should a dam be constructed it might cut off their supply of water at a time when they most needed it and that our Agent will look into this case at the earliest opportunity. This matter will therefore require to be held until we have received ~~the said~~ a report from our Agent.

S.B.

Your obedient servant,

(sgd) J.D.M.Lean

Assistant Deputy and Secretary.

The Superintendent of Irrigation,
Department of the Interior,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317ty

Ottawa, 24th April 1918.

Sir,-

I beg to refer you to your letter of the 7th ultimo and to request you to state whether you are now able to report in full on the application of the Edmonton, Dunvegan and British Columbia Railway Company for a portion of land in connection with water supply in the Sucker Creek Indian reserve No.150-A.

Your obedient servant,

(sgd) J.D.McLean

Assistant Deputy and Secretary.

S.B.

Harold Laird Esq.,
Acting Indian Agent,
Grouard, Alberta.

Letter sent 7.6.918 HCB

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

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CANADA

440317

North Alberta Land Registration District

EDMONTON, ALTA.

ADDRESS ALL REPLIES TO THE LAND TITLES OFFICE EDMONTON

IN YOUR REPLY PLEASE REFER TO FILE NO. 75

April 18th, 1918.

DEPARTMENT OF IN... APR 22 1918

The Controller,
Department of Indian Affairs,
Ottawa, Ontario.

510653

DEPT. OF INDIAN AFFAIRS APR 25 1918 SURVEYS

Sir:-

With reference to your letter of the 28th ult., I herewith beg to hand you Patent recorded in the Department of Indian Affairs on the 14th day of March, 1918, Liber 44, Folio 45946, and regret the description as set out in the same as it now stands, will cause a great deal of confusion with my records here, and therefore, respectfully beg to have the same amended. Im this respect I refer only to the portion known as "Addition to the Sucker Creek Indian Reserve 150 A." The whole of this portion of the land on the Railroad Plan registered here under No. 4513 B.Q. is shown to be subdivided in quarter-sections. The Departmental Township Maps also confirmed this, and naturally the only reference in this office that is made to this land will be by the quarter-sections within the Addition to the Indian Reserve.

I, therefore, would be much obliged if you would have your description so amended as to make reference to each individual quarter-section within the Indian Reserve, as shown upon said Railroad Plan No. 4513 B.Q., a copy of which, you no doubt, have recorded in your Department, giving the full details as to the quarter-sections.

Your obedient servant,

H. J. Jackson,
Registrar.

Dal-F.
Encl.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317ty

Ottawa, 1st May 1918.

Sir,-

In reply to your letter of the 15th ultimo, No.75, I beg to inform you that the cancellation of the patent in order that a new one may be issued can only be done under the provisions of section 70 of the Indian Act to which I would refer you. In the patent in question issued to the Edmonton, Dunvegan and British Columbia Railway Company for a certain right of way in Indian reserve No.150-A there appears to be no misnomer, mistake, clerical error or wrong description of any kind therein and consequently there is no ground on which application for cancellation may be made.

You may note that the quarter-sections in the addition to the said reserve are very plainly indicated on the plan of the right of way filed by the Company in your office but in the future in order to comply with your request in all similar descriptions the details of the ¼ sections through which the right of way passes will be mentioned.

I again would state that I regret being unable to comply with your request and therefore return the patent forwarded with your said letter.

Your obedient servant,

(sgd) J.D. McLean

Assistant Deputy and Secretary.

The Registrar,
Northern Alberta
Land Registration District,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

North Alberta Land Registration District

EDMONTON, ALTA.

ADDRESS YOUR REPLY TO THE REGISTRAR LAND TITLES OFFICE EDMONTON

RECEIVED AT SURVEYS MAY 22 1918 SURVEYS

IN YOUR REPLY PLEASE REFER TO FILE NO. 75

S 5
Power 4-20
N.W. pch.
Def. 18.183

May 17th. 1918.

Registrar of Indian Lands Patents,

Department of Indian Affairs,

OTTAWA, ONT.

Sir:-

With reference to your letter of the 11th.ult. I beg to call your attention to the fact that the Patent in favor of the Edmonton Dunvegan and British Columbia Railway, recorded in the Department of Indian Affairs on the 18th. day of March 1918, Liber 44, Folia 51, the reference number of which is #18183, folio #5, appears to be wrong inasfar as the acreage is concerned, as the same does not agree with my registered Plan here.

I would be obliged if you would give this matter your attention, and write me accordingly.

Your obedient servant,

H. J. Dawson,

REGISTRAR

DAL/B

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 23rd May 1918.

Sir,-

In reply to your letter of the 17th instant, No.75, I beg to inform you that the difference between the area stated in the patent granted to the Edmonton, Dunvegan and British Columbia Railway and that on the plan which has been recorded in your office appears to result from the fact that the right of way of the Swan River Settlement Road across the tract granted to the railway containing forty-five hundredths of an acre has been excepted in the patent.

Your obedient servant,

L. S. McLean

Assistant Deputy and Secretary.

The Registrar,
Land Titles Office,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317
512010

DEPARTMENT OF THE INTERIOR
CANADA

Irrigation Branch

Your file No. 440317.
2732 Irr.

OTTAWA, June 29th, 1918.

Sir,-

With further reference to your letter of the 20th of April last, respecting right of way required by the Edmonton, Dunvegan and British Columbia Railway Company, for their industrial water supply scheme over Indian Reserve No. 150-A, in township 74, range 14, west of the 5th meridian, please let me know whether or not you have received a report from your Agent, in this connection.

Your obedient servant,

E. A. Dyrk

Superintendent of Irrigation.

The Department of Indian Affairs,
OTTAWA.

DEPARTMENT OF INDIAN AFFAIRS
JUL 3 1918
SURVEYS

DEPARTMENT OF INDIAN AFFAIRS
JUL 3 1918

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 4th July 1918.

Sir,-

I beg to draw your attention to our letter of the 24th April last and to request you to be good enough to send your final report as soon as may be possible relating to the application of the Edmonton, Dunvegan and British Columbia Railway Company for a portion of land in connection with a water supply in the Sucker Creek Indian reserve No.150-A.

S.B.

Your obedient servant,

(sgd) J D M Lean

Assistant Deputy and Secretary.

Harold Laird Esq.,
Acting Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 4th July 1918.

Sir,-

In reply to your letter of the 29th ultimo, No.2732, I beg to inform you that we have not yet received the final report from Mr.Harold Laird, the Acting Indian Agent at Grouard, on the water supply scheme in Indian reserve No.150-A required by the Edmonton, Dunvegan and British Columbia Railway Company. He has this day been requested to send his report at as early a date as possible.

S.B.

Your obedient servant,

(Sgd) J.D.McLean

Assistant Deputy and Secretary.

E.F.Drake Esq.,
Superintendent of Irrigation,
Department of the Interior,
Ottawa, Ont.

over

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

D.L.S.

September 9th 1913.

Sir,-

I beg to draw your attention to letters to you of the 4th July and the 24th April last requesting you to report finelly on the portion of land required for a water supply in the Sucker Creek Indian reserve No.150-A by the British Columbia Railway Company; be good enough to report.

Your obedient servant,

J. B. Lord

for J. D. McLean

Assistant Deputy and Secretary.

Harold Laird Esq.,
Acting Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

ADDRESS YOUR REPLY "THE SUPERINTENDENT / IRRIGATION, DEPARTMENT OF [redacted] INTERIOR"

440317

Your file 440317.

IN YOUR REPLY PLEASE QUOTE THIS FILE NO.

2732 Irr.

DEPARTMENT OF THE INTERIOR
CANADA

DEPT. OF INDIAN AFFAIRS
SEP 28 1918
RECORDS

N.R. **Irrigation Branch**

OTTAWA, September 27th, 1918.

515373

Sir,-

With reference to your letter of the 4th of July last, I would be glad to know whether or not you have yet received the report referred to therein, respecting the right of way required by the Edmonton, Dunvegan and British Columbia Railway Company, over Indian Reserve No. 150A.

DEPT. OF INDIAN AFFAIRS
OCT 15 1918
SURVEYS

Your obedient servant,

E. A. Drake

Superintendent of Irrigation.

The Secretary,
Department of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 15th October 1918.

Sir,-

Kindly send at your earliest opportunity the report regarding the right of way of the Edmonton, Dunvegan and B.C.Railway for water supply in the Sucker Creek Indian reserve No.150-A. No further delay can be entertained.

Your obedient servant,

(Sgd) R.Stewart

In Assistant Deputy and Secretary.

W.R.W.-
JS

A.Megraw Esq.,
Inspector of Indian Agencies,
Vernon, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

OFFICE OF
INSPECTOR OF INDIAN AGENCIES
SOUTHEASTERN INSPECTORATE

DEPT. OF INDIAN AFFAIRS
OCT 28 1918
RECORDS

VERNON, B.C.

440317
File 440317

516148

October 21, 1918

Harvey

Sir,-

I beg to acknowledge the receipt of your letter of 15th instant in reference to right of way of the Edmonton, Dunvegan & B. C. Ry. and Water supply in Sucker Creek Indian Reserve No. 150-A. In reply I may say I think there was an error in writing me in connection with this matter, for I did not receive ~~this~~ any communication in connection with it and do not think the railway in question effects any of the reserves in British Columbia.

I have the honour to be,

Sir,

Your obedient servant,

C. A. Megraw

Inspector of Indian Agencies

DEPT. OF INDIAN AFFAIRS
OCT 31 1918
SURVEYS

Assistant Deputy and Secretary
Department of Indian Affairs,
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 31st October 1918.

Sir,-

Kindly send at your earliest opportunity the report regarding the right of way of the Edmonton, Dunvegan and B.C.Railway for water supply in the Sucker Creek Indian reserve No.150-A. No further delay can be entertained.

Your obedient servant,

(sgd) D. Stewart

for Assistant Deputy and Secretary.

Harold Laird Esq.,
Acting Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Your file 440317.

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER ADDRESS YOUR REPLY "THE SUPERINTENDENT OF IRRIGATION, DEPARTMENT OF THE INTERIOR"

IN YOUR REPLY PLEASE QUOTE THIS FILE NO.

DEPT. OF INDIAN AFFAIRS JAN 2 1919 RECORDS

DEPARTMENT OF THE INTERIOR
CANADA

2732 Irr.

N.R. **Irrigation Branch** 518012

OTTAWA, December 30th, 1918.

518012

DEPT. OF INDIAN AFFAIRS
JAN 2 1919
SURVEYS

Sir,-

The Edmonton, Dunvegan and British Columbia Railway Company require right of way over Indian Reserve No. 150A, in township 74, range 14, west of the 5th meridian, in connection with their industrial water supply scheme at Mile 220.
On the 4th of July last, you advised me that you had called for a report from the Acting Indian Agent at Grouard. Will you kindly advise me if his report has yet been received, and if your department is now in a position to grant the right of way required by the Railway Company.

Your obedient servant,

E. A. Drake

Superintendent of Irrigation.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

EXD

Ottawa, 3rd January 1919.

Sir,-

I beg to draw your attention to letter of the 31st October last and preceding correspondence which refers especially to your letter of the 7th March last regarding a right of way required by the Edmonton, Dunvegan and B.C.Railway for water supply in the Sucker Creek Indian reserve No.150-A. This matter has been held for nine months. An immediate reply is requested.

S.B.

Your obedient servant,

(sgd) J D McLean

Assistant Deputy and Secretary.

H.Laird Esq.,
Acting Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 20th February 1919.

Sir,-

I have to request an immediate reply to letters of the 3rd ultimo and the 31st October last regarding the water supply in the Sucker Creek Indian reserve No.154A applied for by the Edmonton, Dunvegan and British Columbia railway.

Your obedient servant,

(sgd) J.D. McLean

Assistant Deputy and Secretary.

S.B. Ltr.

H. Larrd Esq.,
Acting Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

WRITE ABOUT MORE THAN
ECT IN THE SAME LETTER.
YOUR REPLY "SUPERINTEN-
DENT OF IRRIGATION" DEPART-
THE DIRECTOR
RECLAMATION SERVICE
DEPARTMENT OF THE INTERIOR
OTTAWA.

DEPT. OF INDIAN AFFAIRS
MAR 5 1919
RECORDS

IN YOUR REPLY PLEASE QUOTE THIS FILE NO.

DEPARTMENT OF THE INTERIOR
CANADA
Reclamation Service
Irrigation Branch

2732 R.S.

G.E.A.

DEPT. OF INDIAN AFFAIRS
MAR 4 1919
SURVEYS

OTTAWA, March 3, 1919.

520159

Sir,-

I beg to refer you to my letter of the 27th September last, respecting right of way required by the Edmonton, Dunvegan and British Columbia Railway Company over the Indian Reserve No.150A.

This right of way is required in connection with the railway company's industrial water supply scheme at Mile 220 and until such time as a satisfactory arrangement in regard thereto is made with your department we cannot issue the company a water license. I shall be glad if you will let me know how this matter now stands.

Your obedient servant,

E.F.Drake per WMcB
(E.F.Drake)

Director.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 6th March 1919.

Sir,-

In reply to your letter of the 3rd instant I have to say that our Agent at Grouard has been urged from time to time to send the report requested on the right of way required by the Edmonton, Dunvegan and British Columbia Railway Company in connection with a water supply. When the report is received it is hoped that we can give you a definite answer.

Your obedient servant,

Assistant Deputy and Secretary.

E.F.Drake Esq.,
Superintendent of Irrigation,
Department of the Interior,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



PROFILE OF PIPE LINE

SCALES



DETAILS OF PUMPING PLANT	
ENGINE Type	Horz Gasoline
Power	Rated H.P. 10
PUMP Type	Centrifugal
Name	
Location	Direct connected
Capacity	9
Lift	9-10-12
CASING Material	
Length	20-33
Diameter	
Material of Lock	20-330
SUCTION Length	6
Diameter	83
Material	9
Weight per foot	Wrought Iron
DISCHARGE Length	6
Diameter	1 1/2
Material	43
Weight per foot	Wrought Iron

1 OF



PROFILE OF PIPE LINE
SCALES {Hor. 1"=500'
Ver. 1"=100'}



I That I was
[illegible]
of the Law
2 That the
[illegible]
that I am
3 That I re
Seventy six
Sworn bef
of the Prov

A Commissioner

Contract No. 17
For [illegible]

DETAILS OF PUMPING PLANT	
ENGINE	
Type	Horz. Gasoline
Make	Fairbanks-Morse
H.P.	10
PUMP	
Type	Centrifugal Pump Co.
Make	Do
How operated	Direct connected
No. of centrifugal units	2
Length of stroke in ins.	8-10-12
CAPACITY	
Imp. Gallons per hr.	22-33
Revolutions per Min.	100
Imp. Gallons per min. Disch.	220-330
SUCTION	
Diam. in inches	6
Length in feet	8.3
Lift in feet	9
Material of pipe	Wrought iron
DISCHARGE	
Diam. in inches	6
Length in feet	222
Disch. Head in feet	43
Material of pipe	Wrought iron

1 OF

KODAK SAFETY ▲ FILM

SUGAR CREEK

...ILE OF PIPE LINE
...CALES: Hor. 1 = 20
Vert. 1 = 20

INDIAN RESERVE No. 150 A

A'W required for Pipe Line and Dam
0.64 Acre.

EDMONTON, DUNVEGAN & B.C. RY.
N. 81° 40' W.

...WEST BAY SEC 8 TP 71 R 24 W 4TH M.

1713

DETAILS OF PUMPING PLANT

EDMONTON, DUNVEGAN AND B.C. RY.

PLAN AND PROFILE OF

WATER SUPPLY—MILE 219.8

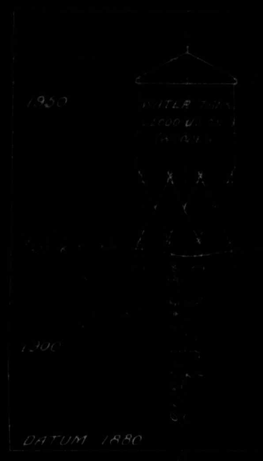
AS CONSTRUCTED

Showing Right of way required for Pipe Line and Dam in Indian Reserve No. 150 A. Tp. 71 R. 24 W. 4th M. Alta.

SCALES AS NOTED

Office of Chief Eng., May 8th 1917.

2 OF



PROFILE OF PIPE LINE

SCALES



I, [illegible]
1 That I w
[illegible]
2 That I
[illegible]
3 That I m
[illegible]
Sworn bef
[illegible]

A Commissioner





INDIAN RESERVE No. 150 A

[illegible]

EDMONTON, DUNVEGAN & B.C. RY.

N. 51° 40' W.

E. Edmonton

S. CAEP

[illegible]

WEST BAY SEC. 6 TP. 54 RGE. 5 W.4TH MERIDIAN

PLAN

SCALE 1 IN. = 100 FT.

1713
506363
44031
June 1913

DETAILS OF PUMPING PLANT	
ENGINE	
Type	Horl. Gasoline
Make	Fairbanks Morse
H.P.	10
PUMP	
Type	Centrifugal Turbine
Make	Do
How geared	Direct connected
No. of stages	9
Depth of Intake ins.	8-10-12
CAPACITY	
Imp. Gallons per hr.	22-33
Revolutions per Min.	100
Imp. Gallons per min. Disch.	220-330
SUCTION	
Diam. in inches	6
Length in feet	83
Lift in feet	9
Material of Pipe	Wrought Iron
DISCHARGE	
Diam. in inches	6
Length in feet	622
Diff. head in feet	43
Material of Pipe	Wrought Iron

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

3 OF

SUCKER CREEK

FILE OF PIPE LINE
SCALES: Hor. 1 = 20
Vert. 1 = 10

INDIAN RESERVE No. 150 A

R/W required for Pipe Line and Dam
0.64 Acre.

EDMONTON, DUNVEGAN & B. C. RY.
N. 81° 40 W.

To Edmonton

WEST BDY. SEC. 8, T. 74, R. 14, W. 5 M.

82.5

82.35

1358 x 65.0

1587 x 38.4

PLAN
SCALE: 1 IN. = 100 FT.

1713
506363
44031
June 16 1913

DETAILS OF

AND B.C. RY.

OF

MILE 219.8

ED

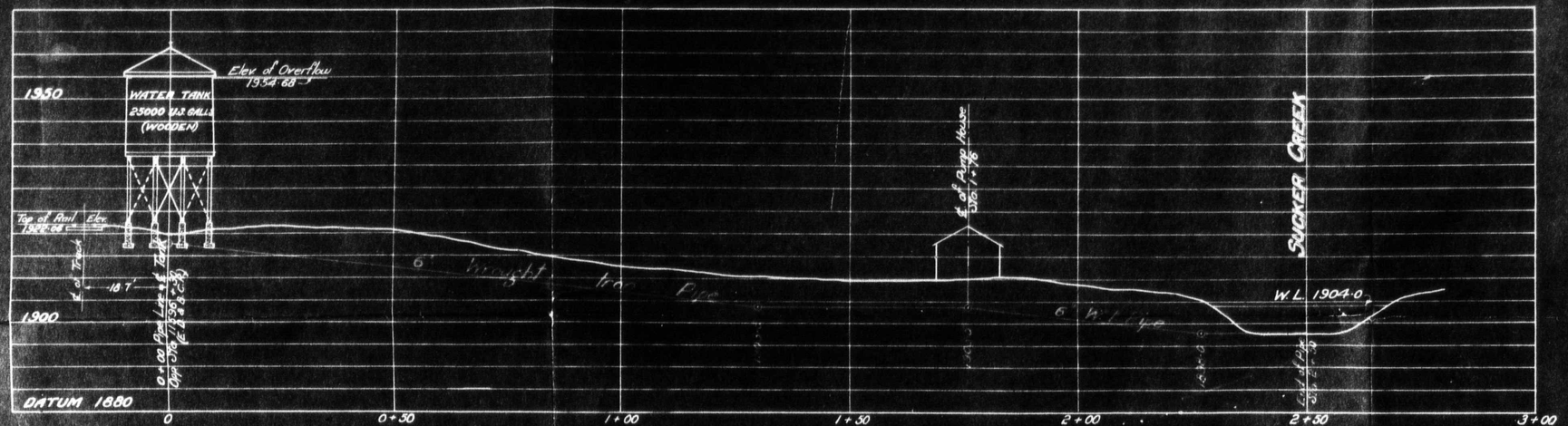
Pipe Line and Dam

R. 14. W 5th Mer.

Chief Engineer & Gen'l Manager

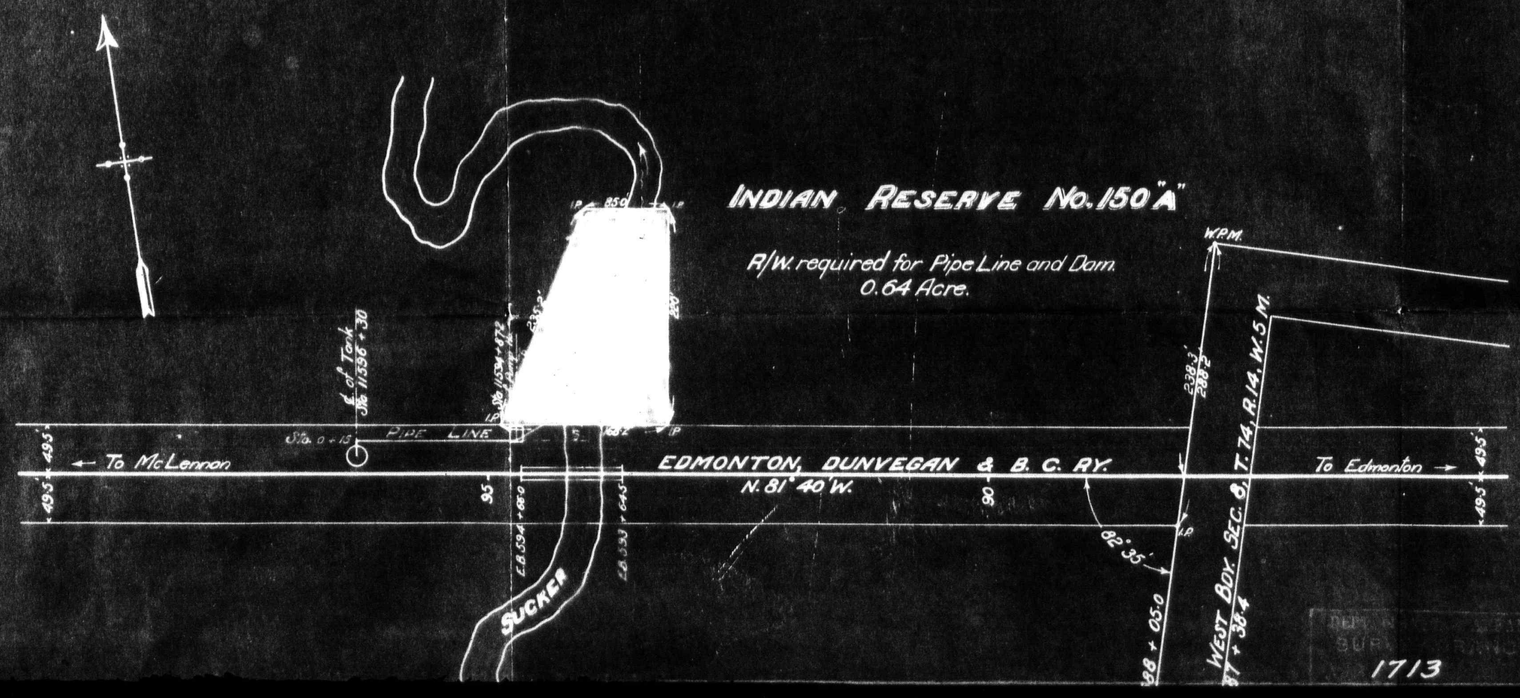
1713

4 of 4.



PROFILE OF PIPE LINE

SCALES: {Hor. 1" = 20'
Vert. 1" = 20'



I, Jean Leon Côté, a Dominion Land Surveyor, do
survey represented by the Plan of the Town Site of
is correct and true to the best of my knowledge
accordance with the provisions of The Land Titles

Dated at Edmonton in the Province of Alberta
this 28th day of May 1917.
in the presence of

A. McBrennet

Dominion

Canada

I, the Land
Commissioner
2. That the
the
3. That
the
Irrigation

Commissioner

APPROVED

Certified a true copy of the plan filed with the Commissioner of Irrigation, at Calgary, under provisions of The Irrigation Act

on June 25th 1917

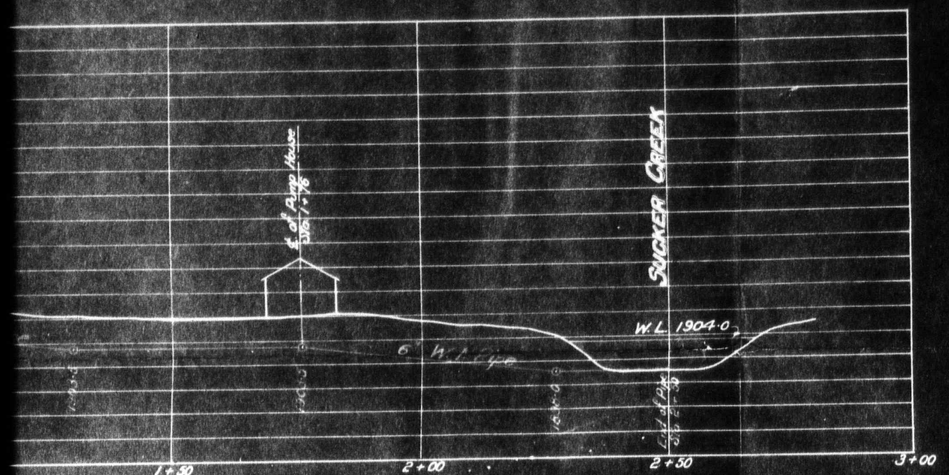
Chief Engineer

DETAILS OF PUMPING PLANT

ENGINE	
Type	Horl. Gasoline
Make	Fairbanks-Morse
I.H.P.	10
PUMP	
Type	Combined Fair-Morse
Make	Do.
How operated	Direct connected
Diam. Water Cyl. Ins.	9"
Length of Stroke Ins.	8-10-12
CAPACITY	
Imp. Gallons per Rev. In.	2.2-3.3
Revolutions per Min.	100
Imp. Gallons per min. Disch.	220-330
SUCTION	
Diam. in Inches	6"
Length in feet	83'
Lift in feet	9'
Material of Pipe	Wrought Iron
DISCHARGE	
Diam. in Inches	6"
Length in feet	222'
Disch. Head in feet	43'
Material of Pipe	Wrought Iron

1713

F 2619



PROFILE OF PIPE LINE
SCALES: Hor. 1" = 20'
Vert. 1" = 20'

I, Jean Leon Côté, a Dominion Land Surveyor, do solemnly declare that the survey represented by this Plan has been made by me and that the said plan is correct and true to the best of my knowledge and belief and is prepared in accordance with the provisions of the Land Titles Act.

Dated at Edmonton in the Province of Alberta this 28th day of May 1917.
in the presence of
A.M. Brenner

J. L. Côté
Dominion Land Surveyor.

I, Jean Leon Côté, Alberta Land Surveyor do solemnly declare that the survey represented by this Plan has been made by me in accordance with the provisions of the Alberta Surveys Act, and that this plan is correct and true to the best of my knowledge and belief and is prepared in accordance with the provisions of the Land Titles Act.

Dated at Edmonton in the Province of Alberta this 28th day of May 1917.
in the presence of
A.M. Brenner

J. L. Côté
Alberta Land Surveyor

Canada } I, A. M. Brenner of the City of Edmonton in the Province of Alberta, make oath and say:-

1. That I was personally present and did see Jean Leon Côté, named in this plan who is personally known to me to be the person named therein duly sign and execute the same for the purposes named therein.
2. That the same was executed at the City of Edmonton in the Province of Alberta and that I am the subscribing witness thereto.
3. That I know the said Jean Leon Côté, and he is in my belief of the full age of twenty-one years.

Sworn before me at the City of Edmonton in the Province of Alberta this 31st day of May 1917. } A.M. Brenner

A Commissioner in and for the Province of Alberta

Recd .64

7 L Summerby

June 22

938

BS

1038 June 12 938 BS

1038 30. a.m. June 12. John Campbell Segnet

1430 June 14 John Campbell

APPROVED

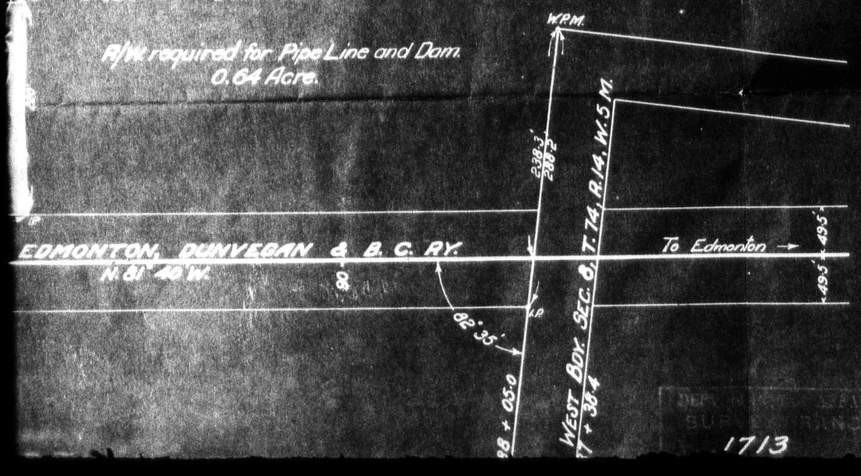
Certified a true copy of the plan filed with the Commissioner of Irrigation, at Calgary, under provisions of The Irrigation Act

on June 25th 1917

Chief Engineer

INDIAN RESERVE No. 150 "A"

A/c required for Pipe Line and Dam. 0.64 Acre.



DEPT. OF PUBLIC WORKS SURVEYS BRANCH 1713

DETAILS OF PUMPING PLANT

ENGINE	
Type	Horl. Gasoline
Make	Fairbanks-Morse
I.H.P.	10
PUMP	
Type	Combined Fair-Morse
Make	Do.
How operated	Direct connected
Diam. Water Cyl. Ins.	9"
Length of Stroke Ins.	8-10-12
CAPACITY	
Imp. Gallons per Rev. In.	2.2 - 3.3
Revolutions per Min.	100
Imp. Gallons per min. Disch.	220 - 330
SUCTION	
Diam. in Inches	6"
Length in feet	83'
Lift in feet	9'
Material of Pipe	Wrought Iron
DISCHARGE	
Diam. in Inches	6"
Length in feet	222'
Disch. Head in feet	43'
Material of Pipe	Wrought Iron

EDMONTON, DUNVEGAN AND B.C. RY.

PLAN AND PROFILE OF

WATER SUPPLY—MILE 219.8

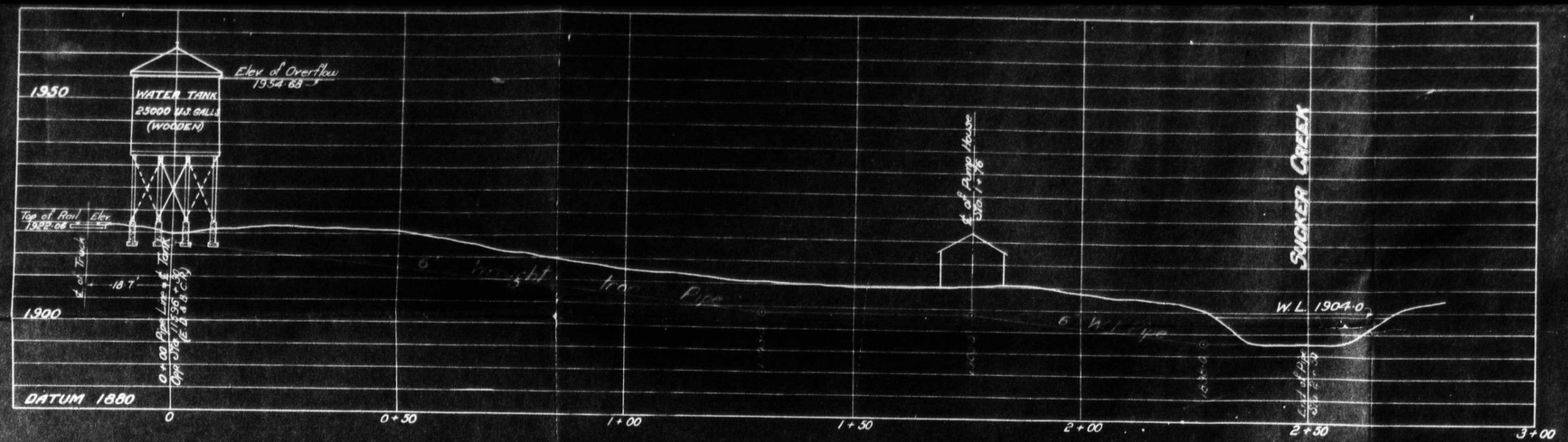
AS CONSTRUCTED

showing Right-of-way required for Pipe Line and Dam in Indian Reserve No. 150 "A", T. 74, R. 14, W. 5th Mer.

SCALES AS NOTED

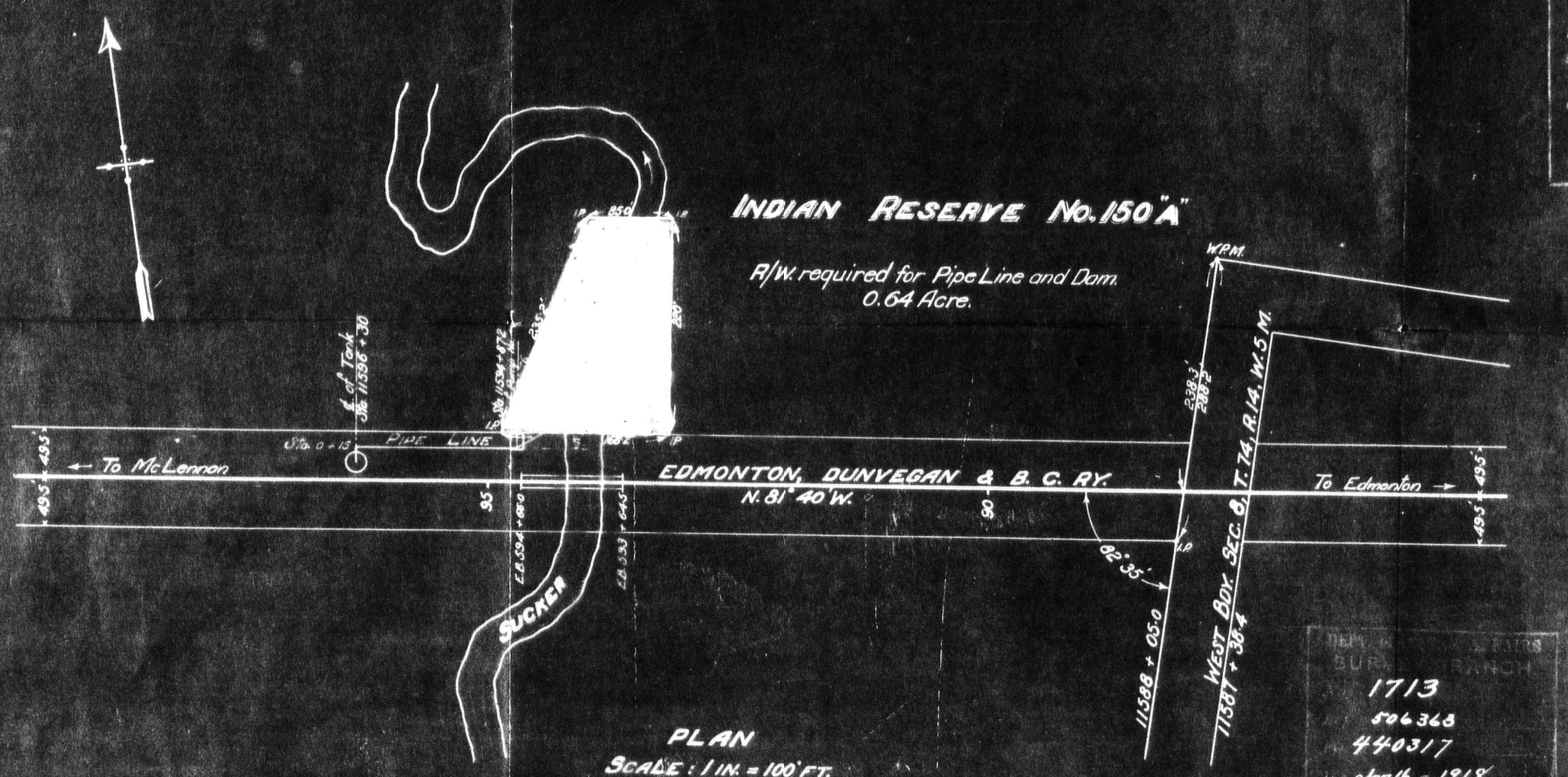
Office of Chief Eng., May 8th 1917.

2 of



PROFILE OF PIPE LINE

SCALES: Hor. 1" = 20'
Vert. 1" = 20'



PLAN

SCALE : 1 IN. = 100 FT.

I, Jean Leon Cote, a Dominion Land Surveyor, ... survey represented by the Plan ... has been made ... is correct and true to the best of my knowledge ... accordance with the provisions of the Land ...

Dated at Edmonton in the Province of Alberta ... this 22nd day of May, 1917.

in the presence of

A. M. Brennet

Canada ...

1. That I was ...
2. That the ...
3. That the ...

A Commissioner ...

APPROVED

Certified a true copy of the plan filed with the Commissioner of Irrigation, at Calgary, under provisions of The Irrigation Act.

on June 25th 1917.

Chief Engineer

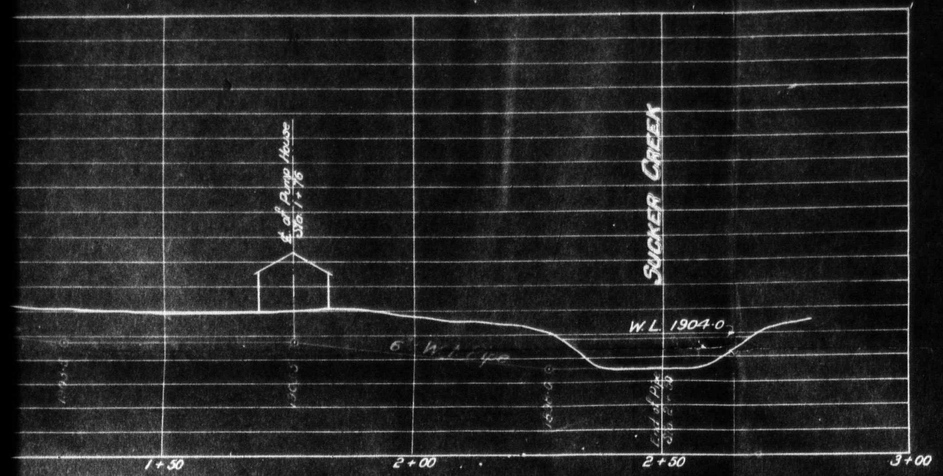
DETAILS OF PUMPING PLANT

ENGINE	
Type	Heavy Gasoline
Make	Fairbanks-Morse
I.H.P.	70
PUMP	
Type	Centrifugal Four Stage
Make	Do
How operated	Direct Connected
Diam. Water Cyl. Ins.	8"
Length of Stroke Ins.	8 in. dia.
CAPACITY	
Imp. Gallons per Hour	90,000
Barrels per Hour	257
Imp. Gallons per min. Rated	1250 - 1500
SUCTION	
Diam. of Inches	6"
Length in Feet	20'
Lift in Feet	8'
Material of Pipe	Wrought Iron
DISCHARGE	
Diam. of Inches	6"
Length in Feet	2113'
Disch. Head in Feet	45
Material of Pipe	Wrought Iron

DEPT. OF INTERIOR
SURVEYS BRANCH
1713
506368
440317
Jan 16 - 1918

3 of ...

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



ILE OF PIPE LINE
ALES: {Hor. 1" = 20'
Vert 1" = 20'

I, Jean Leon Côté, a Dominion Land Surveyor, do solemnly declare that the survey represented by this Plan has been made by me and that the said plan is correct and true to the best of my knowledge and belief and is prepared in accordance with the provisions of the Land Titles Act.

Dated at Edmonton in the Province of Alberta this 22nd day of May 1917.
in the presence of

A.W. Brenner.

J. L. Côté.
Dominion Land Surveyor.

I, Jean Leon Côté, Alberta Land Surveyor do solemnly declare that the survey represented by this Plan has been made by me in accordance with the provisions of the Alberta Surveys Act, and that this plan is correct and true to the best of my knowledge and belief and is prepared in accordance with the provisions of the Land Titles Act.

Dated at Edmonton in the Province of Alberta this 22nd day of May 1917.
in the presence of

A.W. Brenner.

J. L. Côté.
Alberta Land Surveyor.

Canada } I, A.W. Brenner of the City of Edmonton in the Province of Alberta, make oath and say:

1. That I was personally present and did see Jean Leon Côté, named in this plan who is personally known to me to be the person named therein duly sign and execute the same for the purposes named therein.
2. That the same was executed at the City of Edmonton in the Province of Alberta and that I am the subscribing witness thereto.
3. That I know the said Jean Leon Côté, and he is in my belief of the full age of twenty one years.

Sworn before me at the City of Edmonton in the Province of Alberta this 31st day of May, 1917. } A.W. Brenner.

A Commissioner in and for the Province of Alberta

Red .64

T.L. Simmons.

Jany 22

938

BS

10 28 June 1917 12 30 p.m.

John Caulfield
Engineer

12 14 30 June 1917 BS

John Caulfield

APPROVED

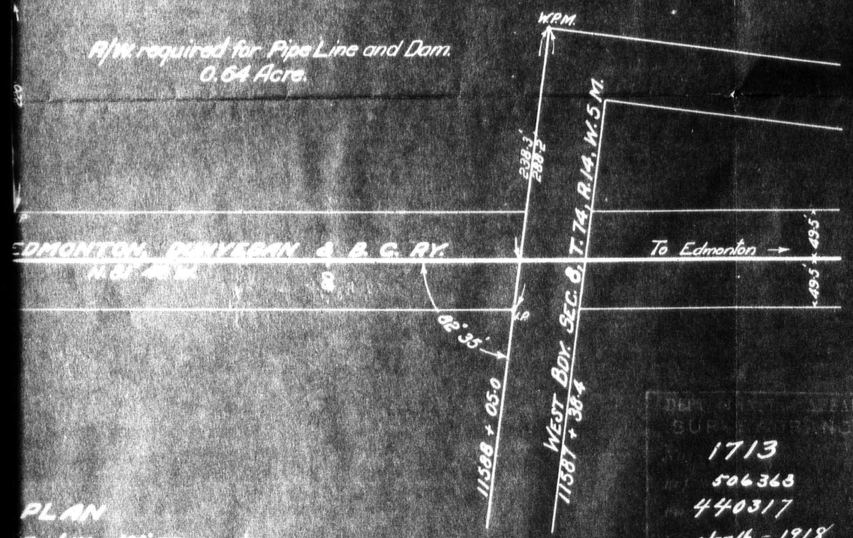
Certified a true copy of the plan filed with the Commissioner of Irrigation, at Calgary, under promisions of The Irrigation Act

on June 25th 1917

Chief Engineer

INDIAN RESERVE No. 150 "A"

R/W required for Pipe Line and Dam. 0.64 Acre.



PLAN
E: 1 in. = 100 FT.

DETAILS OF PUMPING PLANT	
ENGINE	
Type	Horl. Gasoline
Make	Fairbanks-Morse
I.H.P.	10
PUMP	
Type	Combined Fair.-Morse
Make	Do.
How operated	Direct connected
Diam. Water Cyl. Ins.	9"
Length of Stroke Ins.	8-10-12
CAPACITY	
Imp. Gallons per Rev. In.	2.2 - 3.3
Revolutions per Min.	100
Imp. Gallons per min. Disch.	220 - 330
SUCTION	
Diam. in Inches	6"
Length in feet	83'
Lift in feet	9'
Material of Pipe	Wrought Iron
DISCHARGE	
Diam. in Inches	6"
Length in feet	222'
Disch. Head in feet	43'
Material of Pipe	Wrought Iron

1713
506363
440317
Jan 16 - 1918

EDMONTON, DUNVEGAN AND B.C. RY.

PLAN AND PROFILE OF

WATER SUPPLY—MILE 219.8

AS CONSTRUCTED

showing Right-of-way required for Pipe Line and Dam in Indian Reserve No. 150 "A", T. 74, R. 14, W. 5th Mer.

SCALES AS NOTED

Office of Chief Eng., May 8th 1917.
Edmonton, Alta.

Chief Engineer & Gen'l Manager.

26-6-17 1024 31 23/10/17 Amt. G.P.

1713

4 of 4.

ARCHIVES PUBLIQUES
CANADA

Copy of telegram sent to Mr.Harold Laird,

See file No.479151.

Ottawa, 22nd March 1919.

Harold Laird,

Acting Indian Agent,

Grouard,Alberta.

Railway made two applications for land connected with water service. Your report third instant supposed to be Sucker Creek application. Please forward immediately report regarding application in Swan River one hundred and fifty E.

J.D.McLean.

Chg.Dept. I.A.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy Original on

479151

Indian Agent's Office

Lesser Slave Lake Agency

Grouard, March 3rd 1919.

Sir,-

Referring to your letters of February 25th, 1919, No.479151 and November 23rd 1918, No.479151.

The Indians are still of the same opinion as expressed in my letter to the Department of May 25th 1918.

Since my return from the annuity payments at the end of last September it has been impossible to hold anything like a full meeting of the Band owing to the outbreak of the influenza, the long continuance of the sickness, and the pitching off of the Indians into the bush; but from my interviews with individual Indians I am convinced that the consent of the Band to the sale of the area in question cannot be obtained.

In regard to the amount of water in the creek its flow is very erratic. At times it is abundant, but when I visited it last October and November there was but a mere trickle in it.

The R.R.Company states that it requires not more than 40,000 gallons of water per week. This might suffice at the present time but when the country becomes more settled, its service will more than quadruple and its consumption of water will proportionally increase. This should be taken into consideration with regard to the value of the creek.

I again respectfully recommend that only a short term lease be made with the Company. The amount of rental could be adjusted, but I consider $50.00 per year not excessive.

Your obedient servant,

(sgd) Harold Laird

Acting Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317

Ottawa, 26th March 1919.

Sir,-

With reference to your application for an area of 0.64 acres in the Sucker Creek Indian reserve No.150-A for the purposes of a pipe line and dam site I beg to inform you that we have received a second report from the Acting Indian Agent to the effect that the Indians are still of the opinion that the taking of water from this creek may result in serious injury.

The Agent says in regard to the amount of water in the creek the flow is very erratic. At times it is very abundant but when he visited it last October and November there was very little water in it. He fears that when the country becomes more settled the water requirements for the railway will be greatly increased, he therefore thinks that this point should be taken into consideration in placing a value on the easement required.

In accordance with the Agent's report it is suggested that your Company take a lease of say three years at $50.00 per annum. If it is then seen that no damage has resulted the rate can then be again adjusted.

Your obedient servant,

(Sgd) J.D.McLean

Assistant Deputy and Secretary.

D.W.Campbell Esq.,
Secretary-Treasurer,
Edmonton, Dunvegan & B.C.Rwy.,
P.O.Box 64,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

440317.

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER

ADDRESS REPLY "THE SUPERINTENDENT, IRRIGATION DIVISION, CALGARY"

THE DIRECTOR
RECLAMATION SERVICE
DEPARTMENT OF THE INTERIOR
OTTAWA.

IN YOUR REPLY PLEASE QUOTE THIS FILE NO.

2732 R.S.

DEPARTMENT OF THE INTERIOR
CANADA
Reclamation Service 522175
~~Irrigation Branch~~

N.R.

DEPT. OF INDIAN AFFAIRS
APR 25 1919
SURVEYS

OTTAWA, April 24th, 1919.

Sir,-

With reference to your letter of the 6th ultimo, respecting right of way across Indian Reserve No. 150-A, for the Edmonton, Dunvegan and British Columbia Railway Company's pipe line, I beg to say that the Commissioner of Irrigation has advised me that your department has suggested that the company take a lease of this right of way for a period of three years. I would be glad to have you confirm this, or otherwise.

I would be more satisfactory to this department if the lease could be granted for a longer term, unless you have some objection to doing so.

Your obedient servant,

E. F. Drake

E. F. Drake

Director

Assistant Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440317

Ottawa, 26th April 1919.

Sir,-

I beg to acknowledge the receipt of your letter of the 24th instant, No.2732, and to say that it is not considered desirable to grant a lease for a longer term than three years for the land required for water supply by the Edmonton, Dunvegan and B.C. Railway in the Sucker Creek Indian reserve No.150-A. If the supply of water for the Indians is not seriously affected a longer lease will then be considered.

Your obedient servant,

(sgd) J.D.McLean

Assistant Deputy and Secretary.

E.F.Drake Esq.,
Director, Reclamation Service,
Department of the Interior,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File 440,317 .

DEPARTMENT OF INDIAN AFFAIRS CANADA

OTTAWA, June 2, 1919.

Sir,—

I beg to enclose for registration in your office, the following Crown Grants:

Edmonton, Dunvegan & British Columbia Railway Company, for the S. E. ¼ sec. 16, Tp. 74, Rge. 15, W. 5 M., excepting right of way.

Your obedient servant,

W. A. Orr.

Registrar of Indian Lands Patents

The Registrar of Titles,

Edmonton,

Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

440,317.

Ottawa, June 2, 1919.

Sir,-

I beg to inform you that Letters Patent have been issued in the name of the Edmonton, Dunvegan & British Columbia Railway Company, for the S. E. ¼ of sec. 16, Tp. 74, Rge. 15, W. 5 M., excepting right of way, and have been forwarded direct to the Registrar of Titles, Edmonton.

Your obedient Servant,

W. A. Orr.

In Charge Lands & Timber Branch.

D. W. Campbell, Esq.,
Assistant Secretary-Treasurer,
Edmonton, Dunvegan & British Columbia Railway,
P. O. Box 64,
O t t a w a.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ONTON, DUNVEGAN AND BRITISH COLUMBIA RAILWAY COMPANY
CENTRAL CANADA RAILWAY COMPANY

22131-3

Dec 5th
Mr D.C. Scott
for action

EDMONTON, ALBERTA December 1st, 1922.

File 2358

575672

DEPT. OF INDIAN AFFAIRS
DEC 6 1922
SURVEYS

MINISTER'S OFFICE
DEC 5 1922
DEP'T. OF INTERIOR

Hon. Chas. Stewart,
Minister of Interior,
O T T A W A, Ont.

Dear Sir:-

On June 12th, 1917, we filed in the Land Titles office, Edmonton, under No. 938 B.S., plan showing area required for right of way for water supply in Indian Reserve No. 150 A, Mile 219.8, Edmonton, Dunvegan and British Columbia Railway: 0.64 acres.

License to divert the required amount of water was granted by your Department under date of June 16th, 1919, recorded in water register folio S.47.

We do not appear to have received title to the right of way-0.64 acres referred to, and I would appreciate it if you would place this application through the proper channel for grant of this area.

Yours truly,

Right of Way & Townsite Agent.

Has branch recommended short term lease only? Sale? Please note letters 21 Mar 19 & 21/4/1919 on file. Does not allow rentals read. Should title issue agreement not be given in the nature of a lease. There does not seem to be a surrender. WP 7/12/22

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22,131-3ED & BC.

Ottawa, December 14, 1922.

Gentlemen,-

I am directed by the Honorable Mr. Stewart, Minister of the Interior, to reply to your communication of the 1st instant, your File 2358, with further reference to the question of right of way for water supply in Indian Reserve No. 150A, Mile 219.8, Edmonton.

In referring to previous correspondence in this matter I find that on the 26th of March, 1919, this Department suggested to Mr. D. W. Campbell, then your Secretary-Treasurer, that your Company take a lease of the area required, 0.64 acre, for a period of, say three years, at a rental of $50.00 per annum, at the expiration of which time if it was seen that no damage had resulted the rate might then be again adjusted. We appear not to have received any reply from your Company to this communication, neither has the suggested rental been paid. This Department is, therefore, not disposed to give further consideration to the matter until an adjustment in this respect has been made.

Your obedient Servant,

J. D. McLean.
Assistant Deputy & Secretary.

The Edmonton, Dunvegan & British Columbia Railway Company,
Edmonton,
Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-B I.D.13

THE ALBERTA & GREAT WATERWAYS RAILWAY COMPANY
LACOMBE & NORTH-WESTERN RAILWAY COMPANY
THE PEMBINA VALLEY RAILWAY
CENTRAL CANADA RAILWAY COMPANY
EDMONTON, DUNVEGAN & BRITISH COLUMBIA RAILWAY COMPANY

JNO. CALLAGHAN,
GENERAL MANAGER

DEPT. OF INDIAN AFFAIRS
20 27
SURVEYS

EDMONTON,
ALBERTA

August 30th, 1927.
Your Files 2968040-5
2482391.

Department of Indian Affairs,
Ottawa, Ont.

Dear Sirs:-

Through the S.W.¼ 34-72-5-5, we take for right-of-way E.D.&.B.C.Rly. 5.78 acres.
Extra land 4.14 "
9.92 "

and through the S.E.¼ 33-72-5-5, we take for right-of-way 6.12 acres. As Constructed plan showing these areas is on file with the Railways Lands Branch under No.25370.

We do not appear to have received title to these lands, and would be glad if you would advise me if your Department will make free grant of same for railway purposes.

Yours truly,

GAL.M

Right-of-way and Townsite Agent.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3 ED & BC

Ottawa, 20th September 1927

Sir,-

I am in receipt of your letter of the 30th ultimo, addressed to this Department but quoting files belonging to the Department of the Interior regarding right of way of the Edmonton, Dunvegan and B.C. railway through the S.W.¼ Sec.34 and S.E.¼ Sec.35-72-5-W.5.M. These two parcels of land are in the Sawridge Indian reserve No.150G. I am unable to find any record of your Company having made application to this Department for these rights of way nor am I able to find a plan showing the lands required. Kindly submit a duly certified plan on tracing cloth of your right of way as constructed. On receipt of this application the question of valuation of the land will be considered and you will be further advised.

Your obedient servant,

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

G.N.Latter Esq.,
Right of Way & Townsite Agent,
Edmonton, Dunvegan & B.C.Rwy Co.,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3 E.D. R&C.R.

THE ALBERTA & GREAT WATERWAYS RAILWAY COMPANY
LACOMBE & NORTH-WESTERN RAILWAY COMPANY
THE PEMBINA VALLEY RAILWAY
CENTRAL CANADA RAILWAY COMPANY
EDMONTON, DUNVEGAN & BRITISH COLUMBIA RAILWAY COMPANY

JNO. CALLAGHAN,
GENERAL MANAGER

EDMONTON,
ALBERTA

DEPT. OF INDIAN AFFAIRS
NOV 25 1927
RECORDS

November 21st, 1927.

The Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Dear Sir: Attention Mr. A. F. MacKenzie.

As requested in yours of September 20th, file 22131-3, E.D.&.B.C.Railway.

I am forwarding under separate cover certified plan on tracing cloth of our right-of-way as constructed.

DEPT. OF INDIAN AFFAIRS
NOV 25 1927
SURVEYS

Yours truly,

Right-of-way & Townsite Agent.

GAI.M

6.12 ac
5.78 ac
4.14 ac
16.04 ac

Entered on Plan RR2222. Plotted on Plan 1287 Trac 1243
Think ties to I.R. at S.W. Cor of S.E. 1/4 Sec 33 and S.E. Cor S.W. 1/4 Sec 34 should be given & bearing given from angle between Road allowance. Area OK.
TFS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

D.

Ottawa, 30th November 1927

Sir,-

Enclosed is a blueprint from our plan No.RR 2222, showing right of way of the Edmonton Dunvegan and British Columbia Railway Company through Sawridge Indian reserve No.150G in the S.W.¼ Sec.34 and S.E.¼ Sec.33, Tp.72-5-W.5.M.

You are requested to forward a valuation of the land taken as per Section 72 of Instructions to Agents. The lands taken by this Company from reserves Nos.150A, 150E and 150H were valued at $15.00 per acre and No.150 at $12.00 per acre in 1914.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

H.Laird Esq.,
Act.Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

DEPT. OF INDIAN AFFAIRS
DEC 12 1927
RECORDS

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Grouard, Alta.,

December 6th, 1927.

DEPT. OF INDIAN AFFAIRS
DEC 13 1927
SURVEYS

Sir,-

Referring to Department letter of November 30th, 1927, No. 22I3I-3.

I beg to say that the land in the vicinity referred to, through which the railway passes has not increased to any great extent. I would consider that 25% increase over the valuation of 1914 ($I5.00) per acre, would be a fair price to ask.

Your obedient servant,

Herbert Laird

Indian Agent

The Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

16.09 ac
15.00
1804.60
$240.60

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

Ottawa, 15th December 1927

Sir,-

In reply to your letter of the 21st ultimo, I beg to acknowledge receipt of plan on tracing cloth of the right of way of the Edmonton Dunvegan and B.C.railway through the Sawridge Indian reserve No.150G, which plan is certified a copy of a portion of Instrument No.4961, registered in the Land Titles Office for the North Alberta Land Registration District. This plan has been placed of record in this Department under No.R.R.2222.

It is noted that the area required by your Company is 16.04 acres. The land has been valued at $15.00 per acre. You are requested to forward cheque for $240.60 in payment for this land.

Your obedient servant,

A. F. MacKenzie

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

G.N.Latter Esq.,
Right of Way & Townsite Agent,
Edmonton, Dunvegan & B.C.Rwy.,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

THE ALBERTA & GREAT WATERWAYS RAILWAY COMPANY
LACOMBE & NORTH-WESTERN RAILWAY COMPANY
THE PEMBINA VALLEY RAILWAY
CENTRAL CANADA RAILWAY COMPANY
EDMONTON, DUNVEGAN & BRITISH COLUMBIA RAILWAY COMPANY

R

DEPT. OF INDIAN AFFAIRS
DEC 27 1927
RECORDS

JNO. CALLAGHAN,
GENERAL MANAGER

EDMONTON,
ALBERTA

December 20th, 1927.

LAND BRANCH
DEC 27 1927

Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:- Attention Mr. A. F. MacKenzie.

I have yours of December 13th, file 22131-3, setting a price of $15.00 per acre on our right-of-way through the S.E.¼ of 33-72-5-5, and the S.W.¼ of 34-72-5-5, in Indian Reserve 150-G.

It seems to me that some mistake has been made in the valuation of this land. The portion used by us as right-of-way and as a matter of fact the whole of these two quarters west of Slave River, compose one large swamp, making it unserviceable even for pasturing cattle.

There is no desire on the part of this Company to ask for a reduction in price of land below its fair actual value, but you can appreciate the fact that to establish a value of $15.00 per acre for land which has only a nominal value, creates a precedent in the securing of right-of-way over all parts of the system, which makes a very heavy burden on the Company.

Under these conditions I would greatly appreciate it if you would again go into the matter with a view to setting a price closer to the actual value of the land.

Yours truly,

Right-of-way and Townsite Agent.

GAI.M

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

D.

Ottawa, 4th January 1928

Sir,-

Referring to your letter of the 6th ultimo, regarding valuation of right of way of the Edmonton Dunvegan and B.C. railway through Indian reserve No.150G, I beg to say that the Company was requested to pay for the right of way at $15.00 per acre. Enclosed is a copy of their reply. You are requested to give a full report with your recommendations.

Your obedient servant,

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

H.Laird Esq.,
Acting Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

DEPT. OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
JAN 25 1928
RECORD

Grouard, Alta.,

January 16th, 1928.

Sir,-

Referring to Department letter No. 22I3I-3, dated the 4th, instant.

I beg to report that, when Reserve No. I50G was surveyed for the Sawridge Indians, the two quarter sections through which the Railway passes, were chosen by the Indians for hay grounds. It is highly improbable that they should select two quarter sections of swamp when other land was available and that the Department Surveyor would consent to include it in the Reserve.

In times of high water, this land, as well as most of the best hay meadows around Lesser Slave Lake, is flooded. This happened last summer, when, no doubt, Mr. Latter inspected it.

In ordinary years, considerable hay (which finds a ready market) can be obtained from this land, therefore, as hay lands have almost a par value with farm lands, I do not consider the price asked to be exorbitant.

Your obedient servant,

Harold Laird
Indian Agent

The Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

DEPT. OF INDIAN AFFAIRS
JAN 28 1928
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

Ottawa, 28th January 1928

Sir,-

In reply to your letter of the 20th ultimo regarding valuation of the right of way of the Edmonton, Dunvegan and British Columbia railway through the Sawridge Indian reserve No.150G, I beg to say that when this reserve was selected the two quarter sections through which your right of way passes were chosen by the Indians for hay grounds. In times of high water this land as well as most of the hay meadows around Lesser Slave Lake is flooded. This may have been the case when your inspection was made. In ordinary years considerable hay, which finds a ready market, can be obtained from this land, therefore as hay lands have a par value with farm lands, I do not consider the price asked to be exorbitant.

Your obedient servant,

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

G.N.Latter Esq.,
Right of Way & Townsite Agent,
Edmonton, Dunvegan & B.C.Rwy.,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

THE ALBERTA & GREAT WATERWAYS RAILWAY COMPANY
~~DECOVERE JUNCTION NORTH-WESTERN RAILWAY COMPANY~~
THE PEMBINA VALLEY RAILWAY
CENTRAL CANADA RAILWAY COMPANY
EDMONTON, DUNVEGAN & BRITISH COLUMBIA RAILWAY COMPANY

JNO. CALLAGHAN,
GENERAL MANAGER

R

DEPT. OF INDIAN AFFAIRS
MAR 19 1928
RECORDS

EDMONTON, ALBERTA March 6th, 1928.

Secretary,
Department of Indian Affairs,
Department of Interior,
Ottawa, Ont.

DEPT. OF INDIAN AFFAIRS
MAR 12
SURVEYS

Dear Sir: Mr. A. F. McKenzie.

Referring to yours of January 28th, file 22131-3, re right-of-way through S.E.¼ 33-72-5-5, and S.W.¼ 34-72-5-5.

My inspections of the area taken for right-of-way through these two quarter sections have been many, covering all seasons of the year, for a period of eight years, in both dry and wet seasons, and in view of your letter I again looked over this area on February 28th last.

This land contains considerable willow scrub, and where open there is several inches of ice, and I do not think in any year that any hay has been cut on this land within several hundred feet of the railway, certainly not during 1927. It would be impossible to cut hay during the proper haying season, and any open land where hay could be cut would have to be mowed after freeze up. I would also venture to say that a market for hay at this point would not be readily obtainable except during a drouth in other parts of the country.

I have had considerable experience with the hay lands around Lesser Slave Lake, and I certainly cannot agree that these lands have a par value with farm lands, unless classed with such lands as require heavy clearing to make tillable, or land of low productive quality, but even granting your contention I would say that the lands referred to could not be classed on a par with other hay lands along Lesser Slave Lake.

It appears as though some error has been made in the report on this land as there is certainly no justification in the price of $15.00 per acre, and as explained in my letter of December 20th, the creation of a precedent by paying more than the value of land in one district for right-of-way reflects over the entire system.

Yours truly,

GAL.M

Right-of-way & Townsite Agent.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

Ottawa, 13th March 1928

Sir,-

With reference to your letter of the 16th January last and previous correspondence regarding value of the right of way of the Edmonton and Dunvegan Railway through Indian reserve No.150G, I beg to enclose a copy of a letter dated the 6th instant from Mr.G.N.Latter, Right of Way and Townsite Agent of the Railway Company. Your further attention to this matter is requested.

Your obedient servant,

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

H.Laird Esq.,
Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
APR 4 1928

Grouard, Alta.,

March 30th, 1928

Sir-

Referring to your letter of the 13th March, 1928, No. 22131-3.

I beg to report that regarding the land I have nothing further to state than that contained in my letter of December 6th, 1927, and January 16th, 1928.

Your obedient servant,

Harold Laird

Indian Agent

The Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa

DEPT. OF INDIAN AFFAIRS
APR 4 1928
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

Ottawa, 5th April 1928

Sir,-

I have your letter of the 6th instant regarding valuation of the right of way of the Edmonton, Dunvegan and British Columbia railway through the S.E.¼ Sec.33-72-5-5 and the S.W.¼ Sec.34-72-5-5, containing 16.04 acres.

As there is a difference of opinion concerning the value of the land between you and our Agent, I should like to have you arrange a meeting with Mr.Harold Laird at Grouard, Alberta, and together endeavour to reach a satisfactory valuation.

WRW.

WJM

Your obedient servant,

A. F. MacKenzie

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

G.N.Latter Esq.,
Right of Way and Townsite Agent,
Edmonton, Dunvegan & B.C.Rwy.,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2 letters

22131-3

Ottawa, 5th April 1928

Sir,-

In reply to your letter of the 30th ultimo regarding valuation of the right of way of the Edmonton, Dunvegan and British Columbia Railway through the Sawridge Indian reserve No.150G, as there is a difference of opinion between you and Mr.G.N.Latter, Right of Way and Townsite Agent, Edmonton, Dunvegan & B.C.Rwy., Edmonton, I have to request you to arrange a meeting with him, in order that you may arrive at a satisfactory valuation.

Your obedient servant,

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

Harold Laird Esq.,
Indian Agent,
Grouard, Alberta.

over

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

- Copy on File -

THE ALBERTA & GREAT WATERWAYS RAILWAY COMPANY
THE PEMBINA VALLEY RAILWAY
CENTRAL CANADA RAILWAY COMPANY
EDMONTON, DUNVEGAN & BRITISH COLUMBIA RAILWAY COMPANY

JNO. CALLAGHAN
GENERAL MANAGER

EDMONTON,
ALBERTA

October 8th, 1928.

Mr. Harold Laird,
Indian Agent,
Grouard, Alberta.

Lesser Slave Lake Agency
OCT 9 1928

Dear Sir:-

I regret that our respective duties have prevented our having a discussion on the price of Right-of-way through the S.E.¼ 33 and S.W.¼ 34-72-5-5 up to the present, and would appreciate it if this can be arranged in the near future.

I am anxious to get all these old right-of-way matters cleared up before the change of ownership of the railway, and therefore would like if possible if we can agree on a price for this 16.04 acres.

My letter of April 10th sets out clearly our position, and I think if your Department would set the same price as the School Lands Branch for similar lands, i.e. $7.00 per acre, it would be fair, and enable me to make settlement and close up the matter.

Will you please advise if you will recommend this price?

Yours truly,

G. Watters

Right-of-way and Townsite Agent.

GAL.M

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPT. OF INDIAN AFFAIRS
OCT 17 1928
SURVEYS

22131-3

R

DEPAR[illegible]NT OF INDIAN AFFAIRS
CANADA

DEPT. OF INDIAN AFFAIRS
OCT 17 1928
RECORDS
OFFICE OF
INDIAN AGENT

Grouard, Alta.,

October 10th, 1928

Sir,-

Referring to your letter No. 22131-3, dated April 5th, 1928.

I beg to enclose letter from Mr. G. A. Latter, Right-of-way and Townsite Agent, E.D.&B.C.Railway, Edmonton, Alta., and would recommend that a settlement be made at the price suggested -- $7.00 per acre.

Your obedient servant,

Harold Laird

Indian Agent

The Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

Ottawa, 18th October 1928

Sir,-

Your letter of the 8th instant addressed to Mr. Harold Laird, Indian Agent, Grouard, offering $7.00 for 16.04 acres for right of way of the Edmonton Dunvegan and B.C. Railway through Indian reserve No. 150-G has been forwarded to this Department with a recommendation from Mr. Laird that the offer be accepted. I have, therefore, to request you to forward cheque for $112.28 in payment for the land required.

Your obedient servant,

(J.D. McLean)
Assistant Deputy and Secretary.

G.N. Latter Esq.,
Right of Way and Townsite Agent,
Edmonton, Dunvegan & B.C. Railway,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of Indian Affairs

Ottawa, 30 - Oct 1928

Act.

Cheque herewith for $112.28

2

3

Payment for R/w and extra land through
SW¼ 34-72-5-5 and SE¼ 33-72-5-5
16.04 acres at $7.00 — $112.28
Edmonton Dunvegan & B.C. Ry Co.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPT. OF INDIAN AFFAIRS
Nov 6 1928
SURVEYS

BANK RECEIPT No. 451

Amt. $112.25 chq

R

Centre Page 4 27 W
N.W.T. Bo

DEPT. OF INDIAN AFFAIRS
NOV 30 1928
RECORDED

Date Nov. 30, 1928

Entered Journal No. 25 Folio 124

413

Dept. Receipt No. C30860

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, 14th November 1928

Memorandum

Mr. MacInnes,-

An Order in Council is requested to authorize the sale of the right of way of the Edmonton, Dunvegan and B.C. Railway Company through the Sawridge Indian reserve No. 150G

The land has been paid for in full according to a valuation placed thereon by an officer of this Department. The land to be sold may be described as,-

All that parcel of land situate in the Sawridge Indian reserve Number One hundred and fifty G, comprising
Firstly: The right of way of the Edmonton, Dunvegan and British Columbia railway through the South East quarter of Section Thirty-three, Township Seventy-two, Range Five, West of the Fifth Meridian, containing by admeasurement six acres and twelve hundredths of an acre, more or less.
Secondly: The lands within the South West quarter of Section Thirty-four, Township Seventy-two, Range Five, West of the Fifth Meridian, comprising within the right of way of the Edmonton, Dunvegan and British Columbia Railway, containing by admeasurement five acres and seventy-eight hundredths of an acre, more or less, together with that portion of the said quarter section lying to the South of the railway, containing four acres and fourteen hundredths of an acre, more or less, as the said right of way and extra width is shown on plan number RR 2222, of record in the Surveys Branch of the Department of Indian Affairs.

J. Robertson

Chief Surveyor.

W.R.W.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, November 15, 1928.

22131-3

His Excellency

The Governor General in Council.

The undersigned begs to report that the Edmonton, Dunvegan and British Columbia Railway Company has applied to the Department of Indian Affairs for the sale of the right of way through the Sawridge Indian Reserve No. 150C, in the Lesser Slave Lake Indian Agency in the Province of Alberta, which may be described as follows:-

> All that parcel of land situate in the Sawridge Indian reserve Number One hundred and fifty C, comprising -
> Firstly: The right of way of the Edmonton, Dunvegan and British Columbia railway through the South-East quarter of Section Thirty-three, Township Seventy-two, Range Five, West of the Fifth Meridian, containing by admeasurement six acres and twelve hundredths of an acre, more or less.
> Secondly: The lands within the South-West quarter of Section Thirty-four, Township Seventy-two, Range Five, West of the Fifth Meridian, comprised within the right of way of the Edmonton, Dunvegan and British Columbia Railway, containing by admeasurement five acres and seventy-eight hundredths of an acre, more or less, together with that portion of the said quarter section lying to the South of the railway, containing four acres and fourteen hundredths of an acre, more or less, as the said right of way and extra width is shown on plan number EM 2222, of record in the Surveys Branch of the Department of Indian Affairs.

The land has been paid for in full according to a valuation placed thereon by an officer of this Department.

The undersigned has the honour to recommend that the said land be transferred to the Edmonton, Dunvegan and British Columbia Railway Company pursuant to the provisions of Section 48 of the Indian Act.

Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

November 15, 28.

To authorize the sale of right of way through the Sawridge Reserve, Alta., to the Edmonton, Dunvegan and British Columbia Railway Company, pursuant to the provisions of Section 48 of the Indian Act. The land has been paid for in full according to a valuation placed thereon by an officer of this Department.

DCL

Tom L

BCL

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 6th December 1928

Description for patent

All that parcel of land situate in the Sawridge Indian reserve number One hundred and fifty G, in the Province of Alberta and Dominion of Canada, containing by admeasurement sixteen acres and four-hundredths of an acre, more or less, being composed of the right of way and extra width of the Edmonton, Dunvegan and British Columbia railway across the said reserve, more particularly described as follows,-

Firstly: the right of way ninety-nine feet in width across the South East quarter of Section Thirty-three, Township Seventy two, Range Five, West of the Fifth Meridian, containing six acres and twelve hundredths of an acre, more or less.

Secondly: The right of way across the South West quarter of Section Thirty-four, Township Seventy-two, Range Five, West of the Fifth Meridian, together with that portion of this quarter section which lies South of the said right of way, containing together nine acres and ninety-two hundredths of an acre, more or less, as these firstly and secondly described parcels are shown coloured in red on a plan of Edmonton, Dunvegan and British Columbia railway, copy of a portion of plan No.4961, Book

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

B O.,Folio 158,filed in the office of the North Alberta Land Registration District,showing right of way through S.W.¼ Sec.34 and S.E.¼ Sec.33,Tp.72,R.5,W.5th M (Sawridge Indian Reserve No.150G),of record in the Surveys Branch of the Department of Indian Affairs under number RR.2222,which plan is certified a true copy of part of instrument No.4961.

Sale 2
Page 42 2
N.W.T. Book
Ref. 21, 421

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File 22,131-3.

Department of Indian Affairs

Canada

OTTAWA, January 4, 19 29.

Sir,—

I beg to enclose for registration in your office, the following Crown Grants:

Edmonton, Dunvegan and British Columbia Railway Company, for right of way 99 ft. in width across the S. E. ¼ of Sec. 33-72-5. W. 5 M., containing 6.12 acres; and right of way across S. W. ¼ of Sec. 34-72-5, W. 5 M., together with that portion of this quarter section which lies south of the said right of way, containing together 9.92 acres. Your obedient servant,

Registrar of Indian Lands Patents

The Registrar of Titles,

.....Edmonton,.....

.....Alberta.....

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22,131-3.

Ottawa, January 4, 1929.

Sir,-

Referring to your letter of the 10th October last, I beg to inform you that Letters Patent have been issued in the name of the Edmonton, Dunvegan and British Columbia Railway Company, for right of way 99 ft. in width across the S. E. ¼ of Sec. 33-72-5, W. 5 M., containing 6.12 acres, and for right of way across the S. W. ¼ of Sec. 34-72-5, W. 5 M., together with that portion of this quarter section which lies south of the said right of way, containing together 9.92 acres. The patent has been forwarded direct to the Registrar of Titles, Edmonton.

Kindly advise patentee of issue and disposition of patent.

Your obedient Servant,

J. C. Caldwell.
In Charge Lands & Timber Branch.

H. Laird, Esq.,
Indian Agent,
Grouard, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-2 Watha Rpt

EXTRACT
ORIGINAL ON
22-131

DEPT. OF INDIAN AFFAIRS
8 1931
SURVEYS

DEPT. OF INDIAN AFFAIRS
APR 1 1931

Regina, Sask., March 6th, 1931.

Dear Mr. Graham:

I beg to submit the following report of a visit which I made to the Lesser Slave Lake Agency.

x x x

DRIFTPILE RESERVE

Since my last visit, the railway company have fenced their right-of-way across a portion of the reserve, but they have not gone far enough. It is necessary that this right-of-way should be fenced completely through the reserve in order to insure the safety of the Indian live stock.

see letter 8/4/31 Graham

x x x

W. Marison.
Inspector of Indian Agencies.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EXTRACT
ORIGINAL ON
77-131

DEPT. OF INDIAN AFFAIRS
APR 7 1931
SURVEYS

R

DEPT. OF INDIAN AFFAIRS
APR 1 1931
RECORDS

22131-3 N. Alta Rly

Regina, Sask., March 6th, 1931.

Dear Mr. Graham:

I beg to submit the following report of a visit which I made to the Lesser Slave Lake Agency.

x x x

SUCKER CREEK RESERVE

I have already described this reserve in a former report, and on this occasion may say that I found conditions have not changed. There is one point, however, that I would like to bring to the attention of the department, and that is the Northern Alberta Railway runs through this reserve and the Indians are anxious that the Company should fence their right-of-way as they have had a considerable number of stock killed on this line of railway. The matter has already been brought to the railway company's attention, and they sent one of their officials up to look over the ground. He reported that there was not sufficient land under cultivation on the reserve to warrant fencing their right-of-way. This is not the point at all; we do not want our cultivated land protected, but we have over 50 head of cattle on this reserve besides quite a large number of horses, and the Indians are entitled to protection for their live stock. I feel that pressure should be brought upin the railway company to have their right-of-way fenced.

x x x

W. Murison.
Inspector of Indian Agencies.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

Ottawa, 8th April 1931

Sir,-

It is noted in Inspector Murison's report of the 6th ultimo, in connection with the fencing of the right of way of the Northern Alberta Railway through the Sucker Creek reserve, he states that the Indians have had a considerable number of stock killed. I should like to be advised if Inspector Murison has obtained information as to the actual number killed during recent years and whether the Indians have been unable to obtain compensation from the railway company for any of the stock which may have been destroyed as a result of the right of way being unfenced.

The railway company is of course liable for damage for stock so killed. Mr. Murison reports that the railway official who examined the local situation reported there was not sufficient land under cultivation on the reserve to warrant fencing of the right of way. This appears to be a misunderstanding of the report received from the railway company. As you will note in departmental letter to you of the 17th September last, the Company's engineer did not contend that the fencing was unnecessary on account of the small amount of cultivation but on account of the fact that the Indians had not protect with fencing the areas cultivated by themselves and under those circumstances the Company felt they should not be called upon to fence their right of way.

In view of this, and also your letter of the 23rd September last, your file No. 405-5A, the Department will defer the resumption of correspondence with the railway company on this matter until a further expression of opinion is received from you.

Your obedient servant,

(A. F. MacKenzie
Secretary.

W. M. Graham Esq.,
Indian Commissioner
Regina, Sask.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

APR 16 1931
SUPERVISOR

22131-3 N.Alta R.

DEPT. OF INDIAN AFFAIRS
APR 17 1931

DEPARTMENT OF INDIAN AFFAIRS
CANADA

R

IN YOUR REPLY REFER TO
No. 405-8
ALSO TO DATE OF THIS LETTER

COMMISSIONER'S OFFICE,
REGINA, SASK., April 13th, 1931.

Sir:-

Replying to your letter No. 22131-3 dated the 8th instant, in connection with the fencing of the right-of-way of the Northern Alberta Railway through the Sucker Creek Reserve, I may say that Inspector Murison enquired into the whole matter, as to the number of cattle killed during recent years, but did not note the details in connection with all of them. He, however, has brought to my attention the question of 8 head which were killed in November, 1926, and reported by Agent Laird, March 11th, 1927. The Agent placed a low valuation on these cattle totalling $287.50 for 8 head. These included 4 cows, 2 - 3 yr. old steers, 1 - 2 yr. old bull, and 1 yearling heifer. The information given him was that a great deal of trouble and delay is entailed in endeavouring to get compensation for animals killed on the right-of-way, and where an adjustment is made only a fraction of the value of the animal is paid.

It is very important in my opinion that the railway company should fence their right-of-way through this reserve, and I am of the opinion that the Department would be well advised to press the matter.

The Inspector also informs me that the company only fenced their right-of-way a portion of the way across the Driftpile Reserve, and their fence should be completed to the west boundary of that reserve also, in order to safeguard the live stock belonging to the Indians. I shall be glad if you will also take this matter up with the railway company.

If the Department

The Secretary,
Dept. of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

If the Department desire full details as to the number of live stock killed on these reserves, I will take steps to obtain it for you.

Your obedient servant,

W. M. Graham,
Indian Commissioner.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy 22131-3

Original on 22131-5

Ottawa, 20th April 1931

Sir,-

Your ref.No.4457

With further reference to correspondence in connection with fencing your right of way through the Sucker Creek and Driftpile Indian reserves, I have to advise you that the Department is informed by the Inspector who recently visited these reserves that it is considered necessary that your Company fence the right of way through the Sucker Creek reserve and that in the Driftpile reserve the fencing of your right of way should be completed on the West boundary of the reserve.

Previously, when this matter was being considered, your Company held that as the Indians had not fenced the small areas which they had under cultivation, the Company should not be called upon to fence the right of way. I should like to point out that it is not the necessity of protecting the cultivated land that makes it desirable that these fences should be erected, but they are necessary for the purpose of ensuring the safety of the Indians' livestock. It will be appreciated if you will give this matter your consideration and take some steps towards the completion of the fencing of your right of way through these two reserves.

Your obedient servant,

(T.R.L.MacInnes)
Acting Secretary

The General Manager,
Northern Alberta Rwys Co.
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-5

Ottawa, 15th June 1931

Sir,-

Your ref.No.405-8

With further reference to departmental letter of the 8th April and your reply dated the 15th of that month, I have to advise you that the Department has been in correspondence with the Northern Alberta Railways Company regarding fencing in the Sucker Creek and Driftpile Indian reserves and the Company has pointed out that owing to the present money stringency, it has been necessary to curtail every possible expenditure and has requested the Department to allow this matter to stand over until next season. This would appear to be a reasonable request under the circumstances.

Your obedient servant,

A. F. MacKenzie

(A.F.MacKenzie)
Secretary

W.M.Graham Esq.,
Indian Commissioner,
Regina, Sask.

copy on 22131-5

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

O. H. M. S.

FREE

From
Indian Commissioner's Office
Regina, Sask.

THE SECRETARY

DEPARTMENT OF INDIAN AFFAIRS

OTTAWA, ONT.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3 N.Alta Rly

NORTHERN ALBERTA RAILWAYS COMPANY

JNO. CALLAGHAN
GENERAL MANAGER

EDMONTON,
ALBERTA

DEPT. OF INDIAN AFFAIRS
SEP 15 1931

Immediate
Please reply
R

September 11th, 1931.

Mr. A. F. MacKenzie,
Secretary,
Department of Indian Affairs,
Ottawa, Ont.

DEPT. OF INDIAN AFFAIRS
SEP 16 1931
SURVEYS

Dear Sir:-

We are replacing our bridge over the Driftpile River in Driftpile Indian Reserve No.150 with a steel structure, and for this purpose we will require on the South side of our track for the purpose of storing material during construction, an area of 40 Feet by 700 Feet, and on the North side of our track the same area from which we desire to remove dirt for backfilling etc. We do not require title to this area, but would be willing to pay fair compensation for its use as mentioned. We would not require it after May 1st next.

I am enclosing herewith a plan on tracing linen showing the area wanted, and on reference to your subdivision plan for Indian purposes of this Reserve, you will find our crossing of this River on your Lot 2, of Sec.28.

Will you be good enough to wire me on receipt of this letter, authority to use this land advising compensation required?

Yours truly,

Right-of-way and Townsite Agent.

GAL.M.
Encl.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
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CANADA

NIGHT LETTER

Form 6107, replacing Form N.L. 2-T.W.

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RECEIVER'S NO.	TIME FILED	CHECK
		C.A.D.

Send the following Night Letter, subject to the terms on back hereof, which are hereby agreed to

Ottawa, 18th September 1931

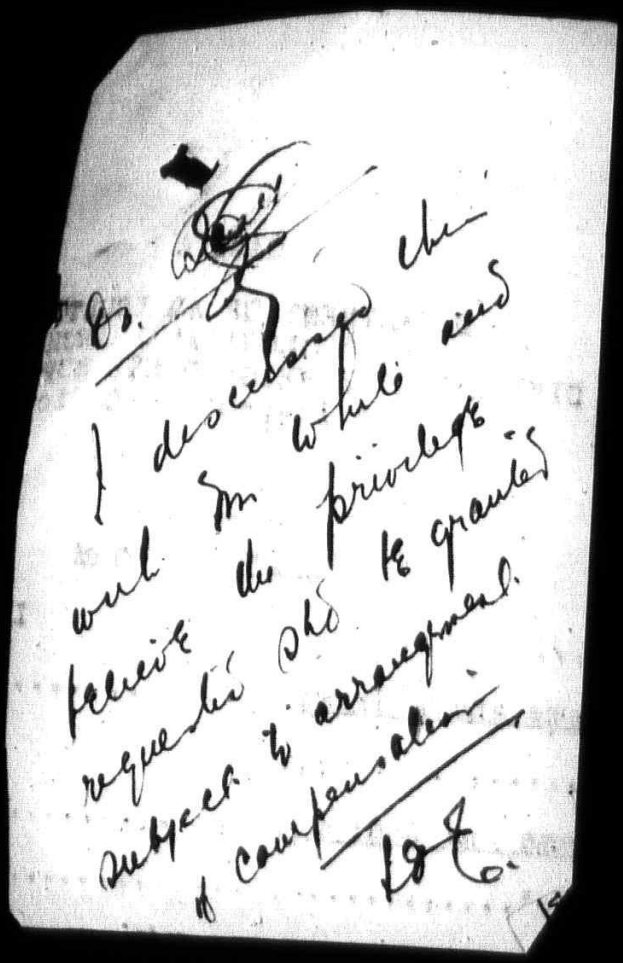
G.A.Latter
Right of Way & Townsite Agent
Northern Alberta Rwys Co.
Edmonton, Alberta.

DEPARTMENT IS WILLING TO GRANT RIGHT OF OCCUPATION OF LANDS FOR PURPOSES MENTIONED IN YOUR LETTER ELEVENTH INSTANT ON DRIFTPILE RESERVE PROVIDED YOU ARRANGE TERMS OF COMPENSATION WITH INDIAN AGENT N.P.L'HEUREUX AT DRIFTPILE APPROVED BY THE CHIEF AND COUNCIL OF THE INDIAN BAND.

Chf.Dept.I.A. A.F.MacKenzie

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3 NAR

EA D.

Ottawa, 4th June 1932

Sir,-

With reference to your letter of the 27th ultimo relating to the fencing by the Northern Alberta Railways for the right of way through the Sucker Creek reserve, I have to advise you that the question of the Company fencing the right of way through this reserve and also through the Driftpile Indian reserve was taken up with the Company last year and the Company set forth that owing to the present money stringency it had been necessary to curtail every possible expenditure and requested the Department to allow the matter to stand over until the present year. The Department considered this a reasonable request at that time and as the financial condition has not improved in the meantime, it is thought undesirable to press the Company to incur this expenditure if it is at all possible to allow the condition to remain as it is for the present.

Inasmuch as the Department has previously demanded the Company to attend to the fencing on these reserves, the Company will of course be liable to pay compensation for any stock damaged or destroyed as a result of the lack of fencing of the right of way. In event of it being necessary to make a claim on the Company for any damages of this nature, you should insure that you obtain all details in connection with the accident that would have any possible value in placing the onus on the responsible parties, bearing in mind that the Company will of course endeavour to prove negligence on the part of the Indian owners.

Your obedient servant,

(H.F.MacKenzie)
Secretary.

N.P.L'Heureux Esq.,
Indian Agent,
Driftpile,
Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPT. OF INDIAN AFFAIRS
SURVEYS

22131-3 N.A.Ry.

DEPT. OF INDIAN AFFAIRS
JUN 1 1932

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Driftpile, Alberta

27th. May 1932.

Sir:-

I beg to report to you that the Northern Alberta Railways have not as yet fenced along the Sucker Creek Reserve.

It would be advisable to notify the Railway to have the fencing completed as it endangers the stock on this Reserve.

Your obedient servant,

N.P. L'Heureux

N.P.L'Heureux.
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3

NORTHERN ALBERTA RAILWAYS COMPANY

JNO. CALLAGHAN
GENERAL MANAGER

EDMONTON,
ALBERTA

DEPT. OF INDIAN AFFAIRS
MAR 25 1933
RECORDS

March 21st, 1933.

Mr. A. F. McKenzie,
Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

With reference to the addition to Indian Reserve 150-A through the West half of Section 13, and Sections 14, 15, and 16, Township 74, Range 15, West 5th Meridian.

Will you be good enough to advise me the status of the road allowances through these sections. Are these road allowances vested in the Province of Alberta, or when this area was taken as an addition to the above Indian Reserve, would the road allowances become a portion of the Reserve.

Yours truly,

Right-of-way and Townsite Agent.

GAL.M.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22131-3 NAR

Ottawa, 28th March 1933

Sir,-

In reply to your letter of the 21st instant, I have to advise you that the Order in Council confirming the addition to Sucker Creek Indian reserve No.150A transferred to this Department Frac.Sec.13 and Secs.14, 15 and 16, Tp.74, R.15, W.5.M., and as the regulation road allowances adjoining these sections have been shown on plan of that Township and approved and confirmed by the Surveyor General, 23rd June 1909, these road allowances were held to have been transferred to the Province and were not included within the Indian reserve.

Your obedient servant,

(A.F.MacKenzie)
Secretary

G.N.Latter Esq.,
Right of Way Agent
Northern Alberta Railways Co.,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

FILE No. 22131-3 E.D. & B.C. VOL. 1

DEPARTMENT OF INDIAN AFFAIRS

LESSER SLAVE LAKE

EDMONTON, DUNVEGAN & B.C.RLY. ACROSS RESERVES 150 & 150A.

FROM 3-7-13 TO 28·3·33

CENTRAL REGISTRY	REFERRED TO	DATE REC'D	INITIALS	CENTRAL REGISTRY	REFERRED TO	DATE REC'D	INITIALS
				390770			

PUBLIC ARCHIVES
RECORDS CENTRE

FILE No. 22131-3 E.D. B.C. VOL. 1

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

PA- 22131-3 E.D. & B.C.
Closed Vol. 1

Superintendent, Lesser Slave Lake Indian Agency

131/3-11

131/30-1 (R18)

Chief, Economic Development Division

May 11, 1964.

Bill C-130

This has reference to your memorandum of April 1st to the Regional Supervisor for Alberta, requesting certain information for the Driftpile, Sawridge and Swan River Band Councils.

The sale of land for the railroad which crosses Driftpile Indian Reserve No. 150, Swan River Indian Reserve No. 150E and Sawridge Indian Reserve No. 150H was authorized by Order in Council P.C. 3506 dated January 4, 1918. We are enclosing for your information and records a copy of this Order in Council which also cites the acreage for each Reserve and the compensation paid. The Edmonton, Dunvegan and British Columbia Railway Company were issued Letters Patent Nos. 18181 and 18182 dated March 13, 1918, covering land in Reserves 150 and 150H respectively, and Letters Patent No. 18183 dated March 14, 1918, for land in Reserve 150E. The amount of compensation was determined by a special valuator employed by the Department and the monies were deposited to the credit of the various Band Trust Accounts.

The land required for the railroad running through Sawridge Indian Reserve No. 150G was authorized by Order in Council P.C. 2121 dated November 28, 1928, and a copy of this document is also enclosed for your records. The compensation for this right-of-way totalled $112.28, based on $7.00 per acre, and the money was deposited to the credit of Sawridge Band Funds. Letters Patent No. 21421 dated December 12, 1928, covering this land were issued to the Edmonton, Dunvegan and British Columbia Railway Company.

Details concerning the transfer of the road shown on Plan Rd. 2851 to the Province of Alberta were supplied in 1952, in reply to a similar query dated July 17, 1952, from Superintendent Lapp. Copies of the pertinent correspondence, together with a copy of Order in Council P.C. 1450 dated April 11, 1940, are also enclosed.

.....2

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Town of Kinuso was established by the Edmonton, Dunvegan and British Columbia Railway Company around 1919. The Railway Company applied for land in Swan River Indian Reserve No. 150E for Townsite purposes in 1915 and the matter was referred to the Indians for their consideration. The proposal was viewed favourably by the Band members and a surrender of the required land was executed on January 28, 1916. The surrender was accepted by Order in Council P.C. 369 dated February 25, 1916. Enclosed herewith are copies of the surrender and Order in Council.

The land was sold to the Company in two parcels as follows: Letters Patent No. 1845l dated February 25, 1919, covering 16.74 acres; and Letters Patent No. 18504 dated April 1, 1919, covering 25.68 acres. Compensation was set at $25.00 per acre and the total sale price of $1,060.50 was credited to Swan River Band Funds.

It is hoped that the above information will enable you to satisfy the Band Councils concerned.

Jules D'Astous.

JDM/em
Encl.

c.c. Regional Supervisor, Alberta.

Indian Affairs. (RG 10, Volume 7670, File 22131-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs
Headquarters Files

(RG 10, Volume 7670)

File 22131-3	(Grouard) - Lesser Slave Lake Agency - Right-of-way for the Edmonton, Dunvegan and British Columbia Railway Company through reserves in the Agency (plans). 1913 - 1964
File 22150	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. 1885 - 1912
File 22150-1	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. (Indian Land Sale - Grant) 1911 - 1933
File 22151-16 G.T.P.	Babine Agency - Right-of-way for the Grand Trunk Pacific Railway through various reserves in the Agency. 1909 - 1928
File 22152-21 E.&N.	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (map, plans, surveys). 1885 - 1899
File 22152-21 2	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (maps, plans). 1898 - 1913

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

917

Surv.

Ref. 37610.

Sir

I beg to transmit
for the information of your Department
Copies of Plans numbered 1 to 30, accompa-
-ied by descriptions and Book of
Reference and Valuation of the lan
in Indian Reserves, taken for the
Main Line of the Canadian Pa
Railway, between Port Moody a
Savona's Ferry, British Colu
I have the hono
Sir
Your Obedie

With Plans
&c &c

The Hon. The Minister of Indian Affairs.
Dept. of Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEMORAND

SECRETARY'S BRANCH NOV 6 1885

To Dep. Minist

Department of

Ottawa, 30th Oct -

I beg to report that as far as this
has information the Right of Way of
C. P. Rwy. ~~from~~ through Indian Res
between Port Moody and Savonas Fer
as shown on the Copies of Plans refer
has been noted and laid down on the
Plans of Ind. Reserves now in possession o
this office, but a number of Plans have
to be received from British Columbia bef
the whole can be noted and laid down

The Plans and Descriptions are re
in this Office; they do not appear to
any especial remark. The Book
Reference as it also contains the Valu
is not returned as further action may
deemed necessary with regard to the
of the sums mentioned.

Sam'l Bo
Jr H. B. D

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22943

P. O'Reilly Esq
Indian Reserve Commr.
Victoria, B.C.

SECRETARY'S
NOV 1895
BRANCH

Nov. 10-95

Sir,

I enclose herein a schedule of the land taken from the Indian Reserves in British Columbia for right of way for the C.P.R. showing acreage and valuation placed upon the same by the Dept of Railways & Canals.

I shall be obliged if you will be good enough to carefully revise the schedule and inform me whether you consider the values placed upon the lands correct; and if you differ therefrom in any instance, please state what in your opinion should be paid for the same.

I am, &c.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

25128

Indian Reserve Commission
Victoria B.C.
November 25th 1885.

Richardson

SECRETARY'S
DEC 14 1885
BRANCH

Sir.

I have the honor to acknowledge the receipt of your letter of the 10th Instant, No 229.45, enclosing a schedule of lands taken from the Indian reserves in British Columbia for right of way on the Canadian Pacific Railway, and directing me to revise the schedule, and to inform you whether I consider the value placed upon the lands correct, and if not, to state what should be paid for the same.

In reply I beg to say, that without visiting the respective reserves, to do which would occupy a long time, (and at this season be impracticable) it is impossible to form an opinion of the precise value of the land taken from each.

If however it be your desire, I shall be prepared to undertake this

The Right Hon.ble
the Supt General
of Indian Affairs

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

this duty early in the spring, though I do not think the decision arrived at would differ materially from that of the sworn Commissioners, whose valuation has been accepted generally as equitable.

I have the honor to be
Sir
Your obedient Servant.

P. O'Reilly
I.R.C.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22945 22150 2 C.P.

I. Vrudeau, Esq.,
Deputy Minister of
Railways & Canals,
Ottawa.

SECRETARY'S
DEC 16 1885
BRANCH

Dec. 17-'85.

Sir/ With reference to your letter of the 2nd. of Sept. last transmitting copies of plans numbered 1 to 30 accompanied by description and book of reference and ~~of~~ the valuation of the land in Indian Reserves taken for the main line of the D. C. P. Ry. between Port Moody and Yarrow's Ferry, B. C., I beg to inform you that assuming the valuation put upon and the description given of these lands to be correct, this Dept. will accept of payment of the same at the rates stated.

Will you be good enough to cause me to be informed whether payment should be demanded ~~from~~ direct by this Dept. from the C.P.R. or whether the matter will be dealt negotiated by your Dept.

I have &c

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Certified Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 18th January 1886.

On a Report dated 13th of January 1886, from the Minister of Railways and Canals, stating that there have been furnished by the Agent of the Dominion Government in British Columbia plan and books of reference with proper descriptions showing the Indian lands in that Province taken for the purposes of the main line of the Canadian Pacific Railway between Port Moody and Savona's Ferry giving also in each case the valuation and area of the land so taken with improvements thereon, such valuation having been made the Agent states, in a letter dated the 3rd of August last, by the Offic Valuators except in one case the Yale Reserve, whi was not reported on by them, but as to which he h himself given a valuation based on that made by of the adjoining lands in 1880.

The Minister further states the reserves twenty nine (29) in number dealt wit comprise all the lands actually allotted for Reserves traversed by the railway between ti named, so far as he can ascertain and that t gregate amount of these valuations is $5,9

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

27064

The Minister also states that upon being placed before the Superintendent Indian Affairs, he under date the 17th er 1885. expressed his willingness to ac- t pr the lands in question at the rates said valuation.

The Minister recommends that author- for the purchase from the Indian he- he said lands for the amounts set down n the Schedule furnished by the Dom- copy of which is heret[illegible]

The Committee advise ty be granted accor[illegible]

(Sgd.) John [illegible]

Cl[illegible]

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

FILE 22150 - ICP
CLOSED

Copy

P.229452

Certified copy of a report of a Committee of the Honourable the Privy Council, approved by His Excellency the GOVERNOR GENERAL IN COUNCIL, on the 15th March 1886.

On a Memorandum dated 5th March 1886, from the Superintendent General of Indians Affairs submitting that by an Order in Council dated 15th of January last authority was granted to purchase certain scheduled Indian lands in the Province of British Columbia, the said lands having been appropriated for the purposes of the main line of the Canadian Pacific Railway between Port Moody and Savona's Ferry in British Columbia.

The Minister observes that the lands mentioned were valued by the Official Valuators excepting in the case of the Yale Reserve which was not reported on by them, but in regard to which the Agent of the Dominion Government in British Columbia has himself made a valuation based on that made by him of the adjoining lands in 1880.

The Minister recommends that the lands described in the said Schedule attached to the said Order-in-Council of the 15th January last, be transferred to the Minister of Railways and Canals on payment of the full valuation thereof, namely Six thousand one hundred and fifty nine dollars and twenty four cents ($6,159.24) composed as follows,-

$5,959.24

To the Honourable
The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

$5959.24 for all lands excepting those at Yale,as to which an Order-in-Council of the 25th of February ultimo authorised the payment of the additional sum of $200.00.

The Minister further recommends that the total amount, namely,Six thousand one hundred and fifty nine ($6,159.00) for the purchase of these lands be deposited in the Bank of Montreal to the credit of the Receiver General,on account of Indian Funds and Bank Certificates showing the deposit of the same be sent to the Superintendent General of Indian Affairs.

The Committee submit the same for Your Excellency's approval.

(sgd) John J McGee
Clerk,Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy. P.22945

Certified Copy of a Report of a Committee of the Honourable the Privy Council approved by His Excellency the Governor General in Council on the 15th January 1886.

On a Report dated 13th of January 1886, from the Minister of Railways and Canals, stating that there have been furnished by the Agent of the Dominion Government in British Columbia plans and books of references (two sheets) descriptions shewing the Indian lands in that Province required for the purposes of the construction of the Canadian Pacific Railway between Port Moody and Burrard's Inlet, and Coal Harbour; in each case the valuation evidence of the land [illegible] improvements thereon, such valuation having been made by [illegible] states, in a letter dated the [illegible] Valuators except in one case [illegible] ed on by them, but on [illegible] based on that made by [illegible]

The Minister further reports that the [illegible] (29) in number dealt with, comprise all the [illegible] for Indian Reserves traversed by the Railway between the [illegible] so far as he can ascertain and that the [illegible] of these valuations is $[illegible].

The Minister also states that upon the matter [illegible] before the Superintendent General of Indian Affairs, [illegible] date the 17th of December 1885 [illegible] accept payment for the lands in question as [illegible] in the said valuation.

The Minister recommends that authority be given [illegible] therefrom from the Indian Fund [illegible] payments as may from time to time [illegible]

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

furnished by the Dominion Agent, a copy of which is hereto attached.

The Committee advise that the requisite authority be granted accordingly.

(sgd) John J McCue
Clerk, Privy Council

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

FILE 22150 ICP
CLOSED

Copy F.22945p2

Certified copy of a report of a Committee of the Honourable the Privy Council, approved by His Excellency the GOVERNOR GENERAL IN COUNCIL, on the 15th March 1886.

On a Memorandum dated 5th March 1886, from the Superintendent General of Indians Affairs submitting that by an Order in Council dated 18th of January last authority was granted to purchase certain scheduled Indian lands in the Province of British Columbia, the said lands having been appropriated for the purposes of the main line of the Canadian Pacific Railway between Port Moody and Savona's Ferry in British Columbia.

The Minister observes that the lands mentioned were valued by the Official Valuators excepting in the case of the Yale Reserve which was not reported on by them, but in regard to which the Agent of the Dominion Government in British Columbia has himself made a valuation based on that made by him of the adjoining lands in 1880.

The Minister recommends that the lands described in the said Schedule attached to the said Order-in-Council of the 18th January last, be transferred to the Minister of Railways and Canals on payment of the full valuation thereof, namely Six thousand one hundred and fifty nine dollars and twenty four cents ($6,159.24) composed as follows,-

$5,959.24

To the Honourable
The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

$5959.24 for all lands excepting those at Yale,as to which an Order-in-Council of the 25th of February ultimo authorized the payment of the additional sum of $200.00.

The Minister further recommends that the total amount, namely,Six thousand one hundred and fifty nine ($6,159.00) for the purchase of these lands be deposited in the Bank of Montreal to the credit of the Receiver General,on account of Indian Funds and Bank Certificates showing the deposit of the same be sent to the Superintendent General of Indian Affairs.

The Committee submit the same for Your Excellency's approval.

(sgd) John J McGee

Clerk,Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

FILE 22150 1 CP CLOSED

Copy F.22945

Certified Copy of a Report of a Committee of the Honourable the Privy Council approved by His Excellency the Governor General in Council on the 18th January 1886.

On a Report dated 13th of January 1886, from the Minister of Railways and Canals, stating that there have been furnished by the Agent of the Dominion Government in British Columbia plans and books of reference with proper descriptions showing the Indian lands in that Province taken for the purposes of the main line of the Canadian Pacific Railway between Port Moody and Savona's Ferry, giving also in each case the valuation andcares of the land so taken with improvements thereon, such valuation having been made the Agent states, in a letter dated the 3rd of August last, by the Official Valuators except in one case the Yale Reserve, which was not reported on by them, but as to which he has himself given a valuation based on that made by him of the adjoining lands in 1880.

The Minister further states that the reserves, twenty nine (29) in number dealt with, comprise all the lands actually allotted for Indian Reserves traversed by the railway between the points named, so far as he can ascertain and that the aggregate amount of these valuations is $5,999.24.

The Minister also states that upon the matter being placed before the Superintendent General of Indian Affairs, he, under date the 17th of December 1885 expressed his willingness to accept payment for the lands in question at the rates shown in the said valuation.

The Minister recommends that authority be given for the purchase from the Indian Department of the said lands for the amounts set down respectively in the Schedule furnished by th

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22150-1 C.R.

furnished by the Dominion Agent, a copy of which is hereto attached.

The Committee advise that the requisite authority be granted accordingly.

(sgd) John J McGee
Clerk, Privy Council

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

PRIVY COUNCIL
CANADA

Certified Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council, on the 16th May 1887.

Pd 23/5/87

CORRESPONDENCE
MAY 27 1887
BRANCH

On a memorandum dated 9th May 1887, from the Superintendent General of Indian affairs stating with reference to the Order in Council of 15th March 1886, approving of the transfer to the Minister of Railways and Canals, on payment of the valuation thereof, viz # 6159.00 of certain Indian Lands in the Province of British Columbia expropriated by the Canadian Pacific Railway Company and lying between Port Moody and Burrard Inlet, that of the above sum

Right
To the Honorable
The Superintendent General of Indian Affairs

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

from it appears that $862.50 is payable to a white man, one Manuel Aloizo, a Mexican who owned some improvements on one of the Indian Reserves through which the Railway passes, and that the Minister does not consider it advisable that he should deal with this man in connection with the improvements claimed by him and expropriated by the Canadian Pacific Railway Company, and he, the Minister, therefore recommends that the Order in Council above referred to, be amended by requiring that the amount to be paid to the Superintendent General of Indian Affairs for the land in question shall be the sum first above named less the sum of $862.50. The total amount then to be paid by the Department of Railways & Canals for the land and

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

and improvements owned by the Indians and expropriated by the Canadian Pacific Railway Company between the above named points will be $5.296 74/100.

The Committee advise that the said Order in Council be amended accordingly.

John J. McGee
Clerk Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

27064

No 24997
Subj 961
Ref 38633 previous letter
file with the papers mentioned

27[illegible]

DEPARTMENT OF INDIAN AFFAIRS
FEB 26 1886

Ottawa Feb 25th 1886

Sir

I am to draw your attention to Order in Council of the 18th ultimo, copy herewith, authorizing the purchase at the prices given in the Schedule thereto annexed, agreed to by the Department of Indian Affairs as per letter dated the 17th December 1885 — of certain Indian Lands in the Province of British Columbia, taken for the purposes of the Can. Pacific Railway —

I am to request that the necessary steps may be taken — after the issue of a further Order in Council emanating on a report from your Department —

Order in Council

L. Vankoughnet Esqr
Deputy & Supt. General of Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department, should such be required —
for the transfer of the said lands to
this Department, on payment of the
valuation thereof, $6159.24.

It will be observed, on reference
to the schedule, that this sum
comprises an amount of $862.50,
payable to Manuel Alvizo, for
improvements on a portion of these
lands — Alvizo

I am, Sir,
Your obd't Servant,
A. P. Bradley
Lee

A Report to Council
was made on the 25th Feb.
recommending authority be given
for payment of the additional
sum of $200, mentioned in
previous order —
A. P. Bradley
Dec 4.86

5955.24
200.00
6155.24
862.50
$5292.74

5955.24
862.50
6817.74

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22945

27227

Dept. of Indian Affairs,
Ottawa 5 - Mar. '86.

SECRETARY'S
MAR 3 1886
BRANCH

Memorandum:-

With reference to the Report of the Committee of the Honble the Privy Council, approved by Your Excellency in Council on the 18th. of Jany last, granting authority to the Dept. of Railways & Canals, to purchase from the Dept. of Ind. Affrs. certain Indian lands in the Province of British Columbia, described in the schedule attached to the ~~which accompanied~~ said Order in Council ~~Said lands being taken~~ for the purposes of the main line of the Canadian Pacific Ry between Port Moody and Savona's Ferry in that Province, ~~the purchase of the said lands to be~~ at the valuation and according to the ~~valuation~~ areas

To the Honble
the Privy Council
of Canada

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

areas of the lands thus taken with the improvements thereon, said valuation having been made by the Official Valuators excepting in the case of the Gale Reserve, which was not reported on by them but in regard to which the Chief Commissioner himself made a valuation based on that made by him of the adjoining lands in 1880, — the undersigned begs to recommend that ~~authority be given for~~ the lands described in the said schedule attached to the said O. C. be transferred to the Dept of Railways & Canals on payment by them of the full valuation thereof, viz. Six thousand one hundred and fifty nine Dollars and twenty four cents ($6159.24) the amount for the whole lands ~~and lots~~ to be deposited in the Bank of Montreal to the credit of the Receiver General on account of Indian Funds. and Bank Cert. thereof the deposit of the same to be sent to the Dept of Ind. Affs

Supt Gen'l of I. A.

(1) Copies sent to Dept of Railways & Canals 22nd Sept 1886

(2) Cert. of deposit sent to Dept of Railways & Canals 22nd Sept 1886

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

37228

Copy of No 38939

Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council, on the 1st March 1886.

On a Memorandum dated 25th February 1886, from the Minister of Railways and Canals, submitting that by an Order in Council dated the 18th January last, authority was given for the purchase of certain Indian lands required for the purposes of the Canadian Pacific Railway in British Columbia, as shewn on a Schedule attached, the sum to be paid therefor being $5959.24.

The Minister represents that an amount of $200, the valuation made of 1.59 acres at Yale, a portion of said lands, was not included in the above sum, and he recommends that authority be given for the payment of this additional amount, making the total purchase money $6159.24.

The Committee submit the same for Your Excellency's approval

(Sgd.) John J. M[illegible]
Clerk.

Honorable
[illegible]ister of Railways & Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

27228

No 25036
Subj 961
Ref 38934

Ottawa March 6 1886

DEPT. OF INDIAN AFFAIRS MAR 8 1886

Sir

Referring to my letter of the 24th ult. I am directed to transmit herewith copy of Order in Council of the 1st instant authorising the payment of a further sum of $200 for Indian lands taken for the purposes of the Canadian Pacific Railway in British Columbia - which amount had been omitted from the Schedule of valuations of these lands annexed to Order in Council of the 18th January.

I am, Sir,
Your obedient Servt
A. E. Bradley
Sec.

L. Vankoughnet Esq
Deputy of Supt. General of Indian Affrs,
Ottawa

CORRESPONDENCE MAR 9 1886 BRANCH

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22.945

J. Smart Esq.
Dept. Minister of Railways & Canals
Ottawa

March 15 - 06

Sir,

I have the honor to acknowledge the receipt of a letter from your Dept. dated the 6th. Inst. enclosing copy of an Order in Council authorizing the payment of a further sum of $200. for Indian lands taken for the purposes of the C.P. Railway in British Columbia; and in reply I beg to inform you that a Report has been submitted to Council asking for authority to transfer the land to the Dept. of Railways & Canals on payment therefor.

I have

referred to in this & the previous O.C. of the 18th Jany last

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

MEMO.

To ~~Dep. Sec. Dr. Brecl~~

Ottawa, 2 Apl 1886

Please write to the Dep. Com Public Works and call his attention to the O.C. under and ask him to be good enough to have the amt named therein deposited to the credit of the Com. on act of Ind Fund and forward the Bank Clerk's letter addd. for Credit to Ind Funds. must as little delay as possible -

CORRESPONDENCE
APR 9 1886

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22.9[illegible]

J. Trudeau Esq.
~~G. F. Baxter Esq.~~
Deputy Minister of ~~Pub. Works~~
Railways & Canals Ottawa.

April 13 1886.

Sir,

I have the honor to call your attention to the Order in Council of the 15th ult. respecting the appropriation of certain Indian lands in British Columbia for Railway purposes; and to request that the sum of $6.159 authorized to be paid for those lands may be deposited in the Bank of Montreal to the credit of the Receiver Gen. on acct of Indian funds and Bank Certificate showing the deposit of this sum be sent to this Department as soon as possible.

I have &c

C. C. to be appointed

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

N. 29514

Subj. 961

Ref. 39439

29001

DEPARTMENT OF INDIAN AFFAIRS MAY 1 1886

Ottawa April 30th 1886

Sir

Referring to the matter of the proposed purchase from your Department of the Indian Lands in British Columbia required for right of way of the Canadian Pacific Railway, authority for which has been given by Orders in Council of the 18th of January and 1st of March last, I have the honour by direction to state for the guidance of all possibility of misunderstanding hereafter, that the purchase will with your concurrence be on the basis following.

1. The Lands specified in the schedule attached to the order in Council of

the Deputy of the Superintendent General of Indian Affairs

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

of January. are to be conveyed to this
Department for the lump sum of "6159.24
such sum covering the land taken and
all improvements made thereon, whether
by the Indians or by other parties, Your
Department undertaking to make all payments, and
specifically in the case of Manuel Alvizo, a Mexican,
to whom should be paid. as is shown in
the said schedule, the sum of "862.50 representing
the value of the improvements made by
him.

Upon payment of the said sum of "6159.24
Department will be held harmless
by Department of Indian Affairs
against all claims whether on account of
or improvements.

I am to ask that you will be pleased
to advise whether your Department are prepared
to transact with this understanding, and
if you will be pleased to indicate the
form and mode of conveyance by which the land
is to be vested in this Department. Have the honour to be
Sir
Your obedient servant
Clyde Bradley
Secretary

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

MEMORANDUM.

To Deputy Superintendent

Department of Indian Affairs,

Ottawa, 4th May 1886

Please see letter No. 29001 dated 30th Apl.

To Chief Dominion Land Surveyor

Please see letter No 25535 dated 27th Apl.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22545

J. Trudeau, Esq C.E.
Dept. Min. of Railways, Canals
Ottawa

SECRETARY'S
MAY 13 1886
BRANCH

May 14— 1886

Sir

With reference to the letter from your Dept. of the 30th. ultimo relative to the proposed purchase by your Dept. of the Indian lands in B.C. required for right of way of the C.P.R. authority for which has been given by Orders in Council of the 15th. of January and 1st. of March last, I shall be obliged by your informing me whether the Factors thereof have taken steps when it is proposed to compensate for improvements made by them upon Reserves through which the Railway in question passes have communicated to accept the amounts of valuation put upon said improvements by the Official valuators.

I may ~~mention~~ remark that in the event of any such parties not having given their assent to accept of said amounts the

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CANADA

this Dept cares not undertake
to ~~settle~~ with the claimants
in Question for with the amount
proposed the Pais by
your Dept, and it must
upon your Dept
the responsibility of finally
arranging with any parties of
~~Indians~~ the Mass Indians
as to the Compensation to be paid for the improvements by
your Dept
Claimed by those parties
Have &c

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22150 C.P.

36515 36515

British Columbia

File on the previous correspondence re Buchanan

1. 2. 31 Jany

Indian Office
Victoria Jany 12th 1887.

Sir,

I have the honor to inform you that many Indians make inquiries from time to time respecting Compensation which they expect from the Canadian Pacific Railway Company for right of way through Indian Reserves on the Mainland. In the present instance, I beg to state that two Indians, named respectively Charley Joe, and Jim of the Hope Indian Reserve at Chawathan, furnished the Appraisors - Capts Ball and Spalding with an inventory of the Buildings, fences and fruit trees destroyed by the passage of the line through their grounds, some three years ago, but up to the present time have heard nothing more of the matter.

I have the honor to be
Sir
Your Obdt Servant
I W Powell
Indian Commissioner

The Honble
The Supt Genl
of Ind Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22150½ CP

36516

DEPARTMENT OF INDIAN AFFAIRS
JAN 21 1887
RECEIVED

File in the papers in re Alaatsum
S. A.

British Columbia

Indian Office
Victoria Jany 13th 1887.

Sir,

In connection with my letter of yesterday's date No. 1.2. I have the honor to state that the sum of of $650 00 was awarded to the Halaut Indians by the C. P. Railway Co. for right of way through the Mishkynilth (South Thompson River) timber Reserve.

This amount was accepted by the Band but has not as yet been paid by the Railway Company. The Indians are particularly anxious to have the money expended in the purchase of Ploughs and other implements to work their lands during the coming season. Might I suggest that some action be taken by the Department to have this and other kindred claims adjusted as early as possible.

I have the honor to be
Sir,
Your Obdt Servant.
I. W. Powell
Indian Commissioner

The Honble
The Supt. Genl
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

MEMORANDUM.

Department of Indian Affairs,

To Deputy Minister

Ottawa, 24th 1 — 1887

Please see letter No 36515 + 16

J. D. McL.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22945

S. Stubbs, Esq.
Dy Minister of
Railways & Canals,
Ottawa.

SECRETARY'S
JAN 29 1887
BRANCH

Jany 31 - 87.

Sir/

I beg to inform you that this Dept. has been advised by the Indian Agent at Victoria, B.C., W. A. V. Cowell, that many Indians have made enquiries from time to time respecting the compensation which they expect to receive from the Canadian Pac. Ry Co. for the right of way through Indian Reserves on the main land, and Dr Cowell mentions specially the cases of two Indians named respectively Charley Joe and Jim, who belong to the Hope Indian Reserve at Chawathan, and who furnished the Appraisers, Captains Ball and Spalding with an inventory of the buildings, fences, and fruit trees destroyed by the passage of the line through their grounds some three years ago

Mr Rae
Mr Powell's letter
Plan sent to you
Instructions taken

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

the states
ago; that up to the present
time they have heard nothing
more of the matter.

In this connection
I would call attention
to my letters to you of the
13th April and 14th May last
on the subject of the moneys
to be paid certain Indians
on account of the right of way
of the Can. Pac. Ry through
their Reserves.

I have, &c.

T. Trudeau, Esq.,
Dy Minister of
Railways & Canals,
Ottawa.

Comy 31- 87.

Sir,

I beg to inform you
that I have been advised by
the Indian Supt. at Victoria
B.C. that the sum of
$650 was awarded to
the Halant Indians by the
Can Pac Ry Co. for right of
way through the Chilkyuilth timber Reserve
on the South Thompson River: that
this amount was accepted by
the Band, but has not yet
been

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

been paid over to this Dept. by the Railway Co.; that these Indians are particularly anxious to have the money expended in the purchase of plows and other implements ~~to enable~~ wherewith to work their lands during the ensuing season.

I should be glad to be informed by you at your earliest convenience in respect to this matter and other similar claims of Indians in British Columbia.

I have, &c.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

SECRETARY'S
FEB 1 1887
BRANCH

22945

J. W. Powell Esq. M.D.
Indian Supt.
Victoria B.C.

Feby 4 — 87.

Sir I beg to ack. the receipt of ~~my reply~~ to your letter No. 1.2. of the 12th Oct. stating that two Indians of the Hope Reserve at Lakamahan named Charley Jac and Jim about three years ago furnished the Appraisers of the Can. Pac. Ry Co. with an inventory of the buildings, fences and fruit trees destroyed by the ~~line of that~~ passage of the line of that Company through their lands, but that up to the present time they have heard nothing more of the matter.

In reply I beg to inform you that I have called the attention of the Dept. of Rys & Canals to these as well as to the similar claims ~~for compensation~~ of Brit. Col. Indians to compensation. to which the attention of that Dept had previously been called by this Dept

I am, &c.

(Over)

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

L. H. Powell Esq., M.D.
Indian Dept.
Victoria B.C.

Relay 4 — No.

Sir,

I beg to ack. the receipt of your letter of No. 9 of the 18th Oct. stating that the sum of $650 was awarded to the Okanagan Indians by the C.P.Ry Co. for right of way through the South Thompson Ry. Hunter Reserve and that the Indians are very anxious to get the money in order to purchase farming implements to work their lands during the coming season.

In reply I beg to inform you that the Dept. of Ry's & Canals has been asked to deal with this and similar claims at its earliest convenience.

I am, &c.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

No. 27518
Subj: 961a
Ref 42346

37070

DEPARTMENT OF INDIAN AFFAIRS
FEB 11 1886
OTTAWA

Ottawa 11th Feby 1886

Canadian Pacific Railway.

Sir.

In reply to your letter of the 31st ult. I am directed to inform you that a copy of your communication regarding payment of the sum of $650 00/100 awarded by the Canadian Pacific Railway Company to the Halant Indians for Right of way through the Nishkynilth timber Reserve, has been forwarded to the Secretary of the Company.

I have the honor to be
Sir
Your Obedient Servant.

A. J. Bradley
Secretary

The Dy Supt Genl
of Indian Affairs
Department of Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

No 27668
Subj 961
Ref 47643

CORRESPONDENCE BRANCH MAR 10 1887

37691 37691

Ottawa March 9th 1887

Sir,

Referring to your letter of the 31st. January, and previous correspondence, I am directed to inform you that this Department has issued a certificate placing at the disposal of the Dept. of the Interior the sum of $5096.74 to admit of payment for Indian lands in the Province of British Columbia taken for the Government sections of the Canadian Pacific Railway, as set forth in Schedule attached to O.C. of the 18th. Jan. 1886, copy of which was enclosed to you on the 25th. February following - a further O.C. on the same subject being sent you on the 6th

L. Vankoughnet Esq
Deputy Supt-General Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

March 1886 - Description and plan of these lands had been previously forwarded to you on the 2nd September 1885.

I am to request that in view of the great importance of the Government being placed in a position to hand over the Title to said lands to the Canadian Pacific Ry Co you will at once cause the issue of Letters Patent in favor of that Co for all Lands purchased as above.

I am, Sir,

Your Obedient Servant

A. Sc. Bradley

Secretary

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

Immediate

22.945

2 Enclosure
C. P. R. Land Leg.
Secretary
Dy Minister
Dept of Railways & Canals.
Ottawa

March 11 1889.

42.603

Sir,

I am directed to ask the favor of a reply to your letter from your Dept of the 9th inst, advising me that a Certificate has been issued by your Dept. payable at the Bank of the Province for the amount $5.096 74 in payment for Indian lands in British Columbia taken for the Yale section of the C.P. Railway; and in reply beg to inform you that the application should have been made to the Dept of Ind. Affairs and not the Dept of the Interior; and I am therefore to request that you will before enough have the error corrected at once & the Bank Certificate of deposit forwarded

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

No 7239
Subj. 961
Ref. 42707

38016

Ottawa March 22 1887

DEPARTMENT OF INDIAN AFFAIRS
MAR 22 1887

I am instructed to acknowledge the receipt of your letter dated the 11th instant, and to inform you that the error to which attention was drawn has been duly noted.

I am to request that you will furnish this Department with a copy of the Report to Council recommending that authority be given for the transfer to the Canadian Pacific Railway Company of the Indian Lands in question.

I am, Sir,
Your obedient Servant

A. M. Bradley
Secretary

L. Vankoughnet Esq
Deputy Superintendent General Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

22945

SECRETARY'S
MAR 29 1887
BRANCH

Immediate

J. Trudeau, Esq.
Deputy Minister
Dept. of Railways & Canals
Ottawa.

Mar. 29- 87.

Sir/

I beg to ask the receipt of your let. No. 7239 of the 22nd inst. stating that the error to which your attention had been called in my let. of the 11th inst. had been noted, and requesting that you be furnished with a copy of the Report to Council recommending that authority be given for the transfer to the Can. Pac. Ry Co. of the Indian lands in question.

In compliance with your request, I enclose a copy of the Report referred to.

Yours, &c.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

38659

Canadian Pacific Railway Company

Treasurers Office

Montreal 13th April 1887

July with papers

The Secretary

Department of Indian Affairs

Ottawa

Dear Sir

Herewith I beg to send you this Company's cheque in your favour for $650.00 being payment due by this Company for the Right of way through the Indian reserve on South bank of the Thompson River

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

B.C. about 30 miles east of Kamloops village containing 44 acres.

Kindly acknowledge receipt on accompanying form.

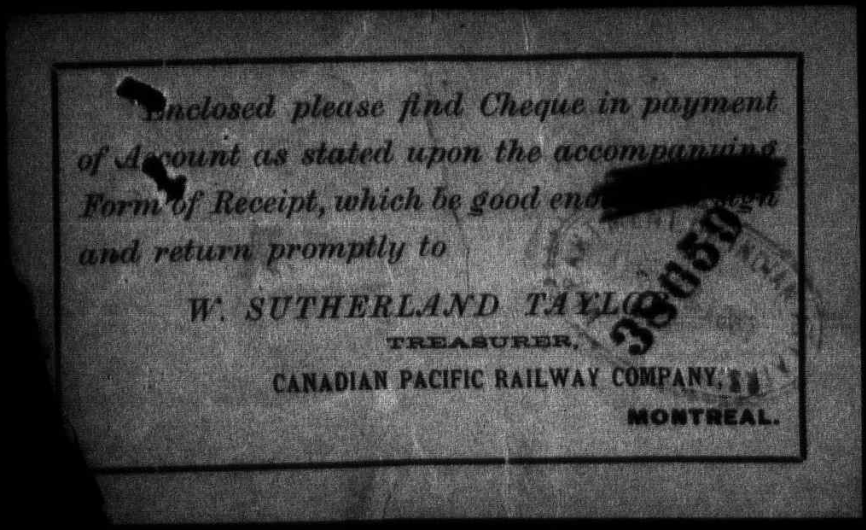
Yours truly

W. Sutherland Taylor

Treasurer

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA


Enclosed please find Cheque in payment
of Account as stated upon the accompanying
Form of Receipt, which be good enough to sign
and return promptly to
W. SUTHERLAND TAYLOR
TREASURER,
CANADIAN PACIFIC RAILWAY COMPANY,
MONTREAL.
38050

Indian Affairs, (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

No. 5157

Original, for the Depositor.

38650

Bank of Montreal.

OTTAWA
14 APL 1887

$ 650 —

188

RECEIVED from C. Drinkwater

on account of Ind Funds

the sum of Six hundred & fifty — *Dollars,*

which amount will appear at the Receiver General's credit with this Bank.

Signed in Triplicate

J. Peats

Pro Manager.

Ent'd.

Bank of Montreal.

No. 5157

Duplicate, for Department.

38650

Bank of Montreal,

OTTAWA
14 APL 1887

$ 650 —

188

RECEIVED from C. Drinkwater

on account of Ind Funds

the sum of Six hundred & fifty — *Dollars,*

which amount will appear at the Receiver General's credit with this Bank.

Signed in Triplicate

J. Peats

Pro Man

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

MEMORANDUM.

Department of Indian Affairs,

To Mr Powell

Ottawa, Apl 20 188 7

RECEIVED
APR 20 1887
INDIAN BRANCH

I Inform Supt Powell further
Reference to his let of the 8th Inst that
the C.P.R Coy has paid $650.00 for right
of way through the Six Nations Reserve on
the South Bank of the Thompson River timber
Res. but that the only Band entitled to
the Cr of the Band who will receive the
interest

(21)

MEMORANDUM.

Department of Indian Affairs,

To

Ottawa, 188

interest thereon annually but cannot
be paid the Capital as it is as much the
property of future as of the present
generation being Compensation for
land taken from their Reserve

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

22.945

I. W. Powell Esq.
Indian Supt.
Victoria. B.C.

82/

April 23 1887.

Sir,

In further reference to your letter of the 13 Jany last, I have to inform you that the C.P. Railway Co. has paid $650 for right of way through the Kisk-koynikth Indian Reserve on the South bank of the Thompson River Timber Reserve, ~~but~~ the amount has been placed to the credit of the Band who will receive the interest thereon annually. They cannot be paid the Capital as it is as much the property of future generations as of the present generation being a consideration for land taken from the Reserve.

I am Sir,

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22150 1/2 C.P.

39002

DEPARTMENT OF INDIAN AFFAIRS
APR 29 1887
REGISTRY

Ottawa April 28 1887

Re 27959
and 961
Ref 42979

File with previous papers re Reserves

Sir

I have the honour to refer to the matter of the transfer of Indian Lands in British Columbia to this Department for Railway purposes, and to the Order in Council passed on the 15th of March last on your Report authorizing you to make such transfer to the Minister of this Department, and to request by direction to say that it is observed that the order in question provides that the transfer is to take place "on payment — of $ 6159.24" being the full valuation approved by order in Council previously passed through this

H. Vankoughnet
Superintendent and Com Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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office.

The amount in question however is made up as follows -

For Indians, covering Lands Damages &c' - $ 5296.74.

For Damages & improvements made by one Manuel Alvizo a mestizo resident on the Indian Reserve. - 862.50

$ 6159.24

It is respectfully understood by the Ho with of Yours Min that it would draw nobody with the Indians and that the claims of Alvizo would be dismissed with this understanding the certificate of Department has been issued in your favour for the sum of $ 5296.74. In the face however,

cf

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

22150 L CP

39092

of the order in council above quoted, it appears desirable to postpone handing it over to you, pending intimation of your wishes in the matter, and such changes in the terms of the Order as will make the transfer practicable on its payment.

I have the honour to be
Sir
Your obedient servant
A. G. Bradley
Secretary

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

22946

Department of Indian Affairs

Ottawa, 9- May 1887.

SECRETARY
MAY 1887
BRANCH

Draft

Memorandum.

Referring to the Order of Your Excellency in Council of the 15th March 1886 approving of the transfer to the Minister of Railways & Canals, on payment of the full valuation thereof viz $6159.24, of certain Indian Lands in the Province of British Columbia expropriated by the Can. Pac. Ry Co. lying between Port Moody and Burrard's Ferry in that Province, - the undersigned begs to report that of the above sum it appears that $862.50

To the Honble
the Privy Council
of Canada

Indian Affairs. (RG 10, Volume 7670, File 22150)
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$862.50 is payable to a White man, one Manuel Alonzo, a Mexican, who owned some improvements on the Indian Reserves. He does not consider it advisable that the Dept. of Indian Affrs. should deal with this man in connection with the improvements claimed by him and appropriated by the Can. Pac. Ry Co. He, therefore, begs to recommend that the Order of Your Excellency in Council above referred to be amended by requiring that the amount to be paid to the Supt. Genl. of Ind. Affrs. for the land in question shall be the sum first above named less the said sum of $862.50. The total amount then to be paid by the Dept of Railways & Canals to the Dept. of Ind. Affrs. for the lands and improvements owned by the Indians and appropriated by the Can. Pac. Ry Co

Certified

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

between the above points will be five thousand two hundred and ninety six dollars and seventy four cents.

$5,296.74

Supt. Genl. of Ind. Affrs.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22.945

J. Smeaton, Esq. C.E.
Deputy Minister of Railways & Canals.
Ottawa

May 31 1887

Sir,

With reference to the Order in Council of the 15th March 1886, approving of the transfer to the Minister of Railways & Canals, on payment of the full valuation thereof, viz $6.159.24/100 of certain Indian lands in the Province of British Columbia expropriated by the Canadian Pacific Railway Co. and lying between Port Moody and Savonas Ferry, I have the honor to inform you that it appears from your letter of the 28th ult. that of the above sum $862.50/100 is payable to a White man, the Manuel Rivas, a Mexican who owned some improvements on one of the Reserves through which the Railway passes; and as the Superintendent of Ind. Affairs did not consider it advisable that he should deal with this man

in

6159.24
862.50
5296.74

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

in connection with the improvements claimed by him and expropriated by the C.P. Railway Co., his Excellency the Gov. Genl in Council has by an Order dated the 16th Inst. been pleased to amend the Order in Council of the 15th March 1886 by directing that the amount to be paid to the Supt. Genl of Ind. Affs for the land in question shall be the sum first above named less the sum of $862.50, the total amount then to be paid by the Dept. of Railways & Canals for the land and improvements owned by the Indians & expropriated by the C.P.R. Co. between the above named limits will be $5.296.74/100.

May I ask you to be good enough to cause the said sum of $5.296.74/100 to be deposited to the credit of the Receiver Genl. on Acct. of Ind. funds and Certificate of deposit and Draft to be sent to this Department.

I have &c

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

40653

Ottawa June 29th 1887

28412
961
43499

Sir

DEPARTMENT OF INDIAN AFFAIRS
CORRESPONDENCE BRANCH JUL 6 1887
CORRESPONDENCE BRA. O.I.A. JUL 7 1887

Referring to your letter of the 21st June 30 ultimo intimating that the necessary amendments have been made in Orders in Council relating to the payments by this Department for lands belonging to Indians in British Columbia taken for the Right of way of the Canadian Pacific Railway, I have the honour by direction to inform you that an unforeseen difficulty has arisen to which attention should be directed prior to the handing over to you a Schedule of the purchases among further lands.

A certain case "The Queen v. Farwell" is now in appeal before the Supreme Court,

H. Vankoughnet
Deputy
Superintendent
" Indian affairs.

Etc

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

the object being to test the title to lands in British Columbia ceded to the dominion ~~Government~~ for the purposes of the Canadian Pacific Railway

under the 11th clause of the Imperial order in Council of the 16th of May 1871 admitting the Province into the Dominion the railway was to be commenced within two years from the date of the union. and the road not being so commenced then lands, it is alleged became revested in the Province and the Provincial government sold portions of them to Wm Farwell and others between 1871 and the date of the beginning of railway construction.

There being, as is shown by the contentions now raised, some doubt as to the title of the Dominion to the lands in question and consequently to Indian and other lands similarly located

Geo

Indian Affairs. (RG 10, Volume 7670, File 22150)
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along the railway belt. The adjustment in contemplation between this Department and your own, involving as it does the surrender and interchange of such lands, does not, it would appear, admit of being carried out until such time as the necessary legislation or other steps are taken to confirm the Dominion in its occupancy and possession of these lands. Pending such confirmation the deposit of moneys in favour of your Department must, together with the other proceedings for transfer, be held over.

I have the honour to be
Sir
Your obedient servant
A. J. Bradley
Secretary

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

22.945.

L. A. Powell, Esq.
Ind. Supt.
Victoria, B.C.

Pub by

July 9 89.

Sir,

Referring to previous correspondence on the subject of the Lands belonging to Indians in British Columbia taken for the right of way of the Canadian Pacific Railway, I have to inform you that I am advised by the Dept of Railways & Canals that an important difficulty has arisen to which attention should be directed before the purchase money for the Lands in question is handed over by that Department.

A certain case. The Queen vs Farwell is now on appeal before the Supreme Court, the object being to test the title of Lands in British Columbia vested in the Dominion for the purposes of the C. P. Railway. Under the 11th Clause of the Imperial Order in Council of the

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

the 16th May 1871 admitting the Province into the Dominion the Railway was to be commenced within two years from the date of the Union. and the road not being so commenced then lands it is alleged became revested in the Province and the Provincial Govt sold portions of them to Wm Farrell and others 1871 and the date of the beginning of the Railway construction - Then being, as is shewn by the Extention now raised, some doubt ~~of the~~ as to the title of the Dominion to the Lands in question; and consequently to Indian and other lands similarly located along the railway belt, - the adjustment in connection between the ~~and~~ the two departments, involving as it does the surrender and interchange of such lands, cannot be the Dept of Railways & Canals is of opinion be carried out until such time as the necessary legislation

or

Indian Affairs. (RG 10, Volume 7670, File 22150)

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or the action is taken
to confirm the Dominion
in its occupancy and
possession of the lands.
Pending such confirmation
the Dept. of Railways & Canals
has decided that the deposit
of moneys in favor of
the Dept. must, together
with the other proceedings
for transfer, be held over.
J Rankle

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CANADA

50342 22150 1/2 C.P.

British Columbia

DEPARTMENT OF INDIAN AFFAIRS
AUG 8 1888

29 Dec 88

Indian Office
Victoria Aug 1st 1888.

Sir,

During my late visit to the Kamloops Agency the Indians complained that the moneys long ago promised by the Railway Co. for right of way have never been paid, although white men have been promptly settled with when the railway line was determined.

At one reserve, the Adams Lake, where the line runs through the reserve for a distance of four miles the Company has not fenced in the roadway and the Indians have lost several horses, killed by the locomotive. They are greatly in want of Harness and Ploughs to develop their reserve, and they had been told that this money would be devoted to the purchase of necessary

The Honorable
The Supt. General
of Ind. Affairs.

DEPARTMENT OF INDIAN AFFAIRS
AUG 10 1888
BRANCH

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22150 L C.P.
50342

necessary implements for them.

It is unfortunate that there has been so much delay in this matter which has been under consideration for the last three or four years, as Indians lose confidence in the justice of their treatment.

I have the honor to be
Sir,
Your Obdt. Servant.
I. W. Powell
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22.946

Lieut Col
I. W. Powell.
Supt.
Victoria, B.C.

629S

August 14 1888.

Sir,

I have rec'd the ref. of your letter of the 1st inst, and in reply I beg to refer you to the letter addressed to you by the Dept. on the 9th inst., in which are fully explained the reasons for the delay in paying the moneys due by the C.P. Railway Co. for right of way through Indian Reserves in British Columbia.

The Rd's of Manitoba who you state are anxious to receive the

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the moneys claimed by them within one
should at once
be informed of
the reasons above
referred to, as
well as any other
Info we may
make enquiries
respecting moneys
claimed to be due
them as Compensation
for Right of way
taken by the C. P. Railway
I am

Indian Affairs. (RG 10, Volume 7670, File 22150)

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50606

Victoria B.C.
Aug 7th 1888

Letter from Indian Office
Victoria B.C.
Aug 7th 1888
Re Claim for damages
by Charley Joe
Indian
Re Victoria
Columbia
Railway
Right of Way
through
Indian
Reserves

DEPARTMENT OF INDIAN AFFAIRS
AUG 14 1888

CORRESPONDENCE BRANCH
AUG 17 1888

With further reference to my letters of the 12th Jany 1887, No. 1. and Aug 1st 1888 No. 629. S. upon the long delay that has taken place in the payment due to Indians by the Can. Pac. Railroad for right of way through Indian Reserves, I have the honor to state that an industrious native belonging to the Stope band of Indians named Charley Joe has come to Victoria for the purpose of placing his claim before the Department.

The railway line destroyed not only the houses and fences owned by Joe, but a large orchard of bearing apple trees which yielded an income to the Indian was entirely removed -

Joe values his property as follows -

The Honorable
The Supt. General
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

follows -

1 House		100.00
1 do		50.00
1 Stable		150.00
200 Apple trees	2 yrs old	200.00
100 do	4 "	400.00
5 do	Old	25.00
1000 Rails		15.00
1000 ft right of way.		
		$ 940.00

When the length of time this Indian has been obliged to wait is considered, there can be no doubt that he has just cause of complaint.

I have the honor to be
Sir,
Your Obdt Servant.
I. W. Powell
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

22.945

I. R. Powell Esq. R.D.
Indian Supt.
Victoria. B.C.

664 S

Ottawa. 21st 1884.

Sir,

I am directed to acknowledge the receipt of your letter of the 7th inst. relative to the delay of the C.P. Railway Co. in paying for the right of way through the Indian Reserves in British Columbia; & in reply thereto to inform you that the Dept. regrets that it is powerless to expedite the settlement of these claims.

I am

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

Memorandum

Department of Indian Affairs,

To [illegible]

Ottawa, 17th Sept 1888

Please write Mr Pocklington
ask him by what Board Branch the
Great Northwest Bank of Canada
became owner of the N.E. 1/4
Sec 4 Twp 6 R 19 W 1st Mer
Also Lots 1 & 2 Sec 1 Twp
Same Range and Meridian
in Brandon

CORRESPONDENCE
SEP 21 1888
BRANDON

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22.945

Lt. Powell, Esq.
Indn Supt.
Victoria, B.C.

6645

Sept. 1888.

Sir,

In further reference to your letter of the 7th ult., I have to request that you will report what Bands of Indians are to receive credit for the $5.296.74 paid by the C.P. Railway Co. for right of way through Indian Lands in British Columbia and ~~what portion the~~ what amount is to be credited to each Band.

I am,

Indian Affairs. (RG 10, Volume 7670, File 22150)
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No. 2

Schedule of Indian Reserves in B.C. through which the Can. Pacific Railway probably passes and of which Plans of Rights of Way have not yet been received by the Dept.

Spuzzum Indians

The addition to the Spuzzum Reserve No. 1. adjacent to its former South Boundary; allotted by the Reserve Commr. Dr O'Reilly 26 April 1884.

Boothroyd Indians
Reserve No. 7.

Kanaka Bar Indians
Lytton Reserve, No. 4.

Siska Flat Indians
Reserve No. 7.

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Skuppah Indians
Reserve No. 2.
Skuppah, Reserve No. 4.

Lytton Indians
Reserve No. 16.

Cooks Ferry Indians
The Dept. has not yet received the Plans of Survey of these Reserves for these Indians, but it is probable that the Ry. passes through the Peruynus and Spatsum Flat Reserves and possibly other Reserves of this Band.

Oregon Jack Creek
Reserve No. 4.

Also one or more of the Reserves of the Nuskainlith and the Little Shuswap Lake Indians, in addition to the exprop. made for R. of Way through the Reserve No. 2 Reserve, of which the Dept received notice, by Duncan Ker.
J. Bray

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

22150½ C.P.

(1)

No. 1

Schedule showing the Bands to whom the 30 Reserves belong and the amounts awarded in each case, for the expropriations made by the Can. Pacific Ry. Compy for Right of Way in Brit. Columbia according to Plans and Valuations received from the Dept. of Rys. & Canals — 2nd Sept. 1887.

Langley Indians

1	Reserve No. 6		13.00 ac	$ 100.00
2	" " 1 or Whonock Res.		6.12 "	258.32
3	" " 4		9.13	54.78
				$ 413.10

Lakahamen or Ricumen Slough Indians

4	Lakahamen Reserve		6.50 ac	56.25
5	Holachten "		19.91 "	281.25
				$ 337.50

Harrison River Indians

6	Scowlitz (or No 1. Reserve)		16.64	$ 66.60

All the

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CANADA

22150½C.P.
(2)

All the Indians between Cheam and Spuzzum, namely, Popkum, Skawtits, Chamil, Skawa-Cook, Hope, Union Bar and Yale Indians.

7 | Skowakul, Sea Bird or Maria Island. 96.46ac $652.75

Chamil Indians

8 | Whalenck Island 15.96ac $119.70

Skawalook Indians

10 | Skawalook Reserve No. 2. 4.11ac 52.66
11 | " " " 1 6.43. 47.01
$99.67

Hope Indians

12 | Chawuthen 40.68ac 2256.66
13 | Schkam 33.48 486.60
2742.26
Less amount included in the Chawuthen valuation awarded to Manuel Alviso 862.50
$1879.76

Yale

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CANADA

22150 1/2 C.P. (3)

Yale - Ulnin Bar Sub-group.

14	Kla-kla-eum	6.95 ac	52.12
15	Puckatholetchin	25.31 "	303.72
		$	355.84

Yale Indians (Proper)

9	Tuckseeteiesum, Res. No. 9.	21.63 ac	162.22
16	Stullahwheets " " 8	4.70 "	37.60
17	Albert Flat " " 5	11.48 "	68.88
18	Yale Town Reserve " " 1	1.59 "	200.00
19	*Yale Indian Cemetery	0.33 "	6.60
20	Reserve No. 2 - 4½ miles above Yale	2.12 "	148.50
		$	623.80

* This Cemetery is not mentioned in the Minutes of Decision nor shown on the Plans in the Dept. it is probably exempt from pre-emption by the Land act of Brit. Columbia as an old Indian Burial Ground — Wm Powell's Letter of 15 June 1885 F. 3011.

Spuzzum Indians

21	Spuzzum, Res. No. 1	11.29 ac.	121.58
22	Reserve No. 5.	2.64 "	63.78
		$	185.36

Boston

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CANADA

22150 1/2 (4)

Boston Bar Indians

23	Paul's Reserve, Page 439 No. 6.	0.47 ac	4.70
24	Scaucy Falls Page 437 " 5	2.33 "	2.33
25	Shryptahook " 435 " 7	29.94 "	137.88
26	Kopchitchin Page 433 " 2	45.80 "	127.50
			$ 272.41

Boothroyd Indians

27	Speyam, Reserve No. 3.	32.25 ac.	64.50

Lytton Indians

28	Klick-kum-cheen	7.00 ac.	14.00

Nicomen Indians

29	*Nicomen Reserve	32.75	104.00

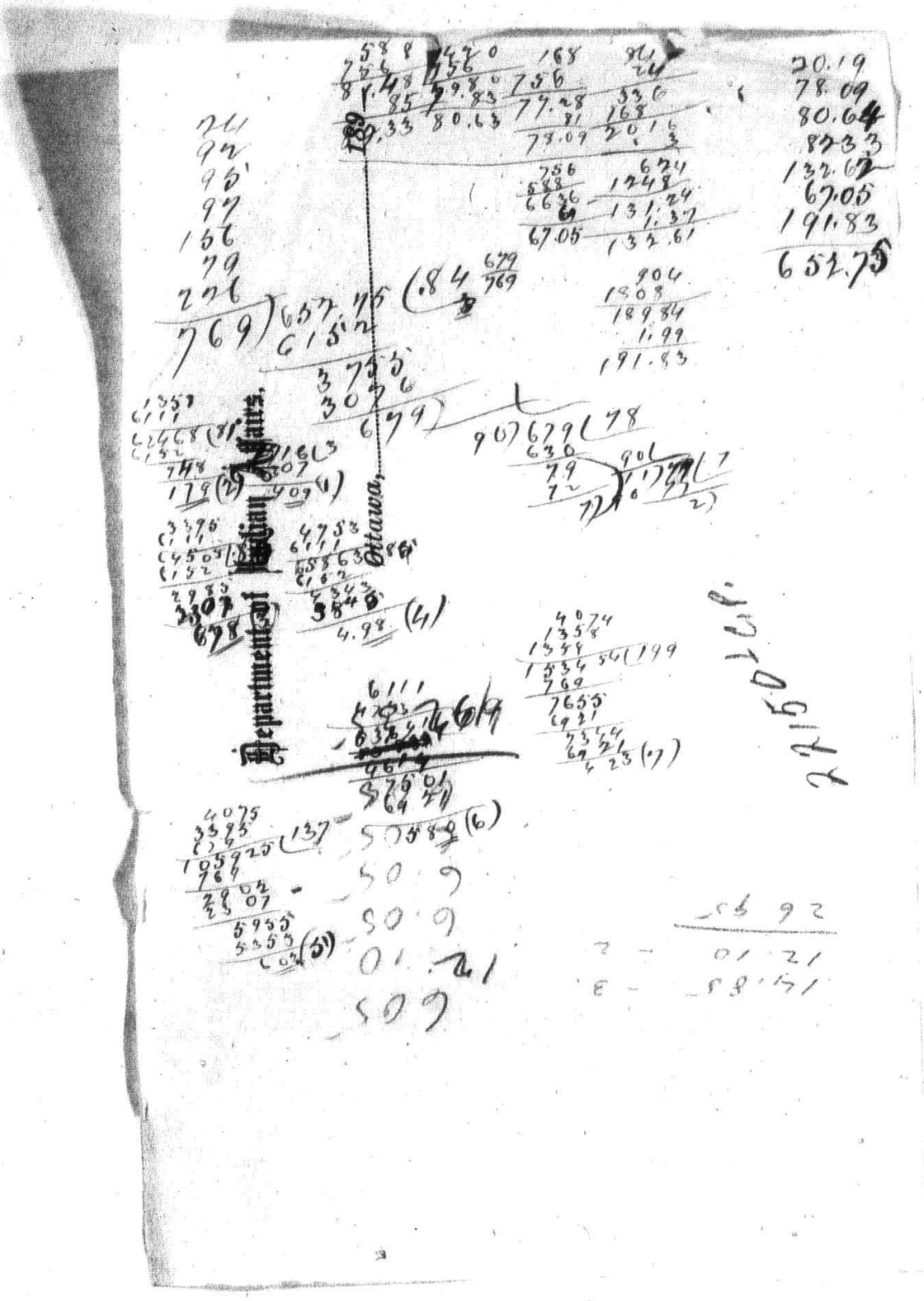
* It is very difficult to identify this Reserve; there is apparently an error in the R. of Way Survey; a piece of land at the R. W. end of the Reserve is included which may not be Indian Land.

Cooks Ferry Indians

30	The old Cooks Ferry Indian Reserve at the mouth of the Nicola River.	3.75 ac	7.75

Summary

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Department of Indian Affairs. 22150-1 e.p.

Ottawa, July 7/190 190

Credit as follows

Langley Indians		413.10
Lakahaman & Holachten Reserves		337.50
Harrison River		166.60
Popkum	20.19	20.19
Skawkits	78.09	78.09
Chamil	80.64	200.34
Skawahlook	119.70 82.33 99.67 132.67	184.
Hope	1879.76 67.05	2017.3[illegible]
Union Bar	355.84	[illegible]7.8[illegible]
Yale	191.83 623.80	815.6[illegible]
Spuzzum	185.36	185.3[illegible]
Boston Bar	272.41	272.4[illegible]
Boothroyd	64.50	64.50
Lytton	141.	141.
Nicomin	704.	1041.
Cooks Ferry	7.75	27.[illegible]
		5296.7[illegible]

Page 13
BB Book
RL

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22150 ½ Cp.
(5)

Summary

Langley Indians 134	$ 413.10
Lakahamen and ~~Nicomen~~ Hatzic Reserve	387.50
Harrison River 55	166.60
Popkum, Skawlits, Chamil, Skawalook, Hope, Union Bar, and Yale Indians	652.75
Chamil	119.70
Skawalook	99.67
Hope	1879.76
~~Yale~~, Union Bar ~~Est grants~~	355.84
Yale	623.80
Spuzzum	185.36
Boston Bar	272.41
Boothroyd	64.50
Lytton	14.00
Nicomin	104.00
Cooks Ferry	7.75
Total	$ 5296.74

DEPARTMENT OF INDIAN AFFAIRS
SURVEY BRANCH.
2nd Oct. 1888
OTTAWA, CANADA.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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22150-1 C.P.

MEMORANDUM.

SECRETARY'S BRANCH OCT. 3. 1888

To Deputy Minister, Department of Indian Affairs,

Ottawa, 2nd Oct. 1888

In answer to memo. on letter draft of Lette to Mr. Powell under and verbal instructions received in connection therewith I beg to hand you a Schedule Rel. showing the Indian Bands in B. C. entitled to share in the amount of $5-296 74/100 awarded in pays. for expropriations made for Rights of Way by the Can. Pacific Ry. Compy - through 30 Reserves, and the amounts due to each Band; compiled from the Minutes of Decision, Plans of survey of the Reserves and the Plans and Valuations of the said expropriations for R. of Way received from the Depts. of Rys. & Canals 2nd Sept. 1885.

In this connection I beg to draw your attention to the fact that according to the Plans of record in this Dept. the C. P. Ry. unquestionably passes through

Indian Affairs. (RG 10, Volume 7670, File 22150)

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22150-1 C.P.

MEMORANDUM.

To_____

Department of Indian Affairs,

_____ Ottawa, _____ 188

a number of the Indian Reserves in Brit. Columbia, of which the Depr. has not received any notice either from its own Agents or from the Rly. Compy. I beg to hand you a Schedule, No. 2. giving an approximate list of these Reserves.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22945

T. Trudeau, Esq.
Dy Minister of
Railways & Canals.

Oct. 5th 08

Sir/

Referring to previous correspondence relative to the right of way through various Indian Reserves in B.C. purchased by the C.P.Ry Co. for which this Dept. has received the sum of $5296.74, I have the honor to request that ~~xxx~~ a statement may be furnished to this Dept. showing the value of the improvements affected by the passage

Indian Affairs. (RG 10, Volume 7670, File 22150)

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passage of the
railway through
the different
Reserves, and
the individual
Indians to whom
such improvements
belonged and the
amounts paid
on account
of ~~Indian owners~~ such
of improvements.
in each case.

of what the same consisted

J. Lowe, &c.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22945

SECRETARY'S OCT 12 1888 BRANCH

T. Trudeau, Esq.,
Dy Minister of
Railways & Canals.

Act. 5th — 88.

Sir/

Referring to the amount paid by the C.P.Ry Co. for right of way through thirty Indian Reserves in B.C. amounting to $5,296.74, I beg to inform you that according to the plans of record in this Dept. the railway in question passes through a number of Indian Reserves in B.C. of which this

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

this Dept. has
not received any
notice from said
Railway Co. nor
has there been
any compensation
paid to the
Dept. for the
right of way
through these
Reserves.

I enclose
a schedule giving
an approximate
list of the same,
and have to
request that
the attention of the
C.P. ~~The~~ Railway
Co. may be
called to this
~~matter~~ fact and that
~~that~~ Company
be requested
to

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CANADA

as soon as possible for
~~to settle~~ the
claims on account
of the land taken
in these & any
~~other~~ Reserves
not contained
in the schedule
and for which
the right of
way has not
been already
paid ~~for~~ as
soon as possible.
as the Indians are
pressing for a settlement
I have, &c.

Over

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

[redacted] 22150-1 C.P.

Schedule of Indian Reserves in British Columbia through which the Can. Pacific Railway probably passes and of which Plans of Right of Way have not yet been received by the Dept.

Boothroyd Indians
Reserve No. 7.

Kamaka Bar Indians
Yehyeek Reserve No. 6. ✓

Siska Flat Indians
Reserve No. 7. ✓

Skuzpaw Indians
Reserve No. 2. ✓
Skuzpaw. Reserve No. 4. ✓

Lytton Indians
Reserve No. 16. ✓

Cooks Ferry Indians
Dept. has not yet received

The Plans of Journey of the Reserves for these Indians, but it is probable that the Ry. passes through the Pennyroyal and Spatsum Flat Reserves and possibly other Reserves of this Band.

Capt Jack
Reserve No. 4.

J. Boyd
31st Oct. 1877

Indian Affairs. (RG 10, Volume 7670, File 22150)

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MEMORANDUM.

Department of Indian Affairs,

To W. W. Spragge

CORRESPONDENCE BRANCH OCT 31 1888

Ottawa, 31st Oct 1888

Please write to W. O'Reilly and inform him that this Dept. has been advised and has received Plans showing the Right of Way of the Can. Pac. Ry. through 30 Reserves in B. C. and it appears that a number of Reserves through which the Ry. passes have been omitted in the Right of Way Plans of the Railway; and it is requested that this Dept. furnish such information as they may be in possession to enable these Reserves to be plotted on the said R. of Way Plans; and therefore will he be good enough to obtain from the Surveyors of the Department, ~~with as little delay as~~ or from their Field Notes ~~all information~~ or in any other inexpensive manner, all information of this nature, especially the Railway station number at the

between Savona's Ferry & Port Moody

and forward to this Dept with as little delay as possible

Indian Affairs. (RG 10, Volume 7670, File 22150)

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MEMORANDUM.

Department of Indian Affairs,

To _____

Ottawa, _____ 188

its
intersection ~~of~~ with each limit of
each Reserve or their measured distance
from well known points on the
Railway if such intersections or
distances were noted by the Surveyors
in the Surveys of the Reserves, or
if as stated they can be obtained in
an inexpensive manner and without
delay.

A M
Deputy Minister

Please see two memos.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

MEMORANDUM.

To W. W. Neill

Department of Indian Affairs,

Ottawa, 31st Oct 1888

Please write to Mr O'Reilly and ask him to forward to this Depr. ~~at once only~~ the Plans of Survey of the Reserves for the Cooks Ferry Indians as soon as they can be conveniently prepared.

L. V. [illegible]
Deputy Minister

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

Immediate

22.945

C. O'Reilly Esq.
Indn Res. Comr.
Victoria, B.C.

Nov. 3 1888.

Sir,

I have to request that you will be good enough to forward to this office the Plans of Survey of the Reserves on the Cowichan Ferry Reserves as soon as the same can conveniently be prepared.

I am
Sir
Your obt. Servt

To the same

Nov. 3/ 1888.

Sir,

I have the honor to inform you that the

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

The Dept. has received Plans showing the Right of way of the Canadian Pacific Railway Co. through thirty Reserves in British Columbia; between Savonas Ferry and Port Moody

But it appears that a number of the Reserves (as per list enclosed herewith) through which that Railway passes have been omitted from the Plans received and ~~it is desirable that the Company provide the~~ Dept. should be furnished with such information as will admit of ~~the Company to plot on the~~ the Reserves marked on the Plans ~~Plans~~ being plotted on the Plans

You will therefore be good enough to obtain from the Surveyors of your Staff or from their Field Notes or in any of the most pleasing manner that

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

You may see fit and forward to the Dept. with as little delay as possible the information required, especially the number of each Railway Station at its intersection with each limit of the Reserve & the measured distance from each Station from a well known point or points on the Railway, if such intersections or distances were not noted by the Surveyor in the Survey of the Reserve.

I am Sir,

Indian Affairs. (RG 10, Volume 7670, File 22150)

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Memorandum

Department of Indian Affairs,

To _____ Ottawa, 28 Feby 1889

Plan of Cooks Ferry Reserve and Plan accompanying Mr Skinners Report & Mr Powell of Jany 14th 1886 detached - and of record in Survey Branch -

S. Bray

Indian Affairs. (RG 10, Volume 7670, File 22150)

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ARCHIVES PUBLIQUES
CANADA

22150 1 C.P.

Copy

DEPARTMENT OF INDIAN AFFAIRS
JAN 31 1889

Victoria B.C.
January 14th 1886

Sir

I have the honor to furnish you with the following report upon the Cooks Ferry Reserves Nos 10 and 11

1st On Wm Commissioner Sproat visiting these Reserves in June 1880 he defined the point of commencement of Survey on this Reserve N°11 as follows (Fourty three chains north of the Indian grave on Spapsum flat) Wm Sproat further says (See note in minutes of Decision) - This is the old settlement of Spaptsum upon which a Chinaman Ah Yep has intruded and seeks to include within his pre-emption

In following these instructions in August 1885 I found that a survey of this claim of the Chinaman had been made in 1880 by Wm John Jane and that this Survey did include most of the land formerly cultivated by the Indians. The accompanying sketch will show the relative positions of Wm Janes lines (which are drawn in red) and mine

2nd Reserve N°10 is thus defined by Wm Commissioner Sproat. — A Reserve near the left bank of the Thompson River about opposite the 89 mile post from Yale on the Yale Cariboo waggon road and consisting of (30) thirty acres or thereabouts to include in good survey shape the land formerly cultivated by the Indians and

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22150 + C.P.

Shewn by the remains of their old fences

No 6. A Chinaman has intruded upon this settlement and seeks to include it within his pre-emption

Mr Jane made two surveys for this Chinaman Ah Chung which are shewn on the accompanying sketch in red and yellow lines — I found that the land in question was a little north of the 89 mile post and was an arable flat of good quality. The Indian claims that they used this land, is disputed by Ah Chung who says that no attempt had been made on their part until he succeeded in conveying water upon it from Pokheitsk creek, and from information given me while in that vicinity I think he was correct in his statement In both cases the Indians were willing to give up their claim provided land was given them

At Spatsum they wanted land on the north of the present reserve. At Pokheitsk they are very anxious to have some meadows in the Valley of the Pokheitsk creek about fourteen miles (14) from the Thompson River. I have shewn by the dotted green lines the land above Spatsum, but this land although good is of little value without additional water rights which would be difficult to procure

I have the honor to be
Sir
Your obedient Servant
Ernest M Skinner

Lt Colonel Powell
Supt Indian Affairs
Victoria

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

22150 1 C.P.

54800

Indian Reserve Commission
Victoria. BC.
January 21st 1889.

DEPARTMENT OF INDIAN AFFAIRS
JAN 31 1889

Sir.

I have the honor to acknowledge the receipt of your letter of the 3rd November, in which you direct me to forward you the plans of survey of the Reserves for the Cooks Ferry Indians.

I find that the allotments for this tribe were made by the late Reserve Commissioner W. Sproat, on the 30th June 1880, and were surveyed by W. Skinner in the summer of 1885.

These reserves have not been approved by the Provincial Government, but with the exception of W. 10, and 11, I do not anticipate any difficulty in getting them sanctioned.

With.

The Hon.le
The Sup.t General
of Indian Reserves

2 Enclosures 18 Plans
B.T. Jan 31

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

With respect to No 10, containing 79 acres, I find that a portion of this land (42 acres) was held under Pre emption record No 257, dated February 7th 1876, by a Chinaman named "Ah Chung", four years prior to the allotment by the Reserve Commissioner.

No 11, allotted in June 1880, was surveyed in September 1885. Twenty one acres of this reserve is included in Pre emption claim No 212, dated 20th October 1873, for which the owner, "Ah Yep," held a certificate of Improvement at the time of the allotment to the Indians.

Both these claims have changed hands, and are now owned by Messrs Campbell, and Wood, and I am of opinion that, inasmuch, as the claims were legally held, and improved prior to Mr Sproats visit, the Provincial Government will decline to recognize them.

Both

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22150 1 C.P.

With the tracings you require I also forward a copy of a letter, and sketch, addressed by Mr. Surveyor Skinner to Dr. Powell on this subject, and although I have had nothing to do with these Indians, or their reserves, I agree with Mr. Skinner, in thinking, that as the land promised them by Mr. Sproat is of comparatively little value, there will be no difficulty in making a satisfactory arrangement with them.

I have the honor to be

Sir.

Your obedient Servant.

L. O'Reilly

I.R.C.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

MEMORANDUM.

Department of Indian Affairs,

To Deputy Minister

Ottawa, 15th Feby 1889

I respectfully recommend that Mr. O'Reilly's letter of 21 Jany - with enclosures be acknd and that he be informed that the Dept. has no objection to changes being made in ~~Reserves~~ the allotments of Reserves Nos. 10 and 11 as pointed out ~~by him~~ in the said letter, in order to arrive at an arrangement that would meet the approval of the Provincial Government and be also satisfactory to the Indians and that he may proceed to adjust this matter at the earliest convenient opportunity.

L. Vankoughnet

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

MEMORANDUM.

Department of Indian Affairs,

To Deputy Minister

Ottawa, 5 Feb'y 1889

approved
A. M. Burgess
Received
5 Feb'y 1889

The Plans of the Cook's Ferry Ind. Reserves now received with Wm O'Reilly's letter of 21st ult. were required in connection with the demand for payment for the R. of Way of the C. P. Railway.

I respectfully recommend that the Dep. Minister of Rlys & Canals be informed with reference to that the Schedule enclosed Let. & Plans 5 Oct. 88 - this Dept. can now inform him that the Can. Pac. Ry. passes through the following Reserves of the Cook's Ferry Indians -

No 4 - about 1/2 mile below Spences Br
No. 1 - Kum-cheen, at the mouth of the Nicola River.
No. 9 Pennynoos -
and those portions of No 10 Pekeitsh
No 11 Spaptsum, that are not include
pre-emptions Nos. 257 and 213 respec

L. Vankoughnet

L. M. Please see two memos.

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CANADA

22.945

E. Fredeau Esq C.E.
D.M. of Railways & Canals.
Ottawa

Feby 6 1884.

Sir,

Referring to my letter of the 5th Oct. last, respecting the claim of the Dominion to a piece of Indian land taken for the right of way of the C.P. Railway Co. in British Columbia, I have the honor to inform you with regard to the Reserves of the Cook's Ferry Indians in respect of which only imperfect information could be given in the schedule which accompanied my letter above quoted, that the C.P. Railway

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C.P. Railway Grant
through the following
Reserves viz:-

No. 4. About half a mile
below Spences Bridge.

No. 1. Kamloops, at
the mouth of the North River.

No. 9. Nicomens, and
those portions of No. 10 Pokheitlk
and No. 11 Spaplumen which
are not included in
Pre-emption No. 257
212.-

This Dept will be
glad to learn, from the
early date that the
Railway Co. has paid
the amount claimed, viz
$5296.24.

I have

P. O'Reilly Esq
Indian Reserve Com.
Victoria B.C.

Feby 8 1884.

Sir,
I have to ask the favor

Indian Affairs. (RG 10, Volume 7670, File 22150)
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Ref: Your letter of the 21st ult, with enclosures, and in reply I beg to enquire if the Dept: has an objection to changes being made in the allotment of Reserves No. 10 and 11 on the Otter Tail Indians as suggested in that letter, in order to meet the approval of the Provincial Government and to give satisfaction to the Indians.

under the circumstances described in

You may proceed to adjust the matter accordingly at Your earliest convenience.

Sam

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22150 1 C.P.

54965

DEPARTMENT OF INDIAN AFFAIRS
FEB 1889

Victoria B.C.
January 25th 1889

Sir

In compliance with your instructions in regard to a letter dated Ottawa November 3rd 1888 No 22945 requiring information as to the position of Reserves of the Cooks Ferry Indians through which the Canadian Pacific Railway passes and with regard to established points upon that Railway I have the honor to state as follows

Reserve No 1

North west corner is 16.39 links South and 14.24 links west of South end of Nicola River Railway bridge

Reserve No 4

Adjoins Lot 438 upon which Cooks Ferry Station stands - Centre of Railway is 16.57 links South of north east corner of Reserve and North west corner of Lot 438

Reserve No 9

Centre of Railway at North end of bridge over Pimynoos creek is S 47.09 E distant 83 links from South west corner of Reserve

Reserve No 10

Adjoins Reserve No 9
Centre of Railway is 1.35 links east of South west corner of Reserve

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Reserve No 11

Centre of Railway is 431 links east of South west corner of Reserve

South west corner of Reserve is 45.00 links North and 15.70 links west of Engineers house at Kimball Station

I have the honor to be
Sir
Your obedient Servant
E. M. Skinner

P. O'Reilly Esq
Indian Reserve Commissioner
Victoria

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22150 L cir. 1

54965

DEPARTMENT OF INDIAN AFFAIRS
FEB 4 1889

Indian Office
Victoria B. C.
January 25th 1889.

Sir

In compliance with your instructions with reg and to letter dated Ottawa 3rd Nov 1888. requiring certain information with reference to the Indian Reserves named in the margin, through the Canadian Pacific Railway Com. I have the honor to state as follows.

No. 22945

Boothroyd Ind. Res No 7
Kanaka Bar " " No 4
Siska Flat " " No 7
Skuppah " " Nos 24
Lytton " " No 18

Boothroyd Indians
No. 7 Reserve

The North West corner post of this reserve is 244 Links true East of centre of C. P. Railway line 211 Links South measured on Railway peg "693", a construction peg.

Kanaka Bar Indians
Whyeneck Reserve No 4.

At 13 Chains True East of South East corner of this reserve, is an offset 192 Links true South to

P. O'Reilly Esq
Ind Res Commissioner
Victoria

C. P.

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22150½ C.P. 2

C.P. Railway House. This house is between 25 & 26 Chains South and of railway bridge over Whyeck Creek.

Sis'ka Flat Indian Reserve No 7

Contains 582 Links True West of South East corner of this Reserve, is an offset 121 Links True South to a station on railway in centre of rails. Marked "CXXX. M.E.C.M." (Miles East of coast meridian). No. 7 intersects Railway. Railway belt.

The North End of this reserve is a little above the South End of Bridge across the Fraser River.

Skeppah Indian Reserve No 2.

Contains 992 Links True West of South East corner of this Reserve, The South boundary line crosses the centre of the C.P. Railway. This crossing is North 3526 Links, East 1674 Links of North West corner of

Skeppah

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Skeapath Reserve No. 4.
No 4 Reserve is tied on to one
of Dom. Telegraph Survey Stations.
No 4 Reserve
At 495 links, S75°E. from
South West corner of this
reserve is an offset, 659 links
N6°27'W to a Station on the
railway in centre of rails,
marked "CXXXIII M.E.C.M." Dom. Telegraph
Survey. railway Sta.
Lytton Indians
No. 16 Reserve
At 270 links true North
of South West corner of
this reserve, is an offset S72°40'
176 links, to a Station on
railway in centre of rails
marked "CXXXIX M.E.C.M." Dom. Telegraph
Survey, railway Sta.
I have the honor to be
Sir
Your Obt. Servant
William S. Semmett
Surveyor Indian Reserves

Indian Affairs. (RG 10, Volume 7670, File 22150)
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22150 L.C.P.

54965

Indian Reserve Commission

Victoria B.C.

January 25th 1889.

Sir,

I have the honor to acknowledge the receipt of your letter of the 3rd November, in which you ask me to supply you with such information as will admit of the Reserves mentioned in your Schedule being plotted on the plan, shewing the right of way, of the Canadian Pacific Railway, through Indian lands viz.

Boothroyd Indians, Reserve No 7
Kanaka Bar " " 4
Siska Flat " " 7
Skuppah " 2 and 4
Lytton " " 16
Cooks Ferry "

I have called on Capt. Jemmett, and Mr. Skinner, who made

The Sixth &
The Supt General
of Indian Affairs

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22150 1 C.P.

54965

made the surveys of these reserves, on behalf of the Indian Department, to supply the information you ask for, and I now enclose their replies.

I have the honor to be
Sir
Your obedient Servant.

R. O'Reilly
I.R.C.

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CANADA

22.945

J. Lindeam Esq. C. L.
D. M. of Railways & Canals
Ottawa.

Feby 13 1889.

Sir,

In further reference to my letter of the 5th Oct. last, I have the honor to enclose copy of a letter from the Indn. Res. Comr. for British Columbia together with a plan of the reserves referred therein containing information asked for in admit of the Indn. Reserves through which the C.P. Railway passes being plotted on the Plans.

I have &c.

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Lt Gov Dewdney
re Kwakiutl Indians

Deputy Minister

This is an Excerpt from
Acting Supt Brotherton's report
on the Fraser Agency. I
have struck it out in pencil

RP

Although several years have elapsed since the construction of the Canadian Pacific Railroad commenced, which cut through many of the reserves, destroying the Indians' gardens and otherwise doing damage to their property, no compensation for such damage has been yet received, and the sufferers seem to have given up hopes that their claims will be taken into consideration with the view of final settlement.

2 Jan 89

2 Jan 89

To Superintendent Brown
from Statement of amounts
paid as aid to improvements - buildings &c affected
by the passage of the C.P.R.
through the 3 Reserves
described in Schedule
of Act 2 Dec/88

Nov 9/89

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MEMORANDUM

To Deputy Minister Department of Indian Affairs,

Ottawa, Nov. 13 1889

With reference to your memo. of 9th inst. I beg to report that, in the Schedule of Right of Way furnished by the Dept. of Rys and Canals and from which the Schedule of Oct. 2. 88 was prepared, each of the sums payable for the R. of Way through the 30 Reserves referred to is for both land and improvements, as explained in a letter from the Dept. of Rys. and Canals dated 30th April 1886, and that there is no other information in the Dept. with which to prepare the statement you request.

I respectfully recommend that the attention of the Dy. Minister of Rys. and Canals be drawn to letter from this Dept. of 5th Oct. 88, and that request be again made that he will be good enough to furnish this Dept. with all possible despatch a statement in detail, distinguishing in each

Indian Affairs. (RG 10, Volume 7670, File 22150)

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MEMORANDUM

Department of Indian Affairs,

To.....

..... Ottawa,.....188

each case between the value of the Land and the value and nature of the improvements, of the valuations made by the Official Valuators of the Land and improvements expropriated for the Right of Way of the Can. Pacific Ry. through certain 30 Indian Reserves in British Columbia lying between Port Moody and Savona's Ferry - of which this Dept. received a Statement, but of the bulk sums only which were awarded, with a letter from this Dept. dated 2nd Sept. 1885, in order that this Dept. may be able to credit the sums due for the Lands to the respective Bands of Indians, and be able to pay to the individual Indian owners the sums due to them respectively for their Buildings and other improvements.

L. Vankoughnet

Indian Affairs. (RG 10, Volume 7670, File 22150)

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RETURN TO
CORRESPONDENCE BRANCH.

22.945

J. Lowe Esq
D-M of
Railways & Canals
Ottawa.

Nov. 19 1885.

Sir,

I am directed to draw Your attention to my letter addressed to You on the 5th Oct. 1885, and to request that You will be good enough to furnish this Dept. at the earliest possible moment with a statement in detail respecting the Right of way taken by the C.P. Railway Co. through 30 Indian Reserves lying on the Main Line in the Province of British Columbia.

I am Sir
Your obedient Servant
A. [illegible]

Indian Affairs. (RG 10, Volume 7670, File 22150)
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wishes
between the value
of the land and the
value and nature
of the improvements,
~~of the valuations~~ as
estimated by the
valuators and in
respect of which a
statement ~~of~~ showing the
sum awarded was
paid under Sec 5 of
Imp Act of the 2nd Sept
1885.

The detailed Statement asked
for is required to enable
this Dept to credit the
sums due for the lands
of the ~~respective~~ Bands of
Indians to which such
lands belonged & pay the
individual Indians
the sums due them
for their buildings and
improvements on the lands.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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64821

N. 6688
Subj. 961
Ref. 54632

DEPARTMENT OF INDIAN AFFAIRS
JAN 29 1890

Ottawa Jan 24 1890

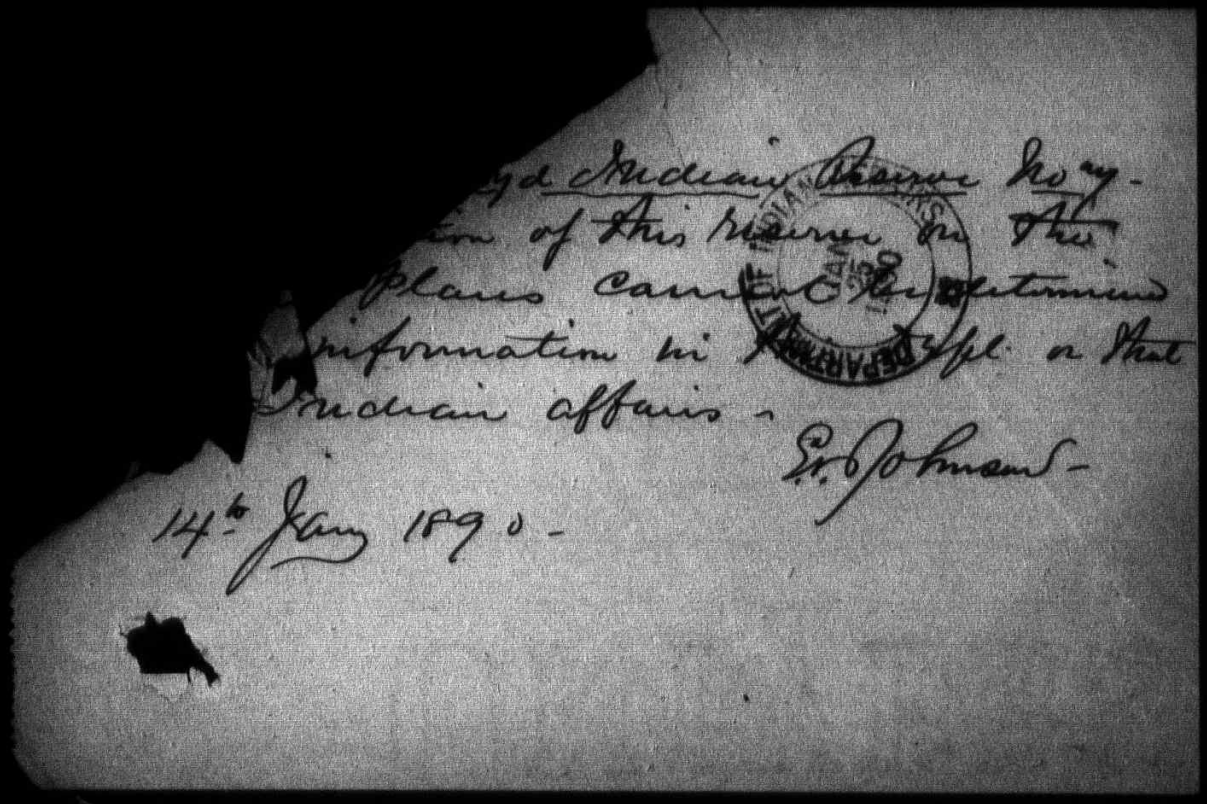
Sir

I have the honour by direction to forward herewith for your information as requested in your letter of the 8th of October 1888, a tracing showing the land taken for the Right of Way of the Canadian Pacific Railway through certain Indian Reserves in British Columbia.

I have the honour to be
Sir
your obedient servant
A. E. Bradley
Secretary

L. Vankoughnet Esq.
Deputy of the Superintendent
of Indian affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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yd Indian Agency No 7-
ion of this Reserve on the
Plans cannot be determined
information in this office as that
Indian affairs -
E. Johnson -
14th Jany 1890 -

Indian Affairs. (RG 10, Volume 7670, File 22150)
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MEMORANDUM.

To the Deputy Minister Department of Indian Affairs,

Ottawa, 4 Feby 1890

With reference to the lands taken from Indian Reserves in Brit. Columbia by the C.P.R. I respectfully recommend,

(1) That Mr. Burpee be requested to inform Mr Fennell that the position of the railway per "69" cannot be correctly determined as stated in his letter of 25 Jany 89 - on the Right of Way Plans of the Can. Pacific Railway in the Dept. of Rys. & Canals so that it has not been possible to plot Reserve No 7 - of the Mowachat Indians and to be good enough if possible to supply same in other connection with as little delay as possible, provided the same may be done in an inexpensive manner.

Approved

(2) That the Dep. Minister of Rys & Canals be informed that the above information has been applied for in order to be supplied, if possible by

Indian Affairs. (RG 10, Volume 7670, File 22150)

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MEMORANDUM.

To_____

Department of Indian Affairs,

_____ Ottawa, _____ 188

By the Surveyor of the Dept. who made the survey of the Reserve - but as ~~the delay~~ further delay may be entailed in case the Surveyor ~~has~~ is not able to furnish the desired information, then he will be good enough to take such ~~such~~ steps as he may think necessary ~~in order~~ to ~~complete~~ obtain it as it is very desirable that the matter of the purchase of Lands taken for the Rights of Way of the Can. Pacific Railway through Indian Reserves in Brit. Columbia be settled as soon as possible.

Also that he will be good enough to state, as usual, the sum proposed to be transferred from the Dept. of Rys. & Canals to the credit of this Dept. and to be good enough to state the sums offered for the land and the sums offered for damages through each Reserve separately, in order that this Dept. may

For the Lands taken for R. of W. and for damages as shown on the Tracings which accompanied his letter of 24th Ult.

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MEMORANDUM.

To_____

Department of Indian Affairs,

Ottawa, _____ 188

may be able to pay to individual Indians the value of their improvements and be able to place the value of the lands to the credit of the perpetuity funds.

Also to draw the attention of the Dy. Minister of Rys & Canals to letter of 19th Nov. 89— and ask him to be good enough to furnish the information asked for therein with the least possible delay.

Also that the Tracing above mentioned is herewith returned, and that he will be good enough to cause the area of Lands taken from the Penticton Indian Reserve No. 9 of the Okanagan Indians, to be revised as it appears to be only about 115 acres instead of 152 acres as stated on the Tracing and to return the Tracing to this Dept.

L. Vankoughnet

I will herewith return the Tracing referred to— J. Gustavus Lay, Deputy Minister Dept. of Railways & Canals.

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CANADA

22.945

P. O'Reilly Esq.
Ind. Res: Comr.
Victoria, B.C.

Feby 11, 1892.

Sir,

I have the honor to ack. the rect. of Your letter of the 25 Jany 1892, enclosing letter from Surveyor Jennett and Skinner giving information asked for to enable the Dept. to plot the Ind. Reserves shewn mentioned on the Plans shewing the Right of Way of the C.P. Railway through Indian Lands, and have to request that You will be good enough to inform Mr. Jennett that

ib

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it is impossible for the
Dept. to plot the lands
taken from the Reserve
(Nos.) of the Bostwood
Indians, for the reason
that the portion of Railway
Peg "693" mentioned in
his letter cannot be
correctly determined.

Mr. Jennett should
furnish me the
connection, with the
least possible delay,
provided the same can
be done in an easy
genuine manner.

I have

the

J. Trudeau, Esq. C.E.
Deputy Minister
of Railways & Canals.

Feby 11, 1890.

Sir,

I have the honor to
the rec't of your letter of the
24

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24th inst. and the
Drawing sent therewith
showing the Land taken
for the Right of Way
of the C.P. Railway through
certain Reserves
in British Columbia.

The Drawing is
returned herewith for
correction, the area
of the Land
taken from the Penynoos
Reserve, No. 9 of the Cook's
Ferry Indians being
shewn
stated thereon as
only about 115 acres
instead of 152 acres
as stated in the Drawing.

I will thank You
also to inform this
Dept. of the amount
Justified to be charg-
ged by your Dept. to
the credit of this Dept. for
the Lands in question.
also the amount

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offers for the land,
and the damages,
respectively due in
the case of each Reserve,
in order that the dept.
may be in a position
to pay to individual
Indians the value
of their improvements
and to credit to the
different Bands the
value of the lands taken.
May I also ask Dr.
Seguin
if possible delay, the informa-
tion in my letter of the 19 Nov. ask-
ed for, in respect
of 30 Indian Reserves between
Port Arthur and Savanas
Ferry -
With regard to a letter
of the 14th inst. which reads
as follows "re Bottrell
"Indian Reserve &c.) The
"position of this Reserve in
"the land plan cannot
"be determined from information
in

Indian Affairs. (RG 10, Volume 7670, File 22150)
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"in the Dept: or Dept:
"of Ind: Affairs", I
beg to inform You
that I have written
to the Indian Comr.
Comr. for British
Columbia to call upon
the Surveyor to
furnish some of the
correction Plan
that fact by the
Surveyor in his Chart
of which a copy was
sent You under cover
of my letter of the
13 July 1889.; but as
further delay may
be entailed in
case the Surveyor
is not able to furnish
the required informa-
tion, I will thank
You to take such
steps as You may
consider necessary
as to bring to
a speedy settlement
the

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all outstanding
the claims of the
Dept. not yet settled
Re Lands taken
by the C.P. Railway Co.
in British Columbia.

I have

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Canadian Pacific Railway. 65923

Valuation of Indian Lands. British Columbia.

DEPARTMENT OF INDIAN AFFAIRS MAR 7 1890

Description	acreage	Land	Trees & Fencing	Building	other Improvements.	Total.
	acres	$	$	$		$
Indian Reserve. Town^{p} 24						
"La-ka-ka-heuen"	6.50	41.25	15,00	—	—	56.25.
"Kolaktton"	19.91	231,25	50,00	—	—	281.25.
Town^{p} 27.						
"Scowlitz	36.64	166.60	—	—	—	166.60
Town^{p} 30						
"Sko-wa-kue" Seabirds or Maria 35	96.46	652.75	—	—	—	652.75
Yale dist			—			
"Wak-back" Isl^{d},	15.96	119.70	—	—	—	119.70
"Lak-set-sis-tuen"	21.63	162.22	—	—	—	162.22
"Ska-wha-looks. N^{o} 2	4.11	52.66	—	—	—	52.66
" " " N^{o} 1	6.43	47.01	—	—	—	47.01
"Cha-we-then"						
Indian Charley	2.00	100,00	485.00	210.00	—	795.00
Entire Joseph.	1.00	40.00	—	—	—	40.00
Sold Page 331 Sam.	0.50	35.00	—	—	—	35.00
John.	0.50	35.00	73.00	15.00	—	123.00
Value of remainder	33,43	401, 16	—	—	—	401,16
"Schâm" " Sok-kaem	33,49	485.60	—	—	—	485.60
"Kla-Kla-cum	6.95	52,12	—	—	—	52,12
"Pacha-Itole-likes	25.31	303,72	—	—	—	303,72
"Stall-ah-Wist	4.70	37.60	—	—	—	37.60
" " "	11.48	68.88	—	—	—	68.88
"Yale "	1.59	200.00	—	—	—	200.00
"Indian Cemetery	0, 33	6.60	—	—	—	6.60
Cont. 60. N^{os} 476-485	2,12	132.00	16.50	—	—	148.50
" Opuzzum	11.29	118,58	3.00	—	—	121.58

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65923

DEPARTMENT OF INDIAN AFFAIRS
MAR 7 1930

Description	acreage	Land	Trees & Fencing	Buildings	clearing & Improving	Total
Brought Forward						~~4357.20~~
Ind. Res: Cont. 60. St 500. - 491	2.64	63.78	—	—	—	63.78 ✓
" " 215.	0.47	4.70	—	—	—	4.70 ✓
Gale from Skuzzy. to St 138	2.33	2.33	—	—	—	2.33 ✓
" St 107. to 53 above Skuzzy	29.94	137.88				137.88 ✓
Cont. 61 St. 339.50 to 414.50	32.25	64.50	—	—	—	64.50 ✓
" 59.79 to 131.39. ~~45.79~~	46.25	127.50	—	—	—	127.50 ✓
Cont. 62 Lytton (Klick-Kan. Gum)	7.00	14.00	—	—	—	14.00 ✓
" Niconnen	32.75	104.00	—	—	—	104.00 ✓
Junct. Nena & Thompson Rvr.	3.75	7.75	—	—	—	7.75 ✓
Cont 42 St 920.27 - 976.37	13.00	100.00	—	—	—	100.00 ✓
"Whanock" Cont St. 1102.93 - 1129.89	6.10	26.32	7.00	25.00	200	~~258.32~~ 258.82 ✓
" X " 1209.65 - 1231.82	9.13	54.78	—	—	—	54.78 ✓
Total						$5296.74

X Formerly Lot 445 group 1.

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N. 37094
Subj. 961
Ref. 55216

DEPARTMENT OF INDIAN AFFAIRS MAR 7 1890

65923

Ottawa March 6 1890

Sir

In reply to your letter of the 11th ultimo I have the honour to furnish herewith, by direction, a copy of a statement made by the appraisers of Lands and Damages on Indian Reserves in British Columbia showing the value of the improvements as apart from the value of lands taken for the Canadian Pacific Railway.

I have the honour to be
Sir
your obedient servant
A. G. Bradley
Secretary.

To Secretary B
March 90
Feb 1/90

L. Vankoughnet Esq
Deputy of the Superintendent
General of Indian Affairs

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CANADA

DEPARTMENT OF INDIAN AFFAIRS
MAR 12 1890

No. 7155

Subj. 961

Ref. 5515

65924

Ottawa March 11 1890

Sir

Referring to your letter of the 5th October, 1888, and subsequent correspondence, I have now the honor, by direction, to transmit a valuation of Lands taken for the Canadian Pacific Railway, from Indian Reserves in British Columbia, not included in previous valuation sent you with my letter of the 5th September, 1885 - namely.

		acreage	Land	Improvts	Total
			$		$
Tsihia Flat	No. 7	89.60	89.60		89.60
Kanaka	" 4	110.00	110.00		110.00
Skuppah	" 4	17.00	17.00		17.00
"	" 2	60.00	60.00		60.00

Sale 4 10 Pat X

I have the honor to be Sir Your obedt servt

L. Vankoughnet

Deputy of the Supt General of Indian Affairs

Ottawa

To send letter to Lytton

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

65924

		acreage	Land $	Improv$	Total $
Lytton	Lw. 16	1.50	3.00		3.00
Cooks Ferry	" 4	0.66	1.00		1.00
"	" 1	3.75	7.50		7.50
"	" 9	115.00	190.00	100.00	290.00
"	" 10	7.55	7.55		7.55
"	" 11	11.33	12.00		12.00
	Grand Total				597.65

Sam, Sir,

Your obedient Servant

A. P. Bradley

Secretary

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

MEMORANDUM

To Deputy Minister

Department of Indian Affairs,

Ottawa 26th May 1890

With reference to letter of 4th inst. from the Dept. of Railways and Canals and the matter of the Right of Way of the Can. Pacific Ry. through certain Indian Reserves in British Columbia, between Port Moody and Savona's Ferry:

I respectfully recommend that a copy of the Statement entitled: "Canadian Pacific Railway, Valuation of Indian Lands. British Columbia." received from the Dept. of Rys. and Canals with letter of 6th March 1890 be forwarded to Mr. Vowell and that he be informed that the said Statement purports to show the values of the improvements apart from the values of the lands taken for the Right of Way of the Can. Pac. Ry. through certain Indian Reserves between Port Moody and Savona's Ferry

MAY 28 1890
MAY 28 1890 BR. ANCH

Indian Affairs. (RG 10, Volume 7670, File 22150)

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MEMORANDUM.

Department of Indian Affairs,

To _____

Ottawa, _____ 188

Ferry, of which he had communication
the 24th Nov, 1885.

That the values awarded
for the improvements are to be paid
to the individual Indian owners
and the values of the Lands will
be credited to each Band to which
the Reserves may belong;

That Gov. he will be good enough
to examine the said statement and
prepare and forward to the Dept
another statement, amended if
necessary, setting forth distinctly the
sums to be paid to each individual
Indian for his improvements and the
sums to be credited to each Band
as the values of the Lands taken.

That in the preparation of
the said amended statement he
must bear in mind that the total
sums awarded for Rights of Way
through

From information that may be supplied by the Ind. Agents in whose Agencies the Reserves are situated

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MEMORANDUM.

To _____

Department of Indian Affairs,

_____ Ottawa, _____ 188

through each Reserve must not be changed as the total sum of $5-296\frac{74}{100}$ ~~must not be changed~~ has already been accepted by the Department.

That B.

Wm Powell That copies be forwarded to ~~Mr O'Reilly~~ of Letters of 11th March and 2nd May 1890 from the Dept. of Railways and Canals, containing valuations of lands and improvements taken for Ry. purposes by the Can. Pac. Ry. through certain eleven Indian Reserves situated between Port Moody and Savona's Ferry that were not included in the schedule of 30 Indian Reserves above referred to.

to submit the said valuations to the Agents in whose Agencies the Reserves are situated and to request them to

That he will be good enough to state if ~~in his opinion~~ the said

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MEMORANDUM.

Department of Indian Affairs,

To _____

Ottawa, _____ 188

may be considered
the said valuations are a fair
compensation for the said Lands
and improvements.

That Le Vasseur will also be good
enough to prepare and forward
to the Dept. a statement distinctly showing
the amounts to be paid to
individual Indians for their improvements
and the amounts to be credited
to the respective Bands as
compensation for the Lands taken
in the said 11 Reserves

That Le Vasseur will be good
enough also to ascertain &
report if the said
Schedules of 30 and 11 Indian Reserves
include together all the Indian
Lands taken for Ry. purposes by
the Can. Pac. Ry. between Port
Moody and Yawner's Ferry.

That Le Vasseur will be good
enough

May Sask.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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MEMORANDUM.

To_____

Department of Indian Affairs,

_____ Ottawa, _____ 188

enough to act on the foregoing with as little delay as possible as the Dept. wishes to close this matter.

D

D. Mills

W. W. Neill — Please see memo on 68046 —

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

2945

RETURN TO
CORRESPONDENCE BRANCH

A. W. Vowell Esq
Visiting Indian Supt
Victoria
B.C.

June 3 1890

Sir,

I have the honor to enclose herewith copy of a Statement entitled "Canadian "Pacific Railway Valuation "of Indian Lands British "Columbia" which was received under cover of a letter dated the 6th March last from the Dept of Railways & Canals & I beg to inform you that the statement in question purports to show the values of the improvements apart from the values of the lands taken for the Right of Way of the Van. & P. Ry through 30 miles of Indn Res between Port Moody

&

See letter under
To be acted on

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

& Savonas Ferry.
(Rec'd copy from memo
marked A to B. in
pencil per tender)

I have &c

A. W. Vowell Esq.
Acting Indian Supt
Victoria
B.C.

June
~~May~~ 3 1890

Sir. I have the honor to
enclose herewith copies of
letters of the 1st & 2nd May last from the Dept
of Railways & Canals, containing
valuations of lands &
improvements taken for
Railway purposes by the
Can. Pacific Railway through
~~extent~~, Shuswap Indian Reserves
situated between Port Moody
& Savonas Ferry, that were
not included in the
schedule of 30 Indian Reserves
taken required to
in my letter of ~~this~~ date. (Rec'd copy from memo

2

R.V. 9/5/90

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

RETURN TO
CORRESPONDENCE BRANCH

[illegible] marked "C"
To "D" in green making in
alterations marked in pencil)

Shaw & C

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Memorandum.

Department of Indian Affairs,

Wm. McNeill

Ottawa, Nov 11 1890

Please see under (under) of 6th Inst.

Return to Accts.

DENOE
NOV 11 1890
BRANCH

ACCOUNTANT
NOV 15 1890
BRANCH.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22150 L.C.P. **B** <2355

Canadian Pacific Railway Valuation of Indian Lands British Columbia

C.P.R. Description	Group to which Reserve belongs	Name of Reserve	No on plan	Acreage Valued	Land	Improvements	Total	Credited to the band	Name of band	Credited to the Indian	
							726 82				
Boothroyd	Boothroyd	Keefers	VII	21.50	43 00		43 00	43 00	N-kalsam	—	
✓ Siska Flat	Siska	Nayum at Kua	VII	89.60	89 60		89 60	89 60	Seska	—	
✓ Nanaka (Whyeek)	Nanaka	Nuai eek	IV	110.00	110 00		110 00	110 00	Hlak-hlak tan	—	
✓ Shuppah	Shappa	Lower Shappa	IV	17.00	17 00		17 00	17 00	Shappa	—	
	"	N-kly-an-kinet-ko	III	60.00	60 00		60 00	60 00	"	—	
Lytton	Lytton	Poor-mans Res.	XVI	1.50	3 00		3 00	3 00	Il-kam-cheen	—	
Cooks Ferry	Spence Bridge	Spence Bridge home	IV	0.66	1 00		1 00	1 00	N-kam-cheen	—	
do	do	Vennynoos	IX	115.00	190 00	100 00	190 00	190 00	Peemynoos & Pakeist	100 00	Lumaheltsa
do	do	Pakeist	X	7.56	7 55		7 55	7 55	"	—	
do	do	Shaptsin	XI	11.33	12 00		12 00	12 00	Shaptsin	—	
do	do	N-kamcheen	1	3.75	7 50		7 50	7 50	N-kamcheen	—	
							1437 17				
							840 67				

Kamloops BC
11th September 1890
G W Mackay
Indian Ag

318.05

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PUBLIC ARCHIVES
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CANADA

MEMORANDUM 22945

Department of Indian Affairs,

To Mr. Austin
Chief Surveyor

Ottawa, 6 June 1890.

Will Mr. Austin please
cause the enclosure for
letter of Mr Vowell of
3rd Inst to be prepared
and sent to me for
examination -

Enclosures of this nature
have always, as since
done with in the Dept.,
been prepared by the Branch
from which the Requisition
for letters emanates, and
not by the Correspondence
Branch, more especially
when of a Technical nature

If it is the duty of the Correspondence
Branch to prepare such
enclosures, then it will also
be its duty to make all Fees
of Financial and other Statements

Indian Affairs. (RG 10, Volume 7670, File 22150)

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ments which the Deputy Minister has made of same more than once.

My objection is made in the second that if there is to be a change it should be made with the concurrence of the Deputy Minister whose instructions, as I understand them I desire to carry out.

D. M. McNeill.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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MEMORANDUM.

To The Deputy Minister

Department of Indian Affairs,

Ottawa, 6th June 1890

Re, Dr Bray's Memo of 26th ult. turned down

In Connection with the above Memo, bearing your approval Dr Dr Neill has sent me the memo immediately under this, And I would respectfully say that it is not the intention of this Branch to write any memo that would embody within it a desire that any other Branch would have to do any work of a technical nature in which we are especially employed. But it may be considered that copying documents on file (not technic) would take up a good deal of time that might be done by a copying Clerk, considering the work in that Branch of higher nature.

Would your Lordship kindly return

From

Yr Obt Servt

[illegible]

Yr Deputy Minister

has expressed

desire that I

should decide

this matter

I accordingly

do so

in the

manner

desired

with

great

reluctance

for

reasons

[illegible]

6 June

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

C025122150 1 e.f.

British Columbia

DEPT. MEN. OF INDIAN AFFAIRS
JUN 24 1890

Answ'd
J. B.
3 July

175. W. Indian Office
Victoria June 17th 1890.

No 22945.

Sir,

With reference to your letter of the 3d instant covering statement entitled "Canadian Pacific Railway Valuation of Indian Lands British Columbia" I have the honor to state that several errors appear to exist in the extentions and addition — And as you are desirous that the total sum of $5296 7/10, as mentioned in the statement, must not be changed, as the amount has already been accepted by the Department, I beg to return the same for your consideration and amendment.

The apparent errors I have marked in pencil on the document.

I have the honor to be
Sir,
Your Obdt Servant,
A. W. Vowell
Indian Superintendent

L. Vankoughnet Esq.
Dept. Supt. Genl.
of Ind. Affairs.

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CANADA

MEMORANDUM

To Deputy Minister Department of Indian Affairs,

CORRESPONDENCE JUL 3 1890 BRANCH

Ottawa, 3 July 1890.

Approved A. M. Burgess

With reference to Mr. Vowell's letter and enclosure of 17th June 1890. I respectfully recommend that the enclosure, now corrected, be returned to him, also that the accompanying documents be forwarded to him, one of the said documents is a copy of a Schedule of the Lands referred to in the said enclosure received from the Dept. of Rys. and Canals (2nd Dec. 1887) the other document is a copy of a List prepared from the said schedule in this Dept. which shows the Bands to whom the said lands belong and the amounts awarded in each case, and that it is hoped that these documents will be of assistance to him in preparing the revised statements requested by the Dept. in his letter of 5th May 1890.

The three documents referred to be inserted in an envelope herewith

W. A. Burgess

L. Vankoughnet

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

RETURN TO CORRESPONDENCE BRANCH

22.945

A. W. Vowell, Esq.
Visiting Ind. Supt.
Victoria, B.C.

July 11, 1890.

Sir,

I have to ack. the rec. of your letter of the 17th ult. pointing out errors which appear to you to exist in the Statement enclosed therewith entitled "Canadian Pacific Railway Valuation of Indian Lands British Columbia".

The Statement has been corrected and is again enclosed.

I also enclose copy of one received from the Dept. of Railways & Canals a Schedule of the Lands referred

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referred to in the State-
ment; also copy of a
list prepared from said
Schedule in this Dept.,
showing the names
of the Bands to which
the Lands in question
belong and the amount-
awarded in each case.

It is hoped that
these documents will be
of assistance to you in
preparing the revised
statement asked for in
my letter of the 3rd inst.

I am Sir

Indian Affairs. (RG 10, Volume 7670, File 22150)
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MEMORANDUM

Department of Indian Affairs,

To Dr. Anotm,
Chief Surveyor

Ottawa, July 3rd 1890

The Indians of Hope Res, in B.C. complained to me, when I visited them in August last, that 13 apple trees belonging to a Sub-chief, known as "Catlanding Jim" had been destroyed by the C. P. R., in connection with the construction of that road, & that no compensation has been made to the owner of these trees.

Please refer to the papers, relative to the amts pd through the Dept of Canals & Railways, on account of lands & improvements taken in the Railway Belt by the C.P.R., and report whether the 13 fruit trees referred to were included in the same.

L. Vankoughnet
Dpt

Indian Affairs. (RG 10, Volume 7670, File 22150)

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MEMORANDUM. FILE 22945

To The Deputy Minister

Department of Indian Affairs,

Ottawa, 8 — 7 — 1890

The C. P. Ry. passes through the Skeetchestn and Chawathen Res, of the Hope Indians. The name "Catlandinq Jim" does not occur in the details of valuations for Right of way recd. from the Dept. of Railways & Canals, nor is there any especial reference to 13 apple trees. The Indians of Chawathen Reserve, Indian Charley & Indian John are credited with $4.85.00 and $3.00 respectively on account of trees and fences —

It is possible that one of these is the party referred to as "Catlandinq Jim."

As the matter is now in the hands of Mr. Vowell I respectfully recommend that this be referred to him

W. R. Lushington

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A.W. Vowell Esq,
Visiting Ind. Supt,
Victoria,
B.C.

Nt. to Secy

draft

SECY'S BRANCH.
JUL 5 1890
WRITTEN

Sir:—

When last season on the Res, at Hope, in the Lower Fraser Agency, the Indo. complained that 13 apple trees belonging to a sub-chief, known as "Catlanding Jim", had been destroyed by the construction of the C.P.R., & that the owner had received no compensation. Upon referring to the plans in this Dept, ~~showing~~ the C.P.R.'s ~~line~~ ~~it~~ appears to pass through the Schkau & Chawathen Res, ~~of the Reco~~ belonging to the Indo of Hope. The name "Catlanding Jim" however does not occur in the details of valuations for

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CANADA

the right of way received from the Dept of Railways + Canals nor is there any special reference thereto to 13 apple trees.

On the Chawathen Res, two Indo, named Charley and John, are credited with $4 85 + $7 3 respectively on account of trees + fences but nothing appears to have been paid to "Catlanding Jim". Probly one or the other of the Indo above named may be identical with the claimant. Will you be good enough to inquire into this matter.

I have

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CANADA

70179

British Columbia

DEPARTMENT OF INDIAN AFFAIRS
JUL 29 1890

390. W. Indian Office
Victoria July 22nd 1890.

Wm_

Sir,

In reply to your letter of the 5th instant requesting to be informed as to the name of an Indian whose apple trees had been destroyed by the construction of the Can. Pac. Railway on either the Schkam or Chawathen Reserves, I have the honor to state that I am informed by Wm Agent Wm Tiernan that but two Siwashs named respectively "Jim" and "Charley" made application through him for compensation on account of damages sustained by the construction of the C. P. R. through the Hope Reserves. The name "John" must have been inserted by mistake. The "Jim" alluded to as one of the two making application, is "Bob's landing Jim."

I have the honor to be
Sir,
Your Obdt Servant
A. W. Vowell
Indian Supt

Lawrence Vankoughnet Esqr
Dept Supt General
of Ind. Affairs.

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KODAK SAFETY FILM

RETURN TO CORRESPONDENCE BRANCH.

7 1945

390 W

Answer Req'd

A.W. Vowell Esq
Visiting Indian Supt
Victoria B.C.

August 29 90

Sir,

I have to ack the rec of your letter with reference to the claim of "Catlandy Inn" a Hope Indian for compensation for 13 apple trees destroyed & the Construction of the C.P.R and in reply I have to request that you will ascertain from Mr Agent McKiernan whether the $73.00 paid to "Ian" (called in Error "John") in the details of valuations for right of way rec'd from the Dept of Railways

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22150 I.R.

71687

DEPARTMENT OF INDIAN AFFAIRS
SEP 24 1890

(Copy)

New Westminster B. C.

Sept. IIth. I890.

Sir,

I have the honor to inform you in reference to Cats Landing Jim a Hope Indian that his claim for compensation for I3 Apple trees destroyed by the construction of the Canadian Pacific Railway. The value of these I3 apple trees is included in the sum of $73.00 which is to be paid to him under the heading of trees and fences.

I remember that the above amount was the claim made on Jim's behalf to the valuators, Captain Ball and Captain Spaulding. This claim I made by Jim's request. Since then I have not heard of any claim made by Jim differing from the one made at that time. I am satisfied that the $73.00 pays for all the trees and fences destroyed belonging to Jim.

I have the honor to be

Sir,

Your obedient servant.

(Signed) P. McTiernan

Indian Agent.

A. W. Vowell Esq.

Indian Dept.

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Schedule of Land taken from the Indian Reserves
in B. C. for Right of Way of C. P. R.

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		District	Township	Staff from	Sketch No. 6	Name as given by Indian Office		acreage	Valuation	Remarks
						Contract No. 92.		ac	$	
23rd Millions Island No. 6	1	New Westminster	11	920+57	974+37	No name given	No 1	18 20/100	100 20/100	✓
Sale 5-Page 588	2	" "	14	1102+93½	1129.89	Whonock	No 1	6 12/100	258 32/100	Sale 5-Page 588 ✓
Sale 1-P. 354	3	" "	14	1209+65	1231+82	Formerly Lot 445	Group 1. Sketch No 3	9 13/100	54 76/100	Sale 1-P. 354 ✓
Sale 2-Page 103	4	" "	24	2133+07½	2158+18½	Le-kah-al-men		6 50/100	56 25/100	Sale 2-Page 103 ✓
Sale 2 Page 95	5	" "	24	2256+70	2342+52½	Ho-lack-ten		19 91/100	281 25/100	Sale 2 Page 95 ✓
Sale 17 " 290	6	" "	27	16+33	103+79	Seowkley		36 64/100	166 60/100	" 17 " 290 ✓
Sale 1 " 327	7	Yale		584+80	865+24½	Sko-me-kul		96 46/100	652 75/100	Sale 1 Page 327 ✓
Sale 1-P. 348	8	"		969+21	1023+39	Wa-lach Island		15 16/100	119 79/100	" 1 " 348 ✓
Sale 5-Page 557	9	"		1052+09½	1081+20	Luk-cul-le-tum		21 63/100	162 79/100	Sale 5-Page 557 ✓
Sale 4-Page 551	10	"		1083+25½	1100+85	Ske-wa-look No 2.		4 11/100	52 66/100	Sale 4 Page 551 ✓
Sale 1-Page 346	11	"		1117+97	1146+70½	Ske-wa-look No 1.		6 43/100	47 01/100	" 1 " 346 ✓
Sale 1-Page 331	12 *	"		1182+05½	1347+16	Cha-wa-then		40 68/100	2256 60/100	* Sale 1 Page 331 ✓
Sale 2-Page 88	13	"		1469+56	1508+69	Schaun		33 49/100	485 69/100	S. 2 - Page 88 ✓
Sale 1-Page 358	14	"		1609+91½	1644+82½	Kla-kla-cum		6 95/100	52 12/100	Sale 1-Page 358 ✓
Sale 1-Page 360	15	"		1666+59½	1761+64½	Puck-a-[illegible]-tchin		25 31/100	303 72/100	" 1 " 360 ✓
Sale 1-Page 329	16	"		1802+04½	1822+74½	Stul-ah-[illegible]-luch		4 70/100	97 60/100	Sale 1-Page 329 ✓

* In the valuation of the land & improvements taken from the sketch No 6 is included $862 50/100 on account of improvements made by Samuel Aloizo a Mexican who has long resided on & cultivated part of this Res

5087 74

Sgt Joseph W Trutch Asst Sept 1885.

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		District	Township	Sta. from	Sta. to	Name as given by Indian Office	acreage	Valuation	Remarks
						Contract No. 92.	ac	$	
Wm Mallons Island No. 6	1	New Westminster	11	920+57	974+37	No name given	18 00/100	100 00/100	✓
Sale 5 Page 588	2	" "	14	1102+93½	1129.89	Whonock	6 12/100	258 3/100	Sale 5 - Page 588 ✓
Sale 1 - P. 354	3	" "	14	1209+65	1231+82	Formerly Lot 145 Group 1. Sample No 3	9 13/100	54 26/100	S 1 - P. 354 ✓
S. 2 - Page 103	4	" "	24	2133+07½	2158+16½	Le - kah - al - men	6 50/100	56 25/100	Sale 2 - Page 103 ✓
Sale 2 Page 95	5	" "	24	2256+70	2342+52½	Ho - lach - ten	19 91/100	281 15/100	Sale 2 Page 95 ✓
Sale 17 " 290	6	" "	27	16+33	103+79	Seowhey	36 64/100	166 60/100	" 17 " 290 ✓
Sale 1 " 327	7	Yale		584+60	865+24½	Sko - me - kul	96 46/100	652 75/100	Sale 1 Page 327 ✓
Sale 1 - P. 348	8	"		969+21	1023+39	Wa - lach Island	15 76/100	119 79/100	" 1 " 348 ✓
Sale 5 Page 552	9	"		1052+09½	1081+21	Luk - lu - le - tum	21 63/100	162 75/100	Sale 5 - Page 552 ✓
Sale 4 - Page 551	10	"		1083+25½	1100+85	Sko - ha - look No 2	4 11/100	52 66/100	Sale 4 Page 551 ✓
Sale 1 - Page 346	11	"		1117+97	1146+70½	Sko - mish - look No 1	6 43/100	47 01/100	" 1 " 346 ✓
Sale 1 - Page 331	12 *	"		1182+05½	1347+16	Cha - wa - then	40 68/100	2256 66/100	* Sale 1 Page 331 ✓
Sale 2 - Page 88	13	"		1469+56	1508+69	Schaw -	33 49/100	485 66/100	S. 2 - Page 88 ✓
Sale 1 - Page 358	14	"		1609+91½	1640+46½	Kla - kla - cum	6 95/100	52 12/100	Sale 1 - Page 358 ✓
Sale 1 - Page 360	15	"		1666+59½	1761+64½	Puck - a - ta - tchin	25 31/100	303 72/100	" 1 " 360 ✓
Sale 1 - Page 329	16	"		1802+04½	1822+74½	Stul - ah - luch	4 70/100	37 60/100	Sale 1 - Page 329 ✓

* In the valuation of the land & improvements taken from the - wan then B - included $862 50/100 on account of improvements made by Daniel Aloizo a American who has long resided on & cultivated part of this Res

5.087.74

Sgt Joseph W. Deutsch 3rd Asst Aug 1885.

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	District	Township	Sta.no from	Sta.no to	Name as given by Indian office	Acreage	Valuation	Remarks
					Contract 60			
Sale Page 325 17	Hale		46+88	94+68	Alberts Flat	11 48/100	68 58/100	Sale 1- Page 325 ✓
6. 1 Page 367* 18					Hale	1 57/100		* Not apprised by Government Valuators ✓
19	"		272+25	274+10	Hale Indian Cemetery	0 83/100	6 60/100	
S1- Page 364 20	"		477+45	486+69	41/2 mile above Hale	2 12/100	148 50/100	S. 1- Page 364
S. 1- " 374 21	"		726+68	758+02	Spuzzum	11 29/100	171 58/100	S1- " 374
S. 1 Page 293 - 22	"		501+25	491+72	No Name given	Log Tunnel Spuzzum	2 64/100	63 78/100 ✓ Sale 1- Page 293
23	"		220+89	219+11	No Name given	Boston Bar No 6. Parcel	0 47/100	4 70/100
S1. Page 437 - 24	"		149+25	138+75	Skuzzy (Seaweed)	Boston Bar 125	2 93/100	2 93/100
S1- Page 435 25	"		10740	55+20	No Name given	Boston Bar No 7 Skuzzy Lake No 8.	29 24/100	137 88/100 $554.25
			Valuators					

* The official ~~Valuators~~ omitted to apprise this piece of land. I consider that on a similar basis of appraisement to that on which I valued other lands at Hale given and by me on behalf of the Ministers of Railways for the Canadian Pacific Railway two hundred dollars would be a full valuation for the land taken which is mostly rock and boulders and for the improvements thereon when the land was taken for the railway.

J. Joseph K. Trutch
6 August 1885

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

	District	Township	Sta: from	Sta: to	Name as given by Indian Office	Gauge	Valuation	Remarks
					Contract 61.			
Entered Page 433 26	Yale		59+79	131+39	No name given Bush Rep. Kop. Line	Bush Rep No 2	45. 75/100	12. 75/100
Page 447/27	"		339+50	414+50	No name given Steps not given	Bush Rep No 3	32 25/100	64. 50/100 ✓
								$192.00

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

	District	Township	Sheets	Sec.	Tp.	Rge.	W. of	Name as given on Plan	Acreage	Valuation	Remarks
								Contract 92			
28	Yale	Sch. 3 Page 94		9	32	16	6	Kat. Kum-dum	7. 00/100	14. 00/100	
29	"			24	32	16	6	Governor No name given	32. 25/100	104. 00/100	
30	"			24	32	16	6	Nicola Tom	3. 25/100	7. 25/100	
										$125.75	

Summary

Contract 92	$5.087.24
" 60	554.25
" 61	192.00
" 62	125.75
	$5.959.24
Add for No. 18 Yale	200.00
	6159.24
Less amount paid to Rural Riviere Fin 12 Chauvin	962.50
	$5196.74

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

Copy

A

72084

Canadian Pacific Railway. Out of 55216 valuation of Indian Lands British Columbia

DEPARTMENT OF INDIAN AFFAIRS
OCT 20 1890

CVR. Description	Group to which Reserve belongs	Name of Reserve	Acreage Valued	Trees & Fences	Buildings	Other Improvements	Land	Total	No. on plan	Credited to the Band	Name of Band	Credited to the Indian	Name of Indian	Locality
Yale													Michel Joseph Nehuyamsqet	resides at times at Yale
Cont. Sl 476-485	Yale		2.12	16 50	—	—	132 00	148 50		132 00	Yale	16 50		
" Spuzzum	Spuzzum	Spuzzum	11.29	3 00	—	—	118 58	121 58	I	118 58	Spuzzum	3 00	Skuhuak	Yale
Ind Res Cont 60 Sl 500-491	"	Sku-huak	2.64	—	—	—	63 78	63 78	V	63 78	Sku-huak	—		
" " 215	Boston Bar	Pauls Res.	0.47	—	—	—	4 70	4 70	VI	4 70	Skuzzy	—		
Yale from Skuzzy to Sl 138	"	Skuzzy Falls	2.33	—	—	—	2 33	2 33	V	2 33	do	—		
" Sl 107 to 53 above Skuzzy	"	Shxpthahuks	29.94	—	—	—	137 88	137 88	VII	137 88	do	—		
Cont 61 Sl 339.50 to 414.50	Boothroyd	Speyam	32.25	—	—	—	64 50	64 50	III	64 50	Speyam	—		
" 57.79 to 131.39	Boston Bar	Kapatsetsan	46.25	—	—	—	127 50	127 50	II	127 50	Kapatsetsan	—		
Cont 62 Lytton														
Klickenedam	Lytton	N-kamcheen	7.00	—	—	—	14 00	14 00	XVIII	14 00	N-kamcheen	—		
Necomen	Nikaomin	Nikaomin	32.75	—	—	—	104 00	104 00	I	104 00	Nikaomin	—		
* Junct. Nena & Thompson Res	Spence Bridge	Cooks Ferry	3.75	—	—	—	7 75	7 75	IV	7 75	N-kamcheen	—		
								796 52						

* These would appear to be some mistake in connection with this item. N-kamcheen is the Indian name given to the junction of the Nikola and Thompson Rivers; the Indian Reserve at this place is the No 1 Cooks Ferry Indians of the other list sent to me for emendation. I know of do not know of a stream in the Spence Bridge district called the Nena and cannot locate the junction of the Nena and Thompson Rivers

J W Mackay

Kamloops BC
11th September 1890
J W Mackay
Indian Agent

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

71687

British Columbia

DEPARTMENT OF INDIAN AFFAIRS
SEP 24 1890

Y. 7. W. Indian Office
Victoria Sept. 17th 1890.

No. 22945.

Sir,

With reference to your communication of the 29th ultimo having reference to the claim of Cats Landing Jim a Stope Indian for compensation for 13 Apple trees destroyed by the construction of the Canadian Pacific Railway, I have the honor to enclose copy of a letter from Mr. Agent Mr. Tiernan in explanation of the same.

I have the honor to be
Sir,
Your Obdt. Servant.
A. W. Vowell
Indian Superintendent.

L. Vankoughnet Esqr.
Deputy Supt. General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

MEMORANDUM.

~~22945~~ 22945

To Deputy Minister Department of Indian Affairs,

Ottawa, 3rd Oct. 1890.

With reference to W. Vowells letter of 17th ult. ~~the~~ I beg to report that the claim of "Cattanding Jim" as explained by W.S. Agent Tiernan is duly included in the ~~statement~~ furnished to W. Vowell from which he is to furnish an amended statement according to a request contained in letter of 3rd May 1890.

I respectfully recommend that W. Vowell be requested to use all the expedition he conveniently can to prepare the amended statement contained in the said letter of 3rd May, in order that this Dept. may be able to settle the claims ~~of the last~~ mentioned in the said letter ~~at as early a date as possible~~ in which is included that of Cattanding Jim, at as early a date aposible.

Sam'l Bray

OPPERS DENOE BRANCH OCT 8 1890

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22150 I.P.
72334

Continued

Discription	Acreage	Land	Fruit Trees	Buildings	Value Improvements	Total
		$	$	$	$	
Indian Reserves	acres					4087, 12
Wharnock						
Cant. St. 1102-93-						
1129-87.						
Indian Feddelle	0 40	26.32	7.00	25.00	—	58 32
Value of remainder	5 70	200.00		Warnock Buds		200 00
Langley						
Cant 1209-65-1231-82	4 13	54.78		Langley Ind		54 78
Group 1 Stave River						
Cant, 92 St. 920-27-976-37	13.00	100 00		do	do	100 00
					$	4500 22

P. McLennan

Indian Agent

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 1 cR

7233A

New Westminster B.C.

Sept 12th 1890

DEPARTMENT OF INDIAN AFFAIRS
OCT 20 1890

Sir

I have the honor to acknowledge the receipt of yours of the 21st July enclosing a Statement shewing Valuation of Indian Lands and improvements taken by the Can Pac Railway Company for right of Way through Several Reserves in this Agency.

I herewith enclose the Statement, also a copy of one prepared by me. Amended in four different instances. I have added two Hope Indians. Namely, Paul Skat, and Jackson. Who are entitled to Compensation. Respectively $50 cts and $45 cts &c. in both cases for improved land. and Trees and Fences on the Reserve Named Chawathen.

Indian Shea is entitled to Compensation to the amount credited to the Holachan Reserve. all the improvements made on that reserve, and the fruit trees and fences distroyed was his property. the sum is $281 25/100

Indian Fiddelle of Wharnock is entitled to $68 82/100 for improved land. fences and Buildings. distroyed.

OFFICE OF INDIAN SUPERINTENDENT B. C.
SEP 15 1890

C. W. Vowell. Esqr.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 1/2 P.

72334

distrayed by the Construction
of the Can. Pac. Railway.

I have the honor to be

Sir

your Obd't Servant

Pelle Tiernan

Indian Agent

A. W. Vowell, Esq.re

Indian Superintendent

Victoria

B C

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KAMLOOPS INDIAN AGENCY B.C.

72334

Kamloops BC
11 October 1890

Sir

I have the honour to submit the following list of awards copied from the two documents which you sent to me under cover of your letter 65/W. to which lists I now add the names of the Indians who are entitled to the awards Specified on said documents:-

Cont. St. 476-485 4½ miles above Yale awarded for trees and fences $16.50

The following named Indians are entitled to this award in equal proportions

Michele
Joseph
Na-hu yam. ye-til } These Indians reside at Yale

Cont. Spuzzum $3.00 awarded

The Indian entitled to this sum is known as Skue-huak Tom he resides at Sku-huak near the long tunnel

Cooks Ferry Group Pennynus Reserve $10.00

Isu ma-hel-tsa the Chief of the Pennynus and Pakeist bands is as reported in my previous despatch on this question entitled to this sum

I have the honour to be
Sir
Your most obedient Servant
D. W. Mackay
Agent

A. W. Vowell Esquire
Indian Superintendent
Victoria BC

OFFICE OF INDIAN SUPERINTENDENT B. C. OCT 13 1890

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

72334

Kamloops BC
11 September 1890

Sir

Referring again to your letter 378 W; touching two lists of Reserves shewing values awarded to certain bands of Indians for lands taken from their Reserves for C.P. Railway right of way: I have the honour to state, that there does not appear to my mind any reason for amending the lists as regards the sums to be paid to individuals, and those to be credited to the bands

I have according to your instructions made two statements, which I have marked A and B, and which I herewith enclose; these statements shew the sums to be paid to individual Indians and sums to be credited to bands, on the bases of the two C P Railway lists of awards which you sent to me.

In statement A the names of the Yale Indian who should receive $16.50 is not entered, and the name of the Spuzzum Indian who should receive $3.00 is also omitted:

I shall send you the names of these Indians as soon as I can get them correctly.

I leave here for Nicola on the 13th inst and hope to visit Yale and Spuzzum before I return hither

I have the honour to be
Sir
Your Most Obedient Servant
J.W. Mackay
Agent

A.W. Vowell Esquire
Indian Superintendent
Victoria BC

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

72334

British Columbia

20
189

Y.Y.X. Indian Office
Victoria Oct 18th 1890

DEPARTMENT OF INDIAN AFFAIRS
OCT 20 1890

No. 22945.

Oct 20/90

Sir,

With reference to your letters of the 3rd June, 4th July and 6th instant relative to the awards to certain Indian Bands for lands taken from their reserves for right of way by the Canadian Pacific Railway, I have the honor to enclose the amended statements of Agents Mackay and McTiernan with their reports on the same.

The cause of the detention in not forwarding these statements before is owing to the fact that Mr. Mackay had to make a tour of a large portion of his Agency to obtain the desired information, and his final report was only received this morning.

I have the honor to be
Sir
Your Obdt. Servant
Hl Moffatt.
for the Ind. Supt

L. Vankoughnet Esqr.
Dept. Supt. General
Ind. Affairs.

1. Dec 2 Rec'd 90
Returned
2. 91 Nov 17

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

22150½ C.P. 72331

Canadian Pacific Railway Co's. 552.16
Valuation of Indian Lands in British Columbia

Description	Acreage	Land	Fruit Trees	Buildings	Other Improvements	Total
Indian Reserves		$	$	$		
Yale Agency No. 24						
La-ka-ha-mum	6.50	41.25	15.00	Lakahamun	56.25	
Nolachan						
Indian Shaw	17.71	231.25	50.00			281.25
Yale Agency No. 27						
Scarletts	36.64	166.60		Scarletts		166.60
Yale Agency No. 30						
Skwahul Seabird Island						
Mamia Yale Agency	96.46	652.75	—	Seabird Island & Kwahul		652.75
Yale District						
Yal-lack Island	18.70	119.70		Chahalle		119.70
Lake Seton Seton	21.63	162.22		Yale Proper		162.22
Skowdale No. 2.	4.11	52.66		Skowdalook		52.66
do No. 1	6.43	47.10		do		47.01
Hope Indians						
Cha-We-thee						
Indian Charley	2.00	100.00	185.00	210		795.00
" Joseph	1.00	40.00				40.00
" Sam	0.50	35.00				35.00
" Jim	0.50	35.00	73.00	15.00		123.00
" Paul Skit	0.50	40.00	10.00	—		50.00
" Jackson	0.40	30.00	15.00	—		45.00
Value of Remainder		306.16	—	Hope		306.16
Schaum-lah-Kaem	33.41	486.60	—	do		485.60
Kla-Kle-cum	6.73	52.12		Union Bar		52.12
Pacha-Stah-Likes	25.31	303.72	—	Texas Lake		303.72
Stall-ah-West	4.70	37.60	—	Stall ah West		37.60
do	11.48	68.88		Albert Flat		68.88
Yale	4.59	200.00		Yale		200.00
Indian Cemetery	0.39			do		6.60
						$ 4087.1

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

RETURN TO
CORRESPONDENCE BRANCH.

22945

A. W. Vowell. Esq.
I. Indian Supt
Victoria
B.C.

707 W.

Oct. 6, 1890.

Answered Oct.

Sir,

I have to ack. the rect. of your letter of the 17th ult. enclosing a report from Indian Agent McTiernan in the matter of the claim of Cats Landing Jim a Kope Indian, for compensation for 13 Apple Trees destroyed by the construction of the C.P. Railway; and in reply I have to request that you will, with the least possible delay, furnish the Dept with the amended statement

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

MEMORANDUM

Department of Indian Affairs,

To Deputy Minister

Ottawa, 27 Oct 1890

OCT 27 1890 BRANCH

OCT 29 1890 BRANCH

With reference to Mr Hoffuts letter of 13th inst. and enclosures enclosed amended statements, regarding the apportionment of the monies received from the Dept. of Railways ($5296.74. vide O.C. 16th May 87) for the R. of Way of the C.P.R. through certain Indian Reserves in British Columbia. I beg to report that the said statements appear to be satisfactory with the exception of the item regarding the awards for the Lakahamen Indians' Reserves

With regard to the said item I respectfully recommend that Mr Vowell be advised as follows:- That he will be good enough to inform Mr McLennan that with regard to that paragraph in his letter of 12th ult. regarding the Indian Shea of the Holachten Reserve, he will have observed that the award of the Arbitrators was $281.25 for the land and $50.00

Acct - please see 72384 -

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22150 ½ C.P.

MEMORANDUM.

2

To .....

Department of Indian Affairs,

..... Ottawa, ... 18

$50.00 for improvements, if as he states the whole of the award, that is $281.25, should be paid to Shea for his improvements it is obvious that the award of the Arbitrators was far from being sufficient compensation for the R. of Way of the C.P.R. through the said Holzhüter Res. Thus he will therefore ~~report fully, in careful detail~~ ~~his reasons~~ revise carefully his recommendation to pay Shea the whole of the award, and if he adheres to his ~~opinion~~ recommendation, he will be good enough to report fully and in careful detail all the facts of the case, at as early a date as convenient in order that this Dept. may make a demand for further payment.

also his opinion as to what should have been the award. This for land & improvement respectively

2 With regard to the remaining items in Mr. Agt. Seiman's statement, viz:-

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22150½ C.P.

3

MEMORANDUM.

Department of Indian Affairs,

To .....

Ottawa, ... 18

---

this is, excepting the two reserves belonging to the Lakahamen Indians, and that statement of Mr Haskay marked A, I respectfully recommend that cheques be prepared in favor of the following individual Indians and forwarded to Rev. Thos. Mr Powell for the amounts set opposite to their names in payment for their improvements on the Lands occupied by them and taken for the Right of Way of the Can. Pac. Ry. viz

Sent to Mr 13 Nov. '84

44 43 1/ Indian Fidelle of Whonock Res. of the Langley Band. $ 68.32

5/ Indian Charley of Chawathen Res. of the Hope Band 795.00

6 " Joseph " " " " " 40.00

7 " Sam " " " " " 35.00

8 " Jim " " " " " 123.00

9 " Paul Skit " " " " " 50.00

10 " Jackson " " " " " 45.00

Carried forward $ 1146.32

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

4

MEMORANDUM.

Department of Indian Affairs,

To .....

Ottawa, ... 18

Brought Forward $ 1146.32

1 Indian Michele of Reserve situated 4½ miles above Yale, of the Yale Band ---- 5.50

2 Indian Joseph " " " " " " " " " " 5.50

3 " Ha-hu-yam-ye-til " " " " " " " " 5.50

1 Skuhuak Tom of Spuzzum Res. of the Spuzzum Band 3.00

Total $ 1165.82

That the following bands be credited with the amounts set opposite to their names as compensation for the lands taken in the certain Reserves as mentioned, for the Right of Way of the Can. Pac. Ry. viz-

A

Langley Band		
Res. No. 6 ---	100.00	
" " 1 (or Whonock Res.)	200.00	
" " 4	54.78	354.78
	Carried Forward $	354.78

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

MEMORANDUM. 22150-1 CP. 5

To .....

Department of Indian Affairs,

..... Ottawa, ... 18

Brought Forward $ 354.78
Harrison River Band
Scowlitz Res ------- ✓ 166.60

$ 652.75 to be divided equally between the following Bands in pay't for R. of Way across Seabird Island which was their property in common, viz

Popkum	Band	93.25
Skawtits	"	93.25
Chamil	"	93.25
Skawalook	"	✓ 93.25
Hope	"	93.25
Union Bar	"	93.25
Yale	"	✓ 93.25

Chamil Band
Whaleack Island ---- ✓ 119.70

Skawalook Band
Skawalook Res. No. 2 = 52.66
" " " 1 = 47.01 ✓ 99.67
Carried Forward $ 1393.50

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

22150 L C.P. 6

MEMORANDUM.

Department of Indian Affairs,

To .....

Ottawa, ... 18

Brought forward		1393.50
Hope Band		
Chawuthen Res.	306.16	
Schkam "	485.60	791.76
Union Bar Band		
Kla-kla-cum Res.	52.12	
Puckatholetchin "	303.72	355.84
Yale Band		
Luckieetsieum Res. No. 9	162.22	
Stullawheets " " 8	37.60	
Albert Flat " " 5	68.88	
Yale Town " " 1	200.00	
Yale Ind. Cemetery	6.60	
Res. 4½ miles above Yale " 2	132.00	607.30
Spuzzum Band		
Spuzzum Res. No. 1	118.58	
" " " 5	63.78	182.36
Carried forward		$ 3330.76

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 1 C.P. 7

MEMORANDUM.

Department of Indian Affairs,

To .....

Ottawa, ... 18

Brought Forward			$ 3330.76
Boston Bar Band			
Pauls Res.	Nr. 6	4.70	
Scuzzy "	" 5	2.33	
Skuyptahooh	" 7	137.88.	
Kopchitchin	" 2	127.50	272.41
Boothroyd Band			
Speyum Res.	Nr. 3		64.50
Lytton Band			
Klick-kum-cheen Res.			14.00
Nicomen Band			
Nicomen Res.			104.00
Cooks Ferry Band			
Res. at Mouth of Nicola River			7.75
Total			$ 3793.42

Note – Summary –
paid to individuals $165.82 as per letter of Dr. Powell of 13 Nov. 20
credited to Bands 3793.42
Award in favor of Kit Lakahem Band, held in abeyance 337.50
Total $ 5296.74

B

That

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

22150 1/2 C.P. 8

MEMORANDUM.

Department of Indian Affairs,

To .....

Ottawa, ... 18

3 That Wm Powell be informed in addition to the above mentioned payments, to individuals of credits made to the respective bands, and that he cause each of the said bands to be informed of the said payments to individuals in its band if any, and of the amount credited to the said band on act. of the C. P. Ry. Rights of Way.

4 With regard to statement marked of Wm Mackay marked B. I beg to report that Wm Powell was asked to report if the amounts awarded were might be considered fair, I infer from Wm Mackays statement in his letter of 11th ult. to the effect that he sees no reason to amend the statement as regards the sums to be paid to individuals and those to be credited to the bands

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEMORANDUM. 22150 1/2 C.P. 9

To Department of Indian Affairs,

Ottawa, 18

the bands, that the awards may be considered to be just, I thereupon respectfully recommend that they be accepted by the Dept. and that with reference to the letter from the Dept. of Rys. and Canals of 11 March 1890 – that Dept. be so informed and requested to be good enough to take the necessary steps in order that the amt. of the award $597.65, may be deposited to the credit of the Receiver General on account of Indian Funds.

5 When the said deposit has been made that apportionment and payment be made according to the said Statement B.

Sam'l Bray

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

DEPARTMENT OF INDIAN AFFAIRS
NOV 28 1890

British Columbia

73469

295. X. Indian Office
Victoria Nov 20th 1890.

Genl. A. File No. 22945.

Sir,

I have the honor to acknowledge the receipt of your communication of the 12th instant covering cheques in favor of various Indians (being amount of compensation for improvements on lands taken for the Right of Way of the Can. Pac. Railway) correct as per statement.

I have the honor to be
Sir,
Your Obdt. Servant,
A. Vowell
Indian Superintendent.

L. Vankoughnet Esqr.
Dept. Supt. Genl.
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

74232

(Copy)

New Westminster. B. C.
December 8th. I890.

Sir,

I have the honor to inform you that the Indian Joseph of the Hope Band is dead, in whose favor I received in your letter of the 2Ist. ultimo cheque NO. 44436, for the sum of $40.00(Forty dollars) in compensation for improvements taken by the Canadian Pacific Railway Company.

J oseph who has made no will and the only relative he has left is an aged mother.

Be good enough to advise me what action I shall take in this case.

I have the honor to be

Sir,

Your obedient servant,

(Signed) P. McTiernan

Indian Agent.

A. W. Vowell Esq.
Victoria, B. C.

W. Mack

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

74232

DEPARTMENT OF INDIAN AFFAIRS
DEC 24 1890

(Copy)

New Westminster, B. C.
December 8th. 1890.

Sir,

I have the honor to inform you that the Indian named Sam of the Hope Band in whose favor you have enclosed cheque NO. 44437 for the sum of $35.00 in payment for improvements on lands taken by the Canadian Pacific Railway Company is dead.

This Indian has made no will, his widow is the only person who is entitled to receive this money.

Be good enough to advise me what action I am to take in this case.

I have the honor to be
Sir,
Your obedient servant,
(Signed) P. McTiernan
Indian Agent.

A. W. Vowell Esq.
Indian Superintendent,
Victoria, B. C.

W Mack

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

74231 74232

British Columbia

Indian Office
Victoria 17th Dec. 1890

DEPARTMENT OF INDIAN AFFAIRS
DEC 24 1890

40 X. Sept. 3rd 1891

Sir,

I have the honor to enclose two letters, copies of received from Indian Agent McKiernan bearing date 8th instant, in reference to the disposal of the moneys coming respectively to Indians Joseph, of the Hope Band, ($40.00), and Indian Sam, of Sapie Band, ($35.00).

These Indians are reported as having died, and as having left no wills; and, under the circumstances I should recommend that the disposition proposed by the Agent be made of these amounts, as above quoted.

I have the honor to be
Sir
Your Obedt. Servt.
A. W. Vowell
Indian Supt. B.C.

To Vankoughnet, Esqre
Deputy Supt. Genl.
of Indian Affairs
Ottawa

DEPT. OF INDIAN AFFAIRS
DEC 31 1890
BRANCH

Received Dec 31st 1890
Acknowledged
Ans. Jan 2nd 1891

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

RETURN TO
CORRESPONDENCE BRANCH

22.945

A. W. Vowell, Esq.
Visiting Indian Agt.
Victoria, B.C.

Jany 9th 1891.

404 Sc

Sir,

Enclosed is the rest of your letter of the 17th ult., enclosing copies of letters (2) from Dr. Ayers & Mr. Freeman in reference to the disposal of the surveys coming respectively to Indian Joseph of the Skuzzy Band ($40.) and Indian Jane of the same Band ($35.); and in reply I beg to inform you that your recommendation would appear to be the correct one to take; but the Chiefs sick must be returned with the full names & the claimants of the survey. I enclose

75255

DEPARTMENT OF INDIAN AFFAIRS FEB 5 1891

CORRESPONDENCE FEB 5 1891 BRANCH

British Columbia.

595. X. Indian Office,

Victoria, January 29th. 1891.

NO. 22945.

Sir,

With reference to your letter of the 9th. instant on the subject of the disposal of the moneys coming respectively to Indian Joseph of the Hope Band ($40.00) and Indian Sam of the same Band ($35.00) I have the honor to return the cheques with the request that the names may be altered to Sophia (Joseph's Mother) and Susan (Sam's Widow) .

I have the honor to be

Sir,

Your Ob'dt. Servant,

for the Indian Superintendent.

L. Vankoughnet Esq.

Deputy Supt. General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

British Columbia

DEPARTMENT OF INDIAN AFFAIRS
FEB 19 1891

75745

671. X. Indian Office
Victoria Feby 12th 1890.

Form. A. File No. 22945

Sir,

I have the honor to acknowledge the receipt of your letter of the 5th instant covering cheques in favor of the following parties. viz.

"44436" Sophia $40.00
7 Susan $35.00

I have the honor to be
Sir
Your Obdt. Servant.
A. Powell
Indian Superintendent.

L. Vankoughnet Esqr.
Deputy Supt. General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

RETURN TO
CORRESPONDENCE BRANCH.

Immediate

Z.945-

Ans: Aug 1

F. Trudeau Esq C.E.
Deputy Minister of Railways & Canals.
Ottawa

July 28th 1891.

Sir,

With reference to the letter from your Dept. of date the 11th March 1890, transmitting a valuation of lands taken for the Canadian Pacific Railway from Indian Reserves in British Columbia amounting to $597.65 I have the honour to inform you that the awards are accepted by this Dept.; and I request that you will be good enough to cause the said amount of $597.65

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

to be deposited to the
credit of the Receiver
General on account
Indian funds and
the Certificate of deposit
and Receipt to
the Department.

Yours

A. W. Vowell Esq
Visiting Ind. Supt
Victoria. B.C.

July 28th 1871.

Ans: 29/7

Sir,

With reference to your
letter of the 13th Oct. 1870
and previous correspondence
on the subject of the award
of certain Indian Land
for lands taken from their
Reserves for right of way
by the Canadian Pacific
Railway, I have to inform

Yours

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

further that the following Bands have been credited with the amounts mentioned as compensation for the lands taken & that you cause to be advised the respective Bands accordingly, viz:-

(Here copy from Indian Technical Branch dated 27 Oct. 1890 under all marked in Green letters A. and B.)

You should also cause each of the Bands to be advised of the amount paid to individual members thereof.

With regard to the awards for the Lakahamen Reserves you will please inform Mr. Agt. St. Germain that it is

is observed that the award
~~of the award~~ of the arbitrators
in favor of Shea of the Kolachton
Reserve, which he agrees in his letter just under cover of yours above quoted
was $231 25/100 for the
land and $50 for improve-
ments, = $281 25/100 being the
whole amt of the award
for that Reserve; and that it
is obvious, if the
whole amt awarded
is to be paid to one
Member of the Band, there
is nothing to compensate
for other lands taken from
that Reserve - Hon. Mr. Pelletier
should therefore be in-
structed to carefully revise
his recommendation to
pay Shea the whole amount
of the award; and if he
still adheres to his re-
commendation he should
report fully and carefully
all details of the case
and his opinion as to
what

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

What amount should have properly been awarded for the lands and improvements respectively, in order that the Dept. may make a demand for further payment.

Jno Te

22150 1 C.P.

No. 70863

Subj. 961

Ref. 61114

81283

Ottawa Augt 1st 1891

Secretary
Forwarded for
Sir
Augt 3/91

Referring to your letter of the 28th instant by which you accept the valuation aggregating "597.65". for certain Indian reserve lands in British Columbia, I have the honour, by direction, to say that by a letter dated the 10th of May 1890 you were advised to correct the area, 21½ acres, given by the Commissioner as having been taken from the reserve No 7 of the Boothroyd Indians and stated that you would communicate with your agent as to the price "2.00" per acre offered by the Commissioner.

I now have, I am to say, that

Hon Mr Dewdney, M.P.
Deputy of the Supt. Genl.
of Indian affairs

price

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

price be accepted, the claim of the Indians can be settled with those referred to in your present application, thus clearing the whole of the Indian claims in this locality.

This would seem to be desirable and I am accordingly to await your reply.

In the event of difficulty arising in connection with the Woodland Indians. the Department will wish to obtain authority for the settlement of those cases as to which you have agreed.

I am Sir
your obedient servant
A. J. Bradley
Secretary

Aug 25

22945

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 1 C.P.

MEMORANDUM. 22946

To Deputy Minister Department of Indian Affairs,

Ottawa, 8th Aug. 1891

With reference to the letter from the Dept. of Rys. & Canals of 1st inst. I beg to report that Mr Mackay in his Valuation of Indian Lands taken by the Can. Pacific Ry. dated 11th Sept. 1890, he values the land taken, (2 1/2 ac) on the Boothroyd Reserve No 7 at $43.00 that is $2.00 per acre, he also shows that there are no improvements

I had overlooked the fact that in the valuations of the Lands taken in a number of Reserves by the Dept. of Rys. & Canals, dated 11th March 1890 the said Reserve was not included.

I respectfully recommend that the Dept. of Rys. and Canals be informed that in accordance with the valuation made by the Indian Agent in whose district the Boothroyd Reserve No. 7 is situated, this Dept. has decided to accept the sum of $2.00 per acre as offered

Return File & Accountant

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22150 1 C.P.

MEMORANDUM.

To .....

Department of Indian Affairs,

Ottawa, ... 18

offered in letter from the Dept. of Rwys and Canals of 2nd May 1890, that is $43cts for 21½ acres taken & for the Right of Way of the Can. Pacific Ry. through the said Reserve, and which sum added to the sum of $597.65 for the R. of Way through the Indian Reserve mentioned in letter of 11th March 1890 will make a sum of $640.65 to be deposited to the credit of the Receiver General on account of Indian Funds.

Sam'l Bray

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

KODAK SAFETY ▲ FILM

22,945

T. Sorndeau Esq Ch.
D.M. of ~~Public Works~~
Railways & Canals
Ottawa.

ACCOUNTANTS
AUG 13 1891
BRANCH

August 12th 1891.

Sir,

I have the honour to ack: the rect of your letter of the 1st inst, respecting the valuation of the lands taken for the Canadian Pacific Railway from Indian Reserves in British Columbia; and in reply I beg to inform you that, in accordance with the valuation made by the Indian Agent in whose district the Brotheroyd Reserve, No 7, is situated,

This

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

This Dept has decided
to accept the sum
of $2.50 per acre
as offered in your
letter of the 2nd May
1890, that is $43.50, for the
21½ acres taken from
the Brotheroyd Reserve.
This amount added
to the sum of $597.65
mentioned in my letter
of the 28 ult, makes the
total amount to be
deposited to the credit
of the Receiver General on acct
of Ind. Funds for the lands
taken in British Columbia
for the Railway $640.65

Yours &c

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

84538

DEPARTMENT OF INDIAN AFFAIRS NOV 25 1891

No. 652
Subj: 961.
Ref. 62467.

Ottawa 24th Nov. 1891

Canadian Pacific Railway

Sir.

Adverting to your letter No: 22945 of the 12th August last: — requesting that the sum of $640.65/100 be placed to the credit of the Receiver General on account of Indian funds, in settlement for the Indian Lands taken by the Government for the section of the Canadian Pacific Railway between Savona's Ferry and Port Moody in British Columbia: I am to ask you, to be good enough to inform this Department, if this amount has been paid, and your Department notified to that effect, so that the title to the land in question, may be vested in this Department.

I have the honor to be.
Sir.
Your obedt: Servant
J Wardear
Actg Secretary

The Deputy
of the Superintendent General
of Indian Affairs

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEMORANDUM

Department of Indian Affairs.

To Dept/ Mines re Indian Reserves (Q)

re J. W. Dallow's letter Dec 9/91

Ottawa, Dec 9th 1891.

DEC 10 BRANCH

The Amount of $10.40 referred to in
Mr Dundas's letter of 28th Ult
has not yet been paid to the Dept

R J Dallow
for Asst

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

RETURN TO CORRESPONDENCE BRANCH.

22.946-

T. Trudeau. Esq Chief
D. Sup. of Railways & Canals,
Ottawa

Dear Sir, Dec. 15th, 1891.

Sir,

I have the honour to ask the ref. of your letter of the 24th ult. and in reply to the enquiry made therein I beg to inform you that the sum of $640.65 due this Dept. for lands taken by the C.P. Railway Co. on the Ind. Reserves in British Columbia has not yet been paid to this Dept.

I am &c.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

No 4 75

Subj: 961

Ref: 62749 Wpeg

Register

re Kamloops No 4 Sale 1 24 Pab

Sharpe No 4 Sale 1 30 Pab 85279

DEPARTMENT OF INDIAN DEC 23 1891

Ottawa, Dec 22 1891.

Sale 1 30
Pab
B.C. Bk.
Lytton Res.
$3 00 K.K.

Sir,- Sharpe Res.
Sale 1 B.C. Bk.
Pab 410 K.K.
$60 00

I have the honour to inform you, in reply to Mr. Taylor's letter of the 15th instant, that the sum of $640.65 due to your Department for lands taken by the Canadian Pacific Railway Company on Indian Reserves in British Columbia, was deposited in the Bank of Montreal on the 16th September last.

I send the duplicate and triplicate receipts are enclosed to you herewith.

I am, Sir,

Your obdt Servant

J Indecipherable

acting Secretary

Enclosures as mentioned.

2

Abbott
Vankoughnet
Reed
Burgess
Smith
Sutherland
Ewart
Pinkham

1 113 23 Dec 91

C. Vankoughnet Esq.
Dep. of the Supt. Genl.
of Indian Affairs.
Ottawa.

DEC 31 1891 BRANCH

ACCOUNTANTS DEC 23 1891 DIV

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

Duplicate for Department. 85279

...nk of Montreal.

16 Sept 1891

Received from Dept of Railways & Canals

on account of Indian Lands

the sum of Five Hundred and forty 60/100 Dollars,

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate,

Ent'd. [illegible]

[illegible] Pro Manager.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

89654

New Westminster B. C.
April 4th 1892.

Sir.

I have the honour to acknowledge the receipt of your letter of the 8th ult in reference to an error of $20.25 had been made by me in my letter of the 2nd February.

Feby 8th. ! .

Following is a copy of a list gave to Mr. Bysott to make out for me, he must have omitted one item.

Skia	3931	161.25
Alexander	-2-	20.00
Victor	-3	20.00
Hackluner	-4	20.00
Theaniere	-5	20.00
Phillip	-6	20.00
Braswa	-7	20.00
		$ 281.25

Correct Copy
A. W. Vowell
6 May 1892

the above amounts for improvements, besides this C. P. R. have taken 172 chains of unimproved land for right of way.

I have the honor to be
Sir,
Your Obdt. Servant,
P. McGuigan.

(Sd)

A. W. Vowell Esqr.
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

British Columbia

80654

460. A.[2] Indian Office
Victoria Feby 8th 1892.

Sir,

With reference to my letter of the 31st of August last and your reply dated the 2nd instant I have the honor to inform you that an error amounting to $20.25 is observed in your letter. The award of the arbitrators for the Stolaton Reserve was in all $281.25 not $261.00 as stated by you. You will please explain this difference in the amount of said award without any unnecessary delay.

I have the honor to be
Sir,
Your Obdt. Servant,
J. McMoffatt.
for the Indian Superintendent.

(Sd)

P. McTiernan Esqr.
Indian Agent.

Correct Copy
J. McMoffatt

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

DEPARTMENT OF INDIAN AFFAIRS
APR 19 1892

89654

New Westminster B. C.
Feby 2nd 1892.

Sir,

I have the honor to acknowledge the receipt of your letter of the 31st August 1891 in reference to Indian Shea's claims for land taken by the C. P. R. I have to state that a meeting of the Indians of that Reserve has been held. and they have decided that awards should be made as follows:-

Shea	161.00
Victor	20.00
Stickia Lumer	20.00
Shaoser	20.00
Phillip	20.00
Braosawa	20.00
	$261.00

The above amount is for improved lands and fruit trees.

Besides the above there has been taken 107 chains of uncultivated lands which I consider worth $75.00. This amount would be credited to the whole Band. I mean the Mecomen Band.

I have the honor to be
Sir,
Your Obedient Servant.
P. McNeeman
Indian Agent

Correct Copy
J. Vowell Supt

A. W. Vowell Esq.
Indian Supt
Victoria
B. C.

(S.)

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

British Columbia. 80654

ACCOUNTANT
APR 22 1892
BRANCH.

DEPARTMENT OF INDIAN
APR 19 1892

I06. B.2. Indian Office,

Victoria, April I2th. I892.

No. 22,945.

Sir,

With reference to the last paragraph of your letter of July 28th. I89I on the matter of the award for improvements taken by the Canadian Pacific Railway from Shea of the Holackton Reserve I have the honor to enclose copies of correspondence with Mr. Agent Mc-Tiernan on the subject- giving that gentleman's views as to the disposal of the amounts due- the question having been brought to the notice of the various members of the Nicomen Band.

I have the honor to be

Sir,

Your Ob'dt. Servant,

A. Vowell

V. Indian Superintendent.

The Deputy Supt. General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEMORANDUM.

To Dept Finance

Department of Indian Affairs,

Ottawa, 2nd May 1892

Mr Todd

I do not consider the OC referred to gives the requisite authority.

The Amount is still at Credit of Surplus account - and I see no reason why it could not now be transferred to Interest a/c of the Nicaunen Indians, and Expended in the manner proposed - as the whole amount was not collected for purpose of being funded - but $66.25 for the Whole Band, and $281.25 to be repaid to Individuals who owned the Improvements -

R J Lattes
on acct

CORRESPONDENCE
MAY 4 1892
BRANCH

A-126
Mr McNeil
See memorandum
on file 1654

Referred to Accts

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEMORANDUM.

To Dep^t Interior

Department of Indian Affairs,

Ottawa 29 April 1892

I have received a certified Copy of O.C. dated 22nd Apl

The amount paid by the C.P.R. for land and improvements taken from these Indians $281 25 which is still at their Credit. The purchase of the land &c was authorized by O.C. of 18th Jan^y 1886,- As the payt. of the amount to the applicants would be of the nature of a Refund to Individuals of Amounts collected by the Dep^t. on their behalf an O.C. authorizing the Expenditure might probably not be necessary.

I do not consider the O.C. sufficient authority for expenditure of my estimate for this service as an O.C. may not be necessary but I would submit that the expenditure of money should be authorized by O.C. after it is made to have an O.C. 2.4.93.

R.S. Gilbert
for Deputy

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

90759

British Columbia.

ACCOUNTANT'S BRANCH
JUN 2 1892

300. B.2. Indian Office,

Victoria, May 13th. 1892.

Form- A- File No. 22945.

Sir,

I have the honor to acknowledge the receipt of your communication of the 6th. inst. covering cheques in favor of various members of the Nicomen Band being refund of amounts collected by the Department from the C. P. R'y Co. for land and improvements, correct as per Statement.

I have the honor to be

Sir,

Your Ob'dt. Servant,

for the V. Indian Superintendent.

The Deputy Supt. General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 Cir.

364913

13

RIGHT OF WAY THROUGH INDIAN RESERVES IN BRITISH COLUMBIA TO WHICH C.P.RY., HAS NO PATENT.

C.P.R.Main Line
Vancouver to East boundary of British Columbia

Name of I. R.	Area	Remarks.
Langley I.R. No. 6 - Whonnock	12.46	
Coanuck or Onack I.R.	5.97	
Langley I.R.-near Ruskin Station	8.10	
La-kah-ah-men I.R.	6.50	
Holachten I.R.	19.91	
Harrison I.R. No.1-Scowlitz	36.99	
Popkum I.R.	98.71	
Ohamil I.R. No 2 - Walmark Id.	15.31	
Ska-wa-looks I.R.(No.2)	4.41	
Ska-wa-looks I.R.(No.1)	6.60	
Hope I. R.-Chawathen	44.21	
Scham I.R.	33.01	
Pucka-thole-tchin- I.R.	25.30	
Stullawheets I.R. (No. 8)	4.48	
Albert Flat I.R.	11.57	
Yale I. R. (No.2)	2.09	
Spuzzum I.R. (No.1)	25.62	
I.R. (No.5) in Tp.9,R.26,W.6 M.	1.65	
I. R. Pauls near-China Bar.	0.52	
Shrypt-ta-hook - Boston Bar	30.50	
Boothroyd I.R. (No.3) - Spuzzum	90.71	
I. R. (No.7) in Tp.12, R.26, W. 6th M. near Keefers	27.80	
Why-eek I.R. (No.4)	107.00	
Siska-flat I.R. (No.7)	89.51	
I. R.(No. 5) -Zacht	0.08	
Skuppah I. R. (No. 4)	18.35	
Skuppah I. R. (No. 2)	58.72	
Klick-kum-cheen I. R.(No.18)near Lytton.	6.42	
Lytton I.R.(No.16)	1.11	
Nicomen I.R. (No.1)	25.10	
Nicomen I. R. (No.3)-Sackum	7.80	
Cooks Ferry I. R. (No.4)	1.04	
Cooks Ferry I.R. (No.1)-Kum-cheen	3.87	
Cooks Ferry I.R. (No.9)-Pemynoos	62.85	
I. R. (No.10)-Pokeitsk	8.80	
Cooks Ferry I. R. (No. 11) - Spatsum.	12.16	
Cooks Ferry I.R.(No.11 A.)	22.69	
Ne-pa I.R. (No.4)	16.42	
Adam Lake I. R. (No.5)	22.50	
Little Shuswaps I.R. (No.2)	32.92	
Salmon Arm I.R.near Tappen Siding	8.03	N.W.1/4 Sec.9,Tp.21, R.10.W.6.M. 805 acs. @ $20.00 per acre, $166.00 deposited with Dept. Indian Affairs, Ottawa

Right of Way Dept., C.P.R.,
17th May, 1910.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-C.P.

RIGHT OF WAY THROUGHT INDIAN RESERVES
IN BRITISH COLUMBIA TO WHICH COMPANY
HAS NO PATENT.
♣♣♣♣♣♣♣♣♣♣♣♣♣♣♣♣

C.P.R. Mission Branch

Name of I. R.	Area	Remarks.
Matsqui or Sabacum I.R.	2.54	Patented 2.47 ac issued on file 67046

C.P.R. Ry. Co. City of Vancouver.

Name of I. R.	Area	Remarks.
Kitselano I. R.	.....	

file 3

Right of Way Department, C.P.R.,
17th May, 1910.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 - 1 C.P.

RIGHT OF WAY THROUGH INDIAN RESERVES IN BRITISH COLUMBIA TO WHICH COMPANY HAS NO PATENT.

British Columbia Southern Ry.

Name of I. R.	Area	Remarks
Myuck	3.21	B. C. S. Railway Co. paid $ 80.00 amount for land on 6th Dec,,01

file 118 118

patent issuing Feb 28 - 1912

Right of Way and Lease Department, C.P.R.,
17th May, 1910.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

22150½ C.P.

RIGHT OF WAY THROUGH INDIAN RESERVES IN BRITISH COLUMBIA TO WHICH COMPANY HAS NO PATENT.

Shuswap & Okanagan Ry.

Name of I. R.	Area	Remarks.
Name unknown near Larkin Station.	6.11	see file 76235 disposed by Austin see reference 10360 for patent
Name unknown near Enderby Station.	23.16	patent issued 76235 ref 10360

Right of Way Dept., C.P.R.,
18th May, 1910.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 1/2 C.P.R.

RIGHT OF WAY THROUGH INDIAN RESERVES
IN BRITISH COLUMBIA TO WHICH COMPANY
HAS NO PATENT.

Nicola, Kamloops & Similkameen Ry.

Name of I. R.	Area	Remarks.
Kamcheen No. 1 and Kloklowuck No.7 of the Cooks Ferry Band	5.77 16.55	Paid by Co. 1st March, 06, on a/c $ 2019.78
Shakan I. R. Lower Nicola Band.	54.63	Paid by Co. balance on 26th March, 1909. $ 1377.37
Novaitch I. R. Lower Nicola Band.	73.48	$ 3397.15

Sept 25-11
Patents issued to company
by receipt of Letter of January 25 1911
to file 25860
Record
& Issued

Right of Way Department, C.P.R.,
17th May, 1910.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22945

DEPARTMENT OF IND. AFFS. MAY 29 1910

CANADIAN PACIFIC RAILWAY COMPANY.

EWART, SCOTT, MACLAREN & KELLEY, SOLICITORS

OTTAWA. May 25, 1910.

364913 F. 22150 1 C.P.

Frank Pedley, Esq.,
Deputy Superintendent General of Indian Affairs,
Ottawa, Ont.

Dear Sir:- C. P. R. Right of Way through Various Indian Reserves in British Columbia.

Referring to our conversation of some days ago I beg now to enclose list of portions of the right of way of the Canadian Pacific Railway Company included in Indian Reserves in British Columbia, title for which has not as yet been secured by the Company. As you are aware the Company has hitherto been unable to obtain patents of these lands owing to the dispute between the Dominion Government and the Government of British Columbia as to the rights of the latter therein. I would respectively suggest, however, that there ought to be some way found of giving title to the Railway Company to these lots notwithstanding this dispute. Could not the value of the land be paid, say to the Dominion Government, with the approval of the British Columbia Government on the understanding that in the event of the British Columbia Government establishing a right thereto the purchase money should stand in the place of the land as regards such right? The Canadian Pacific Railway Company are very anxious to find some way of disposing of the matter and of securing title to the properties.

DEPT. OF INDIAN AFFAIRS MAY 26 1910

Omitted in envelope this morning H.L.

Yours truly,

Encl.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-2 C.P.

22945

Minister
2 Dec

Ex'd

Ottawa June 6th, 1910.

Gentlemen,-

I beg to acknowledge the receipt of your letter of the 23rd ultimo together with a list of reserves in British Columbia through which the main line of the Canadian Pacific Railway passes and five branch lines and in connection with your request that patents be issued for the various rights of way I beg to inform you that by Order in Council of the 18th January, 1886 and the 15th March of the same year the rights of way for the Canadian Pacific Railway through thirty Indian Reserves in British Columbia were transferred to the Department of Railways and Canals the sum of $6159.24 having been paid to this Department as compensation for the lands taken.

Enclosed herewith is a copy of the schedule of the lands above referred to. It would appear that if there are any further steps to be taken to perfect the title of the Canadian Pacific Railway Company to the said lands the matter should be taken up with the Department of Railways and Canals.

I have to request you to be good enough to have your list revised and then forward to this Department a list of the lands excluding the thirty reserves above mentioned, for which you desire patents.

It will be well for the Company to file the request plans on tracing cloth showing the land finally taken in each reserve in order that correct descriptions of the same may be made for the patents.

Messrs Ewart, Scott, McLaren & Kelly,
Barristers,
City.

Your obedient servant
D. McLEAN
Secretary

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22945

CANADIAN PACIFIC RAILWAY COMPANY.

EWART, SCOTT, MACLAREN & KELLEY, SOLICITORS

OTTAWA, June 17, 1910.

DEPT. OF INDIAN AFFAIRS. JUN 15 SURVEYS

DEPARTMENT OF INDIAN AFFAIRS JUN 18 1910

366512

The Secretary,

Department of Indian Affairs,

Ottawa, Ont.

Sir:- re British Columbia Right of Way Through Various Indian Reserves - File 22945

We have the honour to acknowledge receipt of your letter of June 6th and we have now the honour to ask that we may be supplied with copies of the two Orders-in-Council dated 18th January, 1886 and 15th March, 1886 respectively, transferring the right of way to the Department of Railways & Canals from your Department.

We have the honour to be,

Sir,

Your obedient servants,

Ewart Scott Maclaren Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

No-22945

Ottawa June 22nd,1910.

Gentlemen,-

Referring to your letter of the 17th inst I beg to enclose herewith copies of ~~the~~ three Orders in Council dated respectively,18th January,1886,1st March 1886 and the 15th March 1886 dealing with the transfer of the Right of way of the Canadian Pacific Railway through a number of Indian Reserves in British Columbia.

Your obedient servant

D. McLEAN

Secretary.

Messrs Ewart,Scott McLaren & Kelly,
Barristers etc.
City.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 ½ C.P.

Ottawa Nov.5th,1910.

Memoranda Re' right of way of the C.P.R. in connection with certain Indian Reserves in British Columbia.

The block of land between Nos. 3 and 4 can not be properly identified. It may refer to the Klatwaas Indian Reserve which is situated in Sec. 33,Tp.20,East of the Coast Meridian. The said Indian Reserve was abandoned many years ago and ceased to be an Indian Reserve; prior to the location of the C.P.R. a plan of the Rt of way through the said land was not furnished to this Department.

Tsequaloose Indian Reserve No.3.

We have no plan showing the right of way of the C.P.R. through this Reserve. The Reserve would appear to be West of the Railway and clear of the Right of way.

Stlakament Indian Reserve No.9.

We have no plan showing the Right of way of the C.P.R. through this Reserve; apparently the Railway passes to the East of it between the Reserve and the River.

Kitzowit Indian Reserve No.20 of the Lytton Band.

We have no plan showing the Right of way of the C.P.R. through this Reserve. The Railway appears to pass at considerable distance to the West of the Reserve.

Klakamich Indian Reserve No.17 of the Lytton Band.

We have no plan showing the Right of way of the C.P.R. through this Reserve. The Railway passes immediately to the West of the Reserve. It is possible that the Right of way may include a small portion on the West part of the Reserve.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22150-1 C.P.

Shuswap and Okanagan Railway.

The C.P.R. appears to pass through the Siccamous Indian Reserve No.3 of the Spellumcheen Band. No plan of the Right of way appears to have been filed in the Department neitherhas the right of way been paid for.

L.B.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

EXD

Ottawa Nov 8th.1910.

I beg to return herewith the list you handed Mr.Bray of this Department of certain Indian Reserves in British Columbia, affected by the right of way of the Canadian Pacific Railway and also to enclose a memorandum giving replies to the several queries noted in the said list.

Your obedient servant

Assistant Deputy and Secretary.

W.L.Scott,Esq.,
of Messrs Ewart Scott McLaren & Kelly.
Barristers etc.
Ottawa.

EX'd

388908

LIST TO ACCOMPANY APPLICATION TO DEPARTMENT OF INDIAN AFFAI

FOR PATENT OF RIGHT OF WAY THROUGH CERTAIN

INDIAN RESERVES

IN

BRITISH COLUMBIA.

R/W DEPT. MONTREAL, May, 1911. S.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

LIST TO ACCOMPANY
APPLICATION TO DEPARTMENT OF INDIAN AFFAIRS FOR PATENT
OF RIGHT OF WAY THROUGH CERTAIN INDIAN RESERVES
IN BRITISH COLUMBIA.

Right of Way & Lease Dept.,
C.P.R.,Montreal, May 23rd/11.

Canadian Pacific Railway Main Line Easterly from Vancouver.

C.P.R.Plan No.		Title, Authority and deposit of Plan.	Name of Indian Reserve.	Area required in acres.
32,990.	Title.	C.P.R.Right of way plan,main line,as constructed, from Spuzzum,mile 14.5 to Agassiz,mile 59.8,registration of Yale Division,Yale District,B.C.Dated Montreal,12th June,1905 & signed by D.McNicoll,Vice President,and W.F.Tye, Chief Engineer.	Spuzzum I.R.No.1.	14.38
	D.L.S.	Signed by James F.Garden,D.L.S.&.P.L.S.Vancouver, 6th Oct.1904; signed by James F.Garden,D.L.S.,Ottawa, 28th Aug.1908, as to corrections.		
	Dept.Int.Top. Surveys Br.	Approved & confirmed by E.Deville, Surveyor General, 29th August, 1908.		
	Dept.Int.Surveys Record Br.	Copy on file under No. 11194.		
	Dept.Rys & Canals.	Signed by Collingwood Schreiber, Chief Engineer, Ottawa, 31st July, 1905.		
	Ry.Commission.	13th Oct.1905 a/c sec.128 of Ry.Act,1908. 17 Dec.1908 as to corrections.		
	Registry Office.	Kamloops, 31st Oct.1905 as plan 286. Kamloops, 2nd Dec.1908 as plan 286 as to corrections.		

Rec'd 30

Paid $121.58 for 11.29 ac

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
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CANADIAN PACIFIC RAILWAY CO. MAIN LINE EASTERLY FROM VANCOUVER. (Cont'd).

C.P.R. Plan No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
32,968.	Title. C.P.R.Right of Way Plan, main line "as constructed" from Spatsum,mile 66 to Spuzzum,mile 15.5.Registration Yale - Kamloops Division, Yale District B.C.,dated Montreal, 1st June,1905, and signed by W.F.Tye,Chief Engineer,and D.McNicoll, Vice President.	Boothroyd I.R.No.3-Spayum	58.46
		Chuckcheetso No.7	27.80
		Why-eek No.4	107.00
	D.L.S. Signed by James F.Garden,D.L.S.,Ottawa,28th Aug.1908 as to corrections. Signed by James F.Garden,D.L.S.,& P.L.S.,Vancouver,17th Oct.1904.	Siska-flat No.7	89.51
		Zacht No.5	0.08
	Dept.Int. Top.Surveys Br. Approved and confirmed by E.Deville,Surveyor General, 29th Aug.1908.	Skuppah No.4	18.35
		Skuppah No.2	58.72
	Dept.Int. Survey Records Br. Copy on file under No. 11195.	Lytton No.3 16 Klick-kum-cheen	1.11
	Dept.Rys & Canals Signed by Collingwood Schreiber,Chief Engineer, Ottawa, 31st July, 1905.	Nicomen No.3 - Sackum	7.80
	Ry.Comm. 13 Oct.1905,a/c sec.128 of Ry.Act 1903, 17th Dec.1908 as to corrections.		
	Registry Office. Kamloops, 31st Oct.1905 as map 287. Kamloops, 2nd Dec.1908 as map 287, as to corrections.	Shawniken No.4 Cooks Ferry Band	1.04
		Pemynoos No.9 Cooks Ferry Band	127.22

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

C. P. RY. MAIN LINE - (Cont'd).

C.P.R. Plan No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
31,398.	Title. C.P.R. Right of Way Plan, main line "as constructed" from 3 miles west of Savonas, mile 28.5 to 5 miles west of Spatsum, M.66, Registration District of Kamloops, B.C., signed by T.G.Shaughnessy, President, and W.F.Tye, Chief Engr., dated Montreal, 18th August, 1904.	Pemynoos No.9 Cooks Ferry Band.	62.85
		Pokheitsk No. 10	8.80 Rev'd for 7.55 ac
	D.L.S. Signed by James McGarden, D.L.S. & P.L.S., Vancouver, 18 July, 1904. Ottawa, 28 Aug. 1908 as to corrections.		
	Dept.Int. Top.Surveys Brch. Approved and confirmed by E.Deville, Surveyor General, 29th August, 1908.	Spatsum No.11. Cooks Ferry Band.	12.16 Rev'd for 11.33 ac
	Dept.Int. Survey Records Br. Copy on file under No.10553.		
	Dept.Rys & Canals Signed by Collingwood Schreiber, Chief Engineer, 14th November, 1904.	Spatsum No.11a Cooks Ferry Band	Interest to issue title to CPR 22.69
	Ry.Comm. 21st July, 1905, a/c sec.128 of Ry.Act 1903. 17th Dec.1908 as to corrections.		
	Registry Office. Kamloops, 13 Sept.1904, as No.203 Kamloops, 2 Dec.1908 as No.203 as to corrections.	Ne-pa No.4	16.42 Reserve title to C.P.R.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

C. P. RY. MAIN LINE - (Cont'd).

C.P.R. Plan No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
36,437.	Title. C.P.R. Right of Way, Kamloops to Sicamous, B.C., dated Vancouver, 13th July, 1896, signed by H.J. Gambie, engineer in charge Pacific Division, C.P.Ry.	Ste-qum-whul-pa, Adam Lake No.5	
	D.L.S. Signed by E.B. Hermon, D.L.S. Vancouver 24 July, 1897.		
	Dept.Int.Top. Surveys Branch. No record of filing.		
	Dept.Int.Sur-vey Records Branch. No record of filing.	Little Shuswap No.2 Chum Creek	
	Dept.Rys.& Canals No record of filing.		
	Ry.Comm. No record of filing.		
	Registry Office. Kamloops, 5th Aug. 1897, as No. 181. file 52073	Salmon Arm No.2 At Tappen Siding.	8.08 patent issued for 23.41 acres

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

SHUSWAP AND OKANAGAN RAILWAY. (1)

G.P.R.PLAN No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVES	AREA REQUIRED IN ACRES.
20,605. Title.	Shuswap & Okanagan Ry.from Sicamous to 22nd Mile, Plan of portion of line "as constructed" through Dominion Lands. Signed by P.Larkin, President, Sept.8th, 1892.		
D.L.S.	Signed by F.H.Latimer, D.L.S., 23rd May, 1892.		
Dept.Int.Top. Surveys Br.	No record of filing.	Sicamous No.8 Spallumcheen Band.	
Dept.Int.Surveys Record Br.	No record of filing.		
	NO RECORD OF PLAN IN THIS OFFICE SHOWING THE BOUNDARIES OF I. R.		
Dept.Rys.& Canals.	Signed by Collingwood Schreiber, Dep.Minister, a/c sec. 134 of Ry.Act.of 1888 and filed in Dept.on 10th Sept., 1892, No. 65364.		
Ry.Comm.	Not filed with.		
Registry Office.	Kamloops, 24th Sept.1898 as No.47		

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

SHUSWAP AND OKANAGAN RAILWAY. (Cont'd.) (2)

C.P.R. PLAN No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
20,906	Title. Shuswap & Okanagan Ry., (Enderby to Okanagan Landing). Plan of portion of line "as constructed" through Provincial Lands, signed by P.Larkin, President, 8th Sept.1892.		
	D.L.S.or PLS. Not signed by surveyor.	Spallumcheen near Enderby.	23.16
	Dept.Int.Top. Surveys Br. No record of filing.		
	Dept.Int.Surveys Record Br. No record of filing.		
	Dept.Rys.& Canals. Signed by Collingwood Schreiber, Dep.Minister, a/c sec. 184 of Ry.Act 1888 anf filed in Dept.on 10th Sept., 1892, No. 65364.	Ind.Res.near Larkin Name unknown	6.11
	Ry.Commission. Not filed with.		
	Registry Office. Kamloops, 24th Sept.1898 as No.49.		

6000 surveys. patent issued
see plan description written by Austin see file 76251
reference for above patents 10360

file 76251

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

388908

(1)

NICOLA, KAMLOOPS AND SIMILKAMEEN COAL & RAILWAY CO.

C.P.R. PLAN No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
35,648. Title.	Nicola, K^{a}mloops & Similkameen Ry. Plan of line between Spences Bridge, on the main line of the C.P.Ry., and the point where the line crosses the Southern boundary of the British Columbia R^{a}ilway Belt about one mile South of C^{a}nford, in Kamloops Division of Yale District, B.C. Dated M^{o}ntreal, 18th April, 1907; signed by T.G.Shaughnessy, President, and H.J.Cambie, Chief Engineer.	Kum-cheen No.1 Cooks Ferry Band.	5.32
D.L.S.	Signed by James F.Garden, D.L.S., 29th October, 1906.	Kloklowuck No.7 Cooks Ferry Band.	0.45
Dept.Int.Top. Surveys Branch.	No record of filing.		
Dept.Int.Surveys Record Br.	Copy on file under N^{o}. 12739.	Shackan	57.06
Ry.Comm.	10th M^{a}y, 1907, a/c Sec.164.	Lower Nicola Band apparently Nocaitch I.R.s Nos.7 and 10.	78.54.
Registry Office.	Kamloops, 20th J^{u}ne, 1907, No.400.		

Description amended & approved by O.C. as applied for Feb 27 - 1912

sur plan 807

sur plan 807

sur plan 807

sur plan 807

description issued re file 278600

file 278600

ants.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

NICOLA, KAMLOOPS AND SIMILKAMEEN COAL & RAILWAY CO. (Cont'd).

C.P.PLAN No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
35,650. Title.	Nicola, Kamloops & Similkameen Ry. Plan of line between the Southern boundary of the British Columbia Ry.Belt and Nicola, at the outlet of Nicola Lake,-Kamloops Division of Yale District. Signed by T.G.Shaughnessy, President, H.J.Cambie, Chief Engineer. Dated at Montreal, 18 Apr.1907.		
P. L. S.	T.H.Taylor, B.C.L.S., Vancouver, 23rd Nov.1906.	Naik I. R.	16.60
Dept.Int.Top. Surveys Br.	No record of filing.		
Dept.Int.Surveys Record Br.	Copy of file under No. 12739.		
Ry.Comm.	10th May,1907, a/c Sec.164.		
Registry Office.	Kamloops, 20th June, 1907, No. 4000		

new O.C. applied for Feb'y 7-1912

plan 831

descriptions sanctioned

patent pending

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

British Columbia Southern

CANADIAN PACIFIC RAILWAY - MISSION BRANCH.

C.P.R. PLAN No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
20,468. Title.	Plan of Right of Way of the Mission Branch of the Can. Pac. Rly., dated Vancouver, 17th Dec. 1895, signed by H.J.Cambie, engineer in charge.		
D. L. S.	Signed by E.B.Hermon, D.L.S., Vancouver, 18 Aug.1894.		
Dept.Int.Top. Surveys Br.	No record of filing.	Sahacum	2.54
Dept.Int.Surveys Record Br.	No record of filing.		
Dept.Rys.& Cⁿals.	Filed 1st May, 1896.		
Registry Office.	New Westminster, 13th July, 1897, No.777.		

Matsqui No 1

patent issued.
file 67046
Cash $120.50
for 2.47 ac

Surplus to req'd
Feb 28/1912

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

388908

VANCOUVER & LULU ISLAND RAILWAY.

R. C.P.PLAN No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
33,804.	Title. Vancouver & Lulu Island Ry. and its lessee the Canadian Pacific Railway, "as constructed" plan main line of C.P.Ry. to Steveston. Dated Montreal, 5th March,1906; signed by D.McNicoll,Vice President, and F.P.Gutelius, Engineer.		
	B.C.L.S. Signed by Hermon & Burwell, B.C.Land Surveyors, Vancouver, 18th Sept. 1905.		
	Dept.Int.Top. Surveys Br. No record of filing.		
	Dept.Int.Surveys Record Br. No record of filing.	Kitsilano at Vancouver.	7.00
	Ry.Commission. 19th March, 1906, ac/ Sec.128 of Ry.Act of 1903.		
	Registry Office. Vancouver, 19th April, 1906, No.1137. (For Richmond Municipality L.R.O. at New Westminster (on 6th April, 1906, as No. 915.		

False Creek patented. see file 28835 for another portion 8.5 ac

see also False Creek file 285-76-5

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

BRITISH COLUMBIA SOUTHERN RAILWAY.

C.P.R. PLAN No.	TITLE, AUTHORITY AND DEPOSIT OF PLAN.	NAME OF INDIAN RESERVE.	AREA REQUIRED IN ACRES.
24,093. Title.	Plan of that portion of the British Columbia Southern Ry. between Elk River, (mileage 264) being 1.5.miles East of Elko Station, and Cranbrook, (mileage 310.81) as completed. Dated Montreal, 1st Nov.1900; signed by P.A.Peterson, Chief Engineer.		
DLS or PLS.	Not signed by surveyor.	Myuck I. R.	3.21
Dept.Int.Top. Surveys Br.	No record of filing.		
Dept.Int.Surveys Record Br.	No record of filing.		
Dept.Rys. & Canals.	Filed 11th Sept., 1901.		
Registry Office.	Nelson (ex Victoria) deposited 28th Nov.1900,No.524 B.C.		
Lands & Works Dept.B.C.Govt. Victoria.	Victoria. Certified by W.C.Wells, Chief Commr. of Lands & Works Dept., on Nov. 26th, 1900, as B.C.S.R.		

file 18618

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

22945

The Canadian Pacific Railway Company

Law Department

A. R. Creelman, K.C.
General Counsel, Montreal.
E. W. Beatty,
General Solicitor, Montreal.
Ewart, Scott, Maclaren & Kelley
Ottawa Agents.

Ottawa, May 31, 1911.

383908

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:- R/W THROUGH INDIAN RESERVES, BRITISH COLUMBIA.
FILE 22945.

Referring to your letter of the 6th of June, 1910, we beg now to enclose revised list of the lands required by the Canadian Pacific Railway Company for right of way in various Indian Reserves in British Columbia excluding the lands transferred by the Department of Indian Affairs to the Department of Railways & Canals, pursuant to Orders in Council of 18th January, 1886, 1st March 1886, and 5th March 1886. Referring to the last paragraph of your letter, we would like to be fully advised as to the plans you require the Company to file.

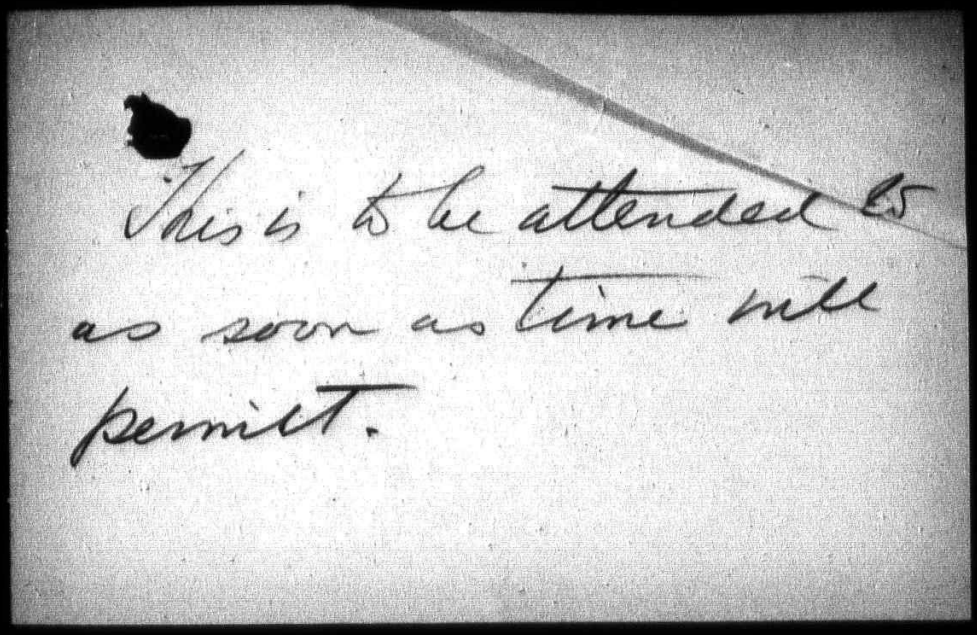
We have the honour to be Sir,

Your obedient servants,

Ewart Scott Maclaren & Kelley

ENC.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA



Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22,945.

Ottawa, June 12, 1911.

Sir,-

I beg to acknowledge the receipt of your letter of the 31st ultimo, together with a revised list of lands in Indian reserves, British Columbia, comprising certain Rights of Way of the C. P. R. for which patents are desired.

With reference to the preparation of final plans, I have to say that the Company has taken possession of the lands as shown on the plans on file in the Department, new plans are not required.

Your obedient servant,

NEWTON

Asst. Deputy and Secretary.

Messrs. Ewart, Scott, Maclaren & Kelly,
Barristers &c.,
Ottawa.

S.B.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

22150-1 C.P.

Statement shewing Lands sold to Can. Pac. Ry. Co. in B. C. and patented

Description of Land	Acres	
Right of Way across Matsqui Sahhahcum Ind Res Westminster District.	2	47
Right of Way through Nesky-nihl Res. No. 2 near Shuswap Yps. 20 & 21. Yale District.	44	21
Right of Way across False Creek Res. Fraser Agency	3	52
Right of Way & Station Grounds, Salmon Arm Res. No. 2. Tp. 21 Rg. 10. Secs. 9 & 16 W. 6. M.	23	41
Right of Way. Salmon Arm Res. No. 1, T. 20, R. 10 W 6 M.	5 0	96
Land for Y at Ruby Creek. Yale District		90

D. Laird

16 June 11

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 O.R.

22943.

Ottawa, June 20, 1911.

Sirs,-

Replying to your favor of the 31st ultimo I have to request you to be good enough to forward a copy on tracing linen of the following plans, on the receipt of which the question of preparation of patents will receive attention.

See file 392600

Plan number 32966, C.P.R., Main line through Spuzzum Indian reserve No.1.

Plan number 32966, C.P.R., Main line through Boothroyd Indian reserve, No.3. Chuckchuntee No.7, Why-ack No.4, Siskaiat No.7, Zacht No.5, Skuppah No.5, Skuppah No.2, Lytton No.16 or Kum-kum-chuss, Nicomen No.3 or Lackum, Shawniken No.4, Pemyoos No.9.

Plan number 31398, C.P.R., Main line through Pemynoos No.9, Pokheitek No.10, Spateum No.11, Spateum No.11 a, Ne-pa No.4, Ste-qum-whle-pa, Little Shushwap No.2, Salmon Arm No.2.

Plan 20605, Shuswap & Okanagan Rwy., through Sicamous No.3

Plan 20463, Mission Branch of C.P.R., through Sahaoum.

Plan 33804, Vancouver & Lulu Island Rwy., through Kitsilano at Vancouver.

Plan 24093, British Columbia Southern through Nyuck Indian reserve.

Your obedient servant,

Messrs.Ewart,Scott,McLaren & Kelly,
Barristers &c.,
Ottawa.

Asst. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22945

22150 1/2 C.P.

The Canadian Pacific Railway Company

Law Department

A. R. Creelman, K.C.
General Counsel Montreal.
E. W. Beatty,
General Solicitor, Montreal.
Ewart, Scott, Maclaren & Kelley
Ottawa Agents.

Ottawa, June 23, 1911.

390291

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:- R/W THROUGH VARIOUS INDIAN RESERVES IN BRITISH COLUMBIA - FILE 22945.

Referring to your letter of June 6th, 1910, we beg to say that we have made application to the Department of Railways & Canals for right of way across the Indian Reserves therein referred to, but have been informed that that Department does not appear to be in a position to deal with the matter, at all events at present. The Department of Railways & Canals states in the first place that there are no plans or descriptions of the right of way in question on file in that department. These were sent to your Department by that Department on 2nd September, 1885, and acknowledged on 17th December, 1885, and do not appear ever to have been returned.

The Department of Railways & Canals, moreover, points out that the Orders in Council of 18th January and 15th March, 1886, did not vest the right of way in the Department

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

22150 1 C.P.

The Canadian Pacific Railway Company

Law Department

A. R. Creelman, K.C.
General Counsel, Montreal.
E. W. Beatty.
General Solicitor, Montreal.
Ewart, Scott, Maclaren & Kelley
Ottawa Agents.

Ottawa, June 23, 1911.

The Sec. 2.

of Railways & Canals but merely authorized the payment of the sum therein named to your Department by the Department of Railways & Canals for the right of way. Under date of 15th March, 1886, you wrote to the Department of Railways & Canals that a recommendation to Council had gone asking for authority to transfer the right of way in question to the Department of Railways & Canals, and the latter Department informs us that that letter is the last communication they ever had from you on the subject. It would seem therefore that before the Department of Railways & Canals can deal with the matter, an Order in Council should be obtained vesting the right of way in that Department and, moreover, plans and descriptions should be furnished the Department of Railways & Canals by your Department.

We trust that whatever steps are necessary will be taken without delay in order that this long standing matter may be closed up. As appears by our letter to you of even date herewith, we are particularly anxious for a copy of the description which will appear in the patent to the

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22150 I.C.P.

The Canadian Pacific Railway Company

Law Department

A. R. Creelman, K.C.
General Counsel, Montreal.
E. W. Beatty,
General Solicitor, Montreal.
Ewart, Scott, Maclaren & Kelley
Ottawa, Agents.

Ottawa, June 23, 1911.

The Sec. 3.

Company of the right of way across the Soham Indian Reserve in order that we may prepare a proper plan and description of the additional land in that reserve which the Company is purchasing from your Department.

We have the honour to be Sir,

Your obedient servants,

Scott Maclaren & Kelley

390 91

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Department of Indian Affairs.

Ottawa, ... 19 .....

Re Lands
Was an O.C. passed
transferring R. of W. to Rys
and Canals Dept in B.C.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22945-

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER — WRITE LEGIBLY YOUR FULL NAME AND ADDRESS





IN YOUR REPLY
PLEASE QUOTE THIS
FILE No.
14250.

L. K. JONES.
SECRETARY.

Ottawa, June 28 1911.

390545

Sir;

Under date the 31st of May, ultimo, Messrs. Ewart, Scott, Maclaren and Kelley, Agents for the Canadian Pacific Railway here, have written the Department in respect of right of way lands through various Indian Reserves in British Columbia. They make the statement that by Orders in Council, dated the 18th of January, the 1st and 5th of March, 1886, your Department "transferred" to this Department the right of way of the main line of the Canadian Pacific Railway through these reserves, this being done with the object of enabling this Department to transfer the right of way to the Company. They observe that this has never been carried out and they apply for Patents of these portions of land.

On the 2nd of September, 1885, copies of plans of lands in Indian Reserves taken for the railway between Port Moody and Savona's Ferry, B.C., Nos. 1 to 30, accompanied by descriptions and books of reference, together with valuations were sent to your Department, and on the 17th of [illegible] December following your Department wrote stating that assuming the "valuation put upon and the description given of these lands to be correct" your Department would accept payment at the rates stated.

On the 18th of January, 1886, an Order in Council was obtained based on a report of the Minister of this Department, to which was attached a schedule showing the lands

Frank Pedley, Esq.,
Deputy Supt.-General, Indian Affairs,
Ottawa.

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and valuations, the whole aggregating $5,959.24. This Order authorized the purchase from your Department of the said lands for the amounts set down in the schedule. A copy of it was sent to your Department on the 25th of February, 1856, and the transfer of the lands was requested.

On the 1st of March, 1856, this Order was amended by the addition of $200 to the amount named, being the valuation of 1.59 acres at Yale, a portion of the said lands which had not been included in the previous Order. (There is no record here of any Order in Council of the 5th of March, 1856, to which the present letter of the Company's Agents refers)

A copy of this Order was sent to your Department on the 6th of March, 1856, and in reply, on the 15th of that month, the Superintendent General of Indian Affairs wrote stating that a report had been "sent to Council asking for authority to transfer the lands referred to" in the two Orders above mentioned.

The Department does not appear, however, to have received any copy of an Order based on such report, and subsequent correspondence, including a letter dated the 17th of June and another the 9th of July, 1856, would appear to indicate that some question had arisen in respect of irrigation and grazing rights; also, as to "improvements".

I have to ask that you will kindly state what the present position of the case is, and that the transfer of the said lands to this Department contemplated in 1856 be carried out, unless some difficulty of which this Department is not aware stands in the way.

I have the honour to be,
Sir,
Your obedient servant,

J.W. Burgess
Secretary.

Assistant

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

22945.

Ex'd

Ottawa, July 7, 1911.

Sir,-

Referring to your favour of the 28th ultimo file 14250, regarding the Right of Way of the Canadian Pacific Railway through certain Indian reserves in British Columbia I beg to enclose herewith a copy of an Order-in-Council dated the 15th of March, 1886, not 5th as stated in your letter above referred to .

Encl.

It is therefore thought that your Department should deal with the issue of patents to the Canadian Pacific Railway Company.

There does not appear to be any reservations with respect to irrigation or grazing or rights of any kind, that is to say the patents may be issued without reservation for the reserves referred to in said O. C.

Your obedient servant,

Sgd. L. S. McLean

Asst. Deputy and Secretary.

J. W. Pugsley, Esq.,
Asst. Secretary,
Dept. of Railways & Canals,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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ARCHIVES PUBLIQUES
CANADA

22945

Ottawa, August 19, 1911.

Sir,-

I beg to refer to your letter of the 28, June last, No. 14250, and to our reply, dated the 7, ultimo relating to the issue of patents for lands in certain Indian reserves in British Columbia, included in the Right of Way of the Canadian Pacific Rwy, and to say that Mr. Scott of the firm of Ewart, Scott, Maclaren & Kelly who has the matter in hands for the Railway Company is urging that action be taken towards having the said patents issued. He has been informed that the matter will be brought to the attention of your Department.

Your obedient servant,

(Sgd) J. D. McLean

Asst. Deputy and Secretary.

L. K. Jones, Esq.,
Secretary,
Department of
Railways and Canals,
Ottawa.

DEPT. OF INDIAN AFFAIRS.
AUG 21 1911
SURV - 3.

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22945-

The Canadian Pacific Railway Company

Law Department
NMD

A. R. Creelman, K.C.
General Counsel.
E. W. Beatty,
General Solicitor.

5463 - M. Montreal, 18th August 1911.

DEPARTMENT OF INDIAN AFFAIRS
AUG 19 1911

303435

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:-

C.P.R. MAIN LINE GRADE REVISION,
SPENCES BRIDGE TO RUBY CREEK.

I have the honour to transmit to you one blue print of plan showing a grade revision which this Company proposes to make between Spences Bridge and Ruby Creek, B.C.

The line will run through a number of Indian Reserves, but the exact location has not yet been decided.

Blue print is sent you for the purpose of reserving to the Company right of way through the Indian Reserves, as shown on the plan, and I shall be glad if you will acknowledge receipt of it advising me that the request of the Company for right of way has been duly noted.

DEPARTMENT OF INDIAN AFFAIRS,
AUG 23 1911
SURVEYS.

You will understand, of course, that it is not

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CANADA

our desire to purchase this land at present in view of the fact that it may be necessary to make some slight changes.

Your obedient servant,

E. Meredith
General Solicitor.

Enc.

303435

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CANADA

22150½ C.R.

371698.

Ottawa, August 26, 1911.

Gentlemen,-

With reference to the issue of patents for the lands in British Columbia in Indian Reserves included in the Right of Way of the Canadian Pacific Railway, I beg to inform you that we have received from Mr. E. W. Beatty, General Solicitor of the said Railway Co., a plan showing a proposed revision of the main line between Spences Bridge and Ruby Creek, and an application that lands in Indian Reserves required for the said revision be reserved. As several changes are comtamplated it is proposed that the issue of patents be held in abeyance until the final location is decided.

Fowl
L.B.

Your obedient servant,

(Sgd) J. D. McLean

Asst. Deputy and Secretary.

Messrs. Ewart, Scott, Maclaren & Kelly,
Barristers, etc.,
Toronto, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150½ C.P.

371698.

Ottawa, August 26, 1911.

Sir,-

I beg to acknowledge the receipt of your letter of the 18th instant and of a blue print plan showing the proposed revision of the main line of the Canadian Pacific Railway from Spences Bridge to Ruby Creek.

With reference to your request that the lands in Indian Reserves required by the said revision be reserved, I have to say that the request has been noted but the Department cannot see its way to actually reserve the said lands and especially for an indefinite length of time.

S.B.

Your obedient servant,

(Sgd) J. D. McLean

Asst. Deputy and Secretary.

E. W. Beatty, Esq.,
General Solicitor,
Canadian Pacific Railway,
Montreal, P. Q.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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22945

Ottawa, August 31st, 1911.

Sir,-

Replying to your favour of the 19th August, 1911, file No. 14250, I beg to forward under separate cover by police mail copies of plans No. 1 to 30, accompanied by descriptions and a book of reference of valuation of the last Indian reserve taken for the main line of the C. P. R. between Port Moody and Savana's Ferry, B. C.

I have to ask you to be good enough to return all these documents to this Department after having had copies prepared of them for filing in your Department as stated in your said letter.

R. W.

Your obedient servant,

(Sgd) J. D. McLean

Asst. Deputy and Secretary.

L. K. Jones, Esq.,
Secretary,
Department of Railways and Canals,
Ottawa.

DEPT. OF INDIAN AFFAIRS
SURVEYS.
SEP 2 1911

Indian Affairs. (RG 10, Volume 7670, File 22150)
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371868 22945

The Canadian Pacific Railway Company

Law Department

A. R. Creelman, K.C.
General Counsel, Montreal.
E. W. Beatty,
General Solicitor, Montreal.
Ewart, Scott, Madaren & Kelley
Ottawa Agents.

DEPARTMENT OF INDIAN AFFAIRS OCT 11 1911

Ottawa, September 30, 1911.

Delivered

3955 3

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

DEPT OF INDIAN AFFAIRS OCT 3 1911 SURVEYS.

Sir:- R/W THROUGH INDIAN RESERVES IN BRITISH COLUMBIA.
FILE 371698.

We are in receipt of your letter of the 26th ult. and are instructed to say that the Canadian Pacific Railway Company is quite satisfied that the issue of the patents referred to should be held in abeyance for the present.

We have the honour to be Sir,

Your obedient servants,

Ewart Scott Madaren & Kelley

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CANADA

22945

The Canadian Pacific Railway Company

Law Department

Ottawa, Aug.19/11

A.R.Creelman K.C.
General Counsel Montreal.
E.W.Beatty,
General Solicitor. Montreal.
Ewart, Scott, Maclaren & Kelley
Ottawa Agents.

DEPARTMENT OF INDIAN AFFAIRS
AUG 21 1911

303801

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:-

RE R/W THROUGH VARIOUS INDIAN RESERVES IN B.C. File 22945

We are in receipt of your letter of the 15th inst. in which you state that the right of way across the thirty reserves dealt with in the Orders in Council of January and March, 1886, will be dealt with by the Department of Railways & Canals.

As you are aware we applied some months ago to the Department of Railways & Canals and were assured that they had no material whatever from which to prepare patents as no plan or memo existed in that Department. We will be obliged if you will take the matter up with the Department of Railways & Canals and see that the patents are issued to the Company, whichever Department issues them.

We have the honour to be, Sir,

Your obedient Servants,

Ewart Scott Maclaren & Kelley

DEPT. OF INDIAN AFFAIRS.
AUG 28 1911
SURVEYS.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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CANADA

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER — WRITE LEGIBLY YOUR FULL NAME AND ADDRESS

DEPARTMENT OF INDIAN AFFAIRS
AUG 30 1911

DEPARTMENT OF RAILWAYS & CANALS CANADA

IN YOUR REPLY PLEASE QUOTE THIS FILE NO. 14250.

M. L. K. JONES.
SECRETARY.

Ottawa, August 1911.

Sir;

On the 2nd of September, 1885, there was forwarded from this Department, for the information of your Department, copies of plans, Nos. 1 to 30, accompanied by descriptions and Book of Reference and Valuation, of the land in Indian Reserves taken for the main line of the Canadian Pacific Railway between Port Moody and Savona's Ferry, British Columbia.

I have to ask that you will be pleased to return these documents in order that copies may be made for filing here, the originals having been mislaid.

I have the honour to be,
Sir,
Your obedient servant,

L. K. Jones
Secretary.

The Secretary,
Department of the Interior,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22150)
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WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER — WRITE LEGIBLY YOUR FULL NAME AND ADDRESS

DEPARTMENT OF INDIAN AFFAIRS DEC 22 1911

DEPARTMENT OF RAILWAYS & CANALS CANADA

IN YOUR REPLY PLEASE QUOTE THIS FILE No. 14250.

L. K. JONES. SECRETARY.

Immediate Urgent

401158 51

Ottawa, December 21st 1911.

Sir,-

Referring to the matter of the desired transfer to the Canadian Pacific Railway Company of the Indian lands in British Columbia between Port Moody and Savona's Ferry, acquired from your Department under the Orders in Council of the 18th of January and the 1st of March, 1886, for the sum of $5,296.74, which was paid to you on the 4th of August, 1887, I have the honour to say that it is represented by the Company that they have since acquired certain other lands from your Department, and further, desire the areas to be adjusted in accordance with their own registered plans, as being probably more correct; and it is suggested, as the simplest and best course, that the lands purchased by this Department from yours should be retransferred to your Department in order that you may issue Betters Patent to the Company of the same, together with such additions as have since been arranged for.

I have to ask that you will be good enough to say whether the adoption of this course will meet with the approval of your Department, and whether, on the transfer, which will be made by Order in Council, you will issue the necessary Patents to the Company accordingly.

If possible, an immediate reply is desired, so that the matter may be brought up at the next meeting of Council. You kindly let me have reply by Bearer

I have the honour to be,
Sir,
Your obedient servant,

L. K. Jones
Secretary

Frank Pedley, Esq.,
Deputy Supt. General,
Department of Indian Affairs,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

Lands Branch
Dept. of Indian affairs
22945

I am sending you herewith letter from
Dept of Rlys & Canals about which I phoned
you on Saturday. your file 22936.

W. M. Bailey
Indian Dept.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

December 21st, 1911.

Dear Mr. Jones,

I am afraid I will not be able to give you an explicit answer to your letter tonight , but will have it ready first thing in the morning in ample time, I hope, for you to deal with it if necessary for Council.

Yours very truly,

Frank Pedley

L. K. Jones, Esq.,
Secretary, Railways and Canals Department,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

22945.

Ottawa, December 22, 1911.

Sir,-

In reply to your letter of the 21st inst., No.14250, I have the honour to say that there appears to be no objection to the procedure therein stated. When the Order in Council re-transferring the lands to this Department has been passed, and on the receipt of the registered plans to which you refer, the question of issuing the patents to the Canadian Pacific Railway Company will be taken up.

Your obedient servant,

Deputy Superintendent General
of Indian Affairs.

S. B.

L. K. Jones, Esq.,
Secretary,
Dept. of Railways & Canals,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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CANADA

221501 A.P.

P.

Copy File No.14250.

Dec.28th, 1911.

Encl.copy of schedule
attached to O.C. of March
15th, 1886 in dup.

The undersigned has the honour to represent that for the purposes of the original construction of the main line of the Canadian Pacific Railway certain Indian lands in the Province of British Columbia, between Port Moody and Savona's Ferry,(built by the Government), were acquired under the authority of an Order in Council of the 18th of January,1886, from the Department of Indian Affairs, being parts of lands actually allotted for Indian Reserves traversed by the railway, the compensation payable under this Order, based on valuations accepted by the Indian Department, being $5,959.24; a schedule of these lands covering 30 parcels being attached to the said Order; one parcel however, had not been valued.

That, under date the 1st of March, 1886, a further Order in Council authorized the purchase, for the sum of $200, of the one parcel No. 18 which had been omitted in the original appraisement; thus making the total amount of compensation $6,159.24

That, under date the 15th of March, 1886, an Order in Council, based on a report of the Superintendent General of Indian Affairs, authorized the transfer to this Department of all the said parcels of land, on payment therefor as in the preceding Orders above mentioned.

That, under date the 16th of May, 1887, an Order was passed, based on a report of the Superintendent General of Indian Affairs, recommending that from the sum named there should be deducted $862.50, which was payable to one Manuel Aloiza, a Mexican who owned some improvements on one of the said Indian Reserves, it being stated that the Minister of that Department did not consider it advisable that he should deal with this man

G/P

Indian Affairs. (RG 10, Volume 7670, File 22150)

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man in connection with the improvements claimed by him and expropriated by the Canadian Pacific Railway Company. This amendment left the amount to be paid to the Indian Department, $5296.74 which sum was paid over to that Department on the 4th of August, 1887, and on the 8th of August, 1887, the above mentioned sum of $862.50 was paid direct to Manuel Aloizo for his improvements.

That the Canadian Pacific Railway Company have urged that Letters Patent of the Kndian lands in question so vested in this Department, should be issued in their favour. They, however, represent that they have recently bought from the Department of Indian Affairs a quantity of extra land in one of these reserves; but are unable to define the area until it is known what land this Department will grant them.

Under these circumstances, it is considered to be the best and simplest course to re-transfer to the Department of Indian Affairs all the lands acquired from them under the authority of the aforesaid Orders in Council, such re-transfer to be for the purpose of enabling that Department to issue Patents to the Canadian Pacific Railway Company, not only of the areas mentioned; but also of the additional areas since purchased by the Railway Company. This course is asked for by the Company, who require Patents for the lands as shown on their latests registered plans whichthey state are more correct than the location plans filed here.

That under the terms of the agreement, dated the 21st of of October,1880,with the Canadian Pacific Railway Company for the construction of this road, the portion of the railway between Port Moody and Savona's Ferry built by the Government was to be transferred to the Company.

The undersigned recommends that the 30 parcels of Indian Reserve lands in question, as set out in the schedule attached to the above mentioned Order in Council of the 15th of March,1886, a copy of which is herewith, be re-transferred to the Department of Indian Affairs, in order to the issue by that Department to the Canadian Pacific Railway Company, of Letters Patent of the correct areas, together with such other areas as they may decide to grant.They have consented to the adoption of this course.

Respectfully submitted,
(Sgd) F.Cochrane.
Minister of Railway & Canal

G/P

Indian Affairs. (RG 10, Volume 7670, File 22150)

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22150-1 C.P.

P.C. 2983. File: 22150-1 C.P.

Certified copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 29th. December, 1911.

The Committee of the Privy Council, on the recommendation of the Minister of Railways and Canals, and for the reasons stated in his report, dated 28th. December, 1911, advise that 30 parcels of Indian Reserve lands in the Province of British Columbia, between Port Moody and Savona's Ferry, acquired from the Department of Indian Affairs for the Canadian Pacific Railway (as set out in a schedule attached to the Order-in-Council of the 15th. March, 1886, copy of which schedule is herewith) be retransferred to the Department of Indian Affairs, in order to the issue by that Department to the Canadian Pacific Railway Company of Letters Patent of the correct areas, together with such other areas as they may decide to grant. They have consented to the adoption of this course.

"F.K. Bennetts"
Asst. Clerk of the Privy Council.

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

Schedule filed with legal documents under Whonock I.R. 76.1

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

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The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150)

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P.C. 2983. File: 22150 - 1 C.P.

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The Committee of the Privy Council, on the recommendation of the Minister of Railways and Canals, and for the reasons stated in his report, dated 28th. December, 1911, advise that 30 parcels of Indian Reserve lands in the Province of British Columbia, between Port Moody and Savona's Ferry, acquired from the Department of Indian Affairs for the Canadian Pacific Railway (as set out in a schedule attached to the Order-in-Council of the 15th. March, 1886, copy of which schedule is herewith) be retransferred to the Department of Indian Affairs, in order to the issue by that Department to the Canadian Pacific Railway Company of Letters Patent of the correct areas, together with such other areas as they may decide to grant. They have consented to the adoption of this course.

"F.K. Bennetts"
Asst. Clerk of the Privy Council.

Schedule filed with legal documents under Whonock I.R. No. 1

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P

COPY

Ottawa, Jan.29th, 1887.

Sir,-

Referring to your letter of the 31st ultimo intimating that the necessary amendments have been made in Orders in Council relating to the payment by this Department for lands belonging to Indians in British Columbia taken for the Right of Way of the Canadian Pacific Railway I have the honour by direction to inform you that an unforeseen difficulty has arisen to which attention should be directed prior to the handing over to your Department of the purchase money for these lands.

A certain case -"The Queen vs. Farwell" is now in appeal before the Supreme Court, the object being to test the title to lands in British Columbia ceded to the Dominion for the purposes of the Canadian Pacific Railway.

Under the 11th clause of the Imperial Order in Council of the 16th of May,1871, admitting the Province into the Dominion the railway was to be commenced within two years from the date of the union, and the road not being so commenced these lands, it is alleged, became revested in the Province and the Provincial Government sold portions of them to Wm. Farwell and others between 1871 and the date of the beginning of railway construction.

There being, as is shown by the contention now raised, some doubt as to the title of the Dominion to the lands in question and consequently to Indian and other lands similarly located along the railway belt the adjustment in contemplation between this Department and your own, involving as it does the surrender and interchange of such lands does not, it would appear, admit of being carried out until such time as the necessary legislation or other steps are taken to confirm the Dominion in its occupancy and possession of these lands. Pending such confirmation the deposit of moneys in favour of your Department must, together with the other proceedings for transfer, be held over.

I have the honour to be

Sir,

L. Vankoughnet Esq.,
Deputy Superintendent,
Department of Indian Affairs,
Ottawa.

Your obedient servant,

A. P. Bradley, Acting.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22945-

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER — WRITE LEGIBLY YOUR FULL NAME AND ADDRESS

C.

L. K. JONES.
SECRETARY.

DEPT. OF RAILWAYS & CANALS CANADA

JAN 10 1912 DEPT. OF INDIAN AFFAIRS

DEPARTMENT OF INDIAN AFFAIRS JAN 9 1912

IN YOUR REPLY PLEASE QUOTE THIS FILE No. 11250.

Ottawa, January 8th 1912.

402295

Encl. certified copy of O.C., copy of R.C. of December 28th, plan, description and schedule.

Sir,-

I enclose herewith a certified copy of an Order in Council, dated the 29th of December, 1911, authorizing the retransfer to the Department of Indian Affairs of thirty parcels of Indian Reserve lands in the Province of British Columbia, between Port Moody and Savona's Ferry, acquired from it for the original construction of the Canadian Pacific Railway, in order to the issue by your Department to the Canadian Pacific Railway Company of Letters Patent of the correct areas, together with such other areas as you may decide to grant, a course the adoption of which, by your letter of the 22nd ultimo, you have approved.

I also enclose a copy of the Minute to Council on which the said Order was based, as giving more information than set out on the Order itself. Further, I return to you the plan, description and schedule of these lands (borrowed from you in August last), which had formed the basis of the Order in Council of the 15th of March, 1886, conveying the lands in question to this Department.

I have the honour to be,

Sir,

Your obedient servant,

L. K. Jones

Secretary.

Frank Pedley, Esq.,
Deputy Superintendent General of Indian Affairs,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Canadian Pacific Railway Company

Law Department

C. Robinson, K.C.
Chief Commissioner, Montreal.
E. W. Beatty,
General Solicitor, Montreal.
Ernest Scott, Maclaren & Kilborn
Ottawa Agents.

C-255 & C-77. Ottawa, May 1, 1913.

EXT

The Honourable

Robert Rogers,

Minister of Interior,

Ottawa, Ont.

Dear Mr. Rogers:- R/W THROUGH CERTAIN INDIAN RESERVES IN P.C.- INDIAN DEPT. FILE 32945.

R/W THROUGH INDIAN RESERVE NO. 80-A.

This is one of the matters regarding which I desired to speak to you this morning and at your suggestion I write instead. The C.P.R. Co. has applied for right of way through five Indian reserves in British Columbia and through Indian reserve No. 80-A in Saskatchewan. All of the lands have been paid for and recommendations to Council are awaiting your signature unless you have recently signed them. These recommendations are the merest routine and I will be obliged if you will put them through Council as soon as you conveniently can.

Yours truly,

Ernest Scott

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22945-

The Canadian Pacific Railway Company

Law Department

Ottawa, January 11, 1913.

DEPARTMENT OF INDIAN AFFAIRS
JAN 12 1913

A. R. [redacted]ian, K.C.
Gene. Counsel, Montreal.
E. W. Beatty,
General Solicitor, Montreal.
Ewart, Scott, Mackenzie & Kelley
Ottawa, Agents.

202540

The Secretary,

Department of Indian Affairs,

Ottawa, Ont.

Sir:- R/W ACROSS INDIAN RESERVES IN BRITISH COLUMBIA.

We understand that as suggested an Order in Council has been passed retransferring the lands referred to in the Orders in Council of 1885 to your Department and that all papers have been forwarded to you by the Department of Railways & Canals. We are instructed to ask therefore that the issuing of patents for the various parcels to the C.P.R. Co. may be proceeded with without delay.

We have the honour to be Sir,

Your obedient servants,

Indian Affairs. (RG 10, Volume 7670, File 22150)
PUBLIC ARCHIVES
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CANADA

from the Indian Reserves

on C. P. R.

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

22150-1 C.P.

CLOSED

SEE 1a

Indian Affairs. (RG 10, Volume 7670, File 22150)

PUBLIC ARCHIVES
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CANADA

Indian Affairs
Headquarters Files

(RG 10, Volume 7670)

File 22131-3	(Grouard) - Lesser Slave Lake Agency - Right-of-way for the Edmonton, Dunvegan and British Columbia Railway Company through reserves in the Agency (plans). 1913 - 1964
File 22150	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. 1885 - 1912
File 22150-1	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. (Indian Land Sale - Grant) 1911 - 1933
File 22151-16 G.T.P.	Babine Agency - Right-of-way for the Grand Trunk Pacific Railway through various reserves in the Agency. 1909 - 1928
File 22152-21 E.&N.	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (map, plans, surveys). 1885 - 1899
File 22152-21 2	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (maps, plans). 1898 - 1913

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CANADA

VOL. NO. – VOL. NO	FILE NUMBER – DOSSIER NO
1	22150-1 CD V1
TO – À 12-8-33 FROM – DE 29-12-11	SUBJECT – SUJET DEPT OF RAILWAYS CANADA TRANSFERRED To P.A.R.C.

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT
MINISTÈRE DES AFFAIRES INDIENNES ET DU NORD CANADIEN

REFERRED TO – DESTINATAIRE	PURPOSE – OBJET	DATE	INITIAL – INITIALES	P.A. DATE – DATE DE RANGEMENT	B.F. DATE – DATE DE RAPPEL	INITIAL – INITIALES	REGISTRY INSPECTION – EXAMEN DU SERVICE DES ARCHIVES
DLT122	REQUEST	3-8-72		23/8/72		DLT 122	

TRANSFERRED
To P.A.R.C

Vol 1
22150-1-CP

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IAND 10-128 (5-71) 7530-21-023-8346

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

P.C. 2983. File: 22150 1 C.P.

Certified copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 29th. December, 1911.

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

P.C. Four and One-Half Mile I.R. No. 2

P.C. 2983. File: 22150 1 C.P.

Certified copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 29th. December, 1911.

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"F.K. Bennetts"
Asst. Clerk of the Privy Council.

Schedule filed with legal documents under Whonock I.R. No. 1

The Honourable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

402580

Schedule of Land taken from the
Indian Reserve
in B.C. for Right of Way on C.P.R.

the 30 Reserves between Port Moody
& Savonna's Ferry

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

P.C.2983.

22945

Certified copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 29th December 1911.

DEPARTMENT OF INDIAN AFFAIRS JAN 2 1912

22150-1 C.P.

402580

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F K Bennett

Asst Clerk of the Privy Council.

The Honourable

The Superintendent General of Indian

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

ROYAL COMMISSION ON
PROVINCE OF BRITISH

NATHANIEL W. WHITE, K.C., CHAIRMAN
JAMES McKENNA, LL.D.
S. C. [illegible], B.C.L., K.C.
JAMES [illegible] W. M.L.A.
DAVID [illegible] OWALL
J. G. BERGERON, S.C.L., K.C.,
SECRETARY AND SOLICITOR

ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY
P.O. Box 758
TEL. 1302

BELMONT HOUSE
VICTORIA, B.C.

PLEASE REFER TO FILE NO.

DEPT. OF INDIAN AFFAIRS
JAN 12 1915
SURVEYS

January 5th, 1915.

The Secretary,
Department of Indian Affairs,
OTTAWA.

474316

Sir:

By direction of the Royal Commission on Indian Affairs for British Columbia, I have the honour to advise you that, at a meeting held this day, the Commission had under consideration file No. 22945 of your Department re. C. P. R. right-of-way through sundry Indian Reserves between Port Moody and Savona. The Commission found that the material upon the said file has already been disposed of insofar as the work of the Commission is concerned, and it was therefore ordered that the file in question be returned to you by registered post.

In accordance with such order I am returning file No. 22945 by concurrent post.

I have the honour to be,
Sir,
Your obedient servant,

J. G. H. BERGERON.
Per E. H. Gibbons
Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Canadian Pacific Railway Company

Law Department

[redacted] W. Beatty,
General Counsel, Montreal

Ewart, Scott, Mackenzie & Kelley,
Ottawa Agents

Ottawa, Sept. 5th, 1916.

DEPARTMENT OF INDIAN AFFAIRS
SEP 8 1916

1 ask
2 Survey

The Secretary,
Department of Indian Affairs,
OTTAWA, ONT.

493015

Sir,-

R/W THROUGH VARIOUS INDIAN RESERVES
IN B. C. DEPARTMENTAL FILE 22945

We will be obliged if you will furnish us for the Canadian Pacific Railway Company with copies of the three Orders in Council, dated respectively 18th of January 1886, the 1st of March 1886 and the 15th of March 1886, dealing with the transfer of the Right of Way of the Canadian Pacific Railway through a number of reserves in British Columbia.

DEPT. OF INDIAN AFFAIRS
SEP 9 1916
SURVEYS

We have the honour to be

Sir,

Your obedient servants,

Per W. Lear -
There O.Cs. refer to payment by the Ry. Dept. to this Dept for Right of Way of the C.P.R through a number of Indian Reserves in B.C. before the transfer of the Ry. to the Company. I presume there is no objection to send the copies desired.
T. Bray, 18 Sept. 1916

Ewart, Scott, Mackenzie & Kelley
Ottawa Agents

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

F.22945

Copy No.38939

Certified Copy of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 1st March 1886.

On a Memorandum dated 25th February 1886 from the Minister of Railways and Canals, submitting that by an order in Council dated the 18th January last, authority was given for the purchase of certain Indian lands required for the purposes of the Canadian Pacific Railway in British Columbia, as shewn on a Schedule attached, the sum to be paid therefor being $5959.24.

The Minister represents that an amount of $200.00 the valuation made of 1.59 acres at Yale, a portion of said lands, was not included in the above sum, and he recommends that authority be given for the payment of this additional amount, making the total purchase money $6159.24.

The Committee submit the same for Your Excellency's approval.

(sgd) John J. McGee

Clerk, Privy Council

To the Honourable

The Minister of Railways & Canals.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

22150 I.C.R.

22945-2

E.D.

Ottawa, 18th September 1916.

Gentlemen,-

In accordance with your request of the 5th instant I beg to enclose herewith copies of the Order-in-Council dated respectively 18th January 1886, 1st March 1886 and 15th March 1886, dealing with the transfer of the right of way of the Canadian Pacific Railway through a number of reserves in British Columbia.

Your obedient servant,

S.B. Fisher

Asst. Deputy and Secretary.

Messrs. Ewart, Scott, McLaren & Kelly,

Barristers etc.,

Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1

DEPT. OF INDIAN AFFAIRS
AUG 1 1924
RECORDS

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

W.H.CU[illegible] K.C.
GE[illegible]L SOLICITOR, MONTREAL.
E.P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

OTTAWA.

R

July 29th, 1924

C. 77

The Secretary,

Department of Indian Affairs,

Ottawa, Ont.

DEPT. [illegible] AFFAIRS
AUG 1 1924
SURVEYS

Sir:

Re:- Savona to Port Moody
Right-of-way for main line through various Indian Reserves

As the question at issue between the Dominion Government and the Government of British Columbia has now been finally settled, we will be obliged if you will take up at your earliest convenience the matter of the issue of patents for right-of-way of the main line of the C. P. R. between Savona and Port Moody. Will you be good enough to furnish us with copies of the various descriptions intended to be used in order that these may be checked by the Company's officials.

We have the honour to be, Sir,

Your obedient servants,

Ewart, Scott, Kelley & Kelley

P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22945

DEPT. OF INDIAN AFFAIRS
OCT 4 1924
RECORDS

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W. H. CURLE,
GENERAL SOLICITOR, MONTREAL.
E. P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

R 22150-10

October 3rd, 1924

C. 418

The Secretary,

Department of Indian Affairs,

Ottawa, Ont.

Sir:

Cascade Subdivision, Mile 73.5
Holachten Indian Reserve
Land applied for for double tracking
Your file 22945

On February 19th, 1923 we wrote urging that the issue of the patent for land applied for as above should be proceeded with. As we understand that the dispute with the Province has now been disposed of, we will be obliged if you will issue the patent without further delay as the land was paid for years ago.

We have the honour to be, Sir,

Your obedient servants,

Ewart Scott Kelley & Kelley

P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

22150-1A

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, 11th October 1924

Memorandum

Mr. Williams,-

In 1886 an agreement was made between the Canadian Pacific Railway Company and the Dominion Government whereby the Government was to hand over the right of way of the main line of the C.P.R., between Savona and Port Moody free of charge.

Plans were made showing thirty Indian reserves which were paid for by the Department of Railways and Canals and by Order in Council of the 15th March 1886 hereunder the lands included in these rights of way were transferred to the Department of Indian Affairs. By Order in Council of the 18th Jan. 1886 authority was given for the purchase of these lands from the Department of Indian Affairs.

Since that time it has been found necessary to have a resurvey showing the lands actually in possession of the C.P.R. These areas in some cases differ slightly but only slightly and the C.P.R. Co., desires to have title issued according to the new plans, known as the Garden plans. Do you require any further Orders in Council before the issue of titles to the C.P.R.Co?

H. Berton

– no I think not, especially in view of ding of the O.C. of 29 Dec. 1911.

A.S. Williams

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

Ottawa, 21st November 1924

Description for patent main Line CPR

All that parcel of land situate in the Pemynoos Indian reserve Number Nine of the Cook's Ferry band, in the Province of British Columbia and Dominion of Canada, in Townships Seventeen and Eighteen, Range Twenty-four, West of the Sixth Meridian, containing by admeasurement one hundred and twenty-seven acres and twenty-two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve. A part of this right of way containing sixty-two acres and eighty-five hundredths of an acre, more or less, as shown on a plan of the Canadian Pacific Railway main line as constructed from Savonas to Spatsum, Registration District of Kamloops, by James F. Garden, dated 15the July 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2005. This plan is certified to be a true and correct copy of the original plan deposited in the Registry Office at Kamloops under No. 203.

The remainder of this right of way containing sixty-four acres and thirty-seven hundredths of an acre, more or less,

RM HR

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

As shown on a plan of the Canadian Pacific Railway right of way of main line as constructed from Spatsum to Spuzzum from survey by James F.Garden dated 7th October 1904,of record in the Surveys Branch of the Department of Indian Affairs under number RR 2006,which plan is certified a true copy of the original plan on file in the Land Registry Office at Kamloops under No.287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 21st November 1924.

Description for patent Main Line CPR

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Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Description for patent Main Line CPR

All that parcel of land in the Pokheitsk Indian reserve Number Ten of the Cook's Ferry band in the Province of British Columbia and Dominion of Canada, in Township Eighteen Range Twenty-four, West of the Sixth Meridian, containing by admeasurement eight acres and ~~eight hundredths~~ eight-tenths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve. The lands hereby conveyed are shewn on plan of the Canadian Pacific railway main line as constructed from Savonas to Spatsum, Registration District of Kamloops, by James F. Garden, dated 13th July 1904, of record in the Surveys Branch of the Department of Indian Affairs under Number RR 2005. This plan is certified to be a true and correct copy of the original plan deposited in the Registry Office at Kamloops under No. 205.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Description for patent main line CPR

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Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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ARCHIVES PUBLIQUES
CANADA

1 Sec'y
2 Surveys

22150-1A

Ottawa, 21st November 1924

Gentlemen,-

Enclosed herewith are copies of descriptions which it is proposed to insert in the patents of the right of way of the Canadian Pacific Railway through the Pokheitsk Indian reserve No.10 and the Pemynoos Indian reserve No.9 of the Cook's Ferry band. Kindly check these descriptions and if satisfactory, patents will be prepared.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

Messrs. Ewart, Scott, Kelley and Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Copy

22150-1a

Ottawa, 15th November 1924

Description for patent

All that parcel of land situate in the Whyeek Indian reserve number Four of the Kanaka Bar band, in Township Thirteen, Range Twenty-seven, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement one hundred and seven acres, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway through the said reserve. The right of way is shown on a plan of the Canadian Pacific Railway right of way main line, as constructed from Spatsum to Spuzzum, by James F. Garden, Dominion Land Surveyor, dated at Montreal June 1st 1905, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2006. This plan is certified a copy of a plan deposited in the Registry Office at Kamloops under number 287. The Whyeek Indian reserve is shown on plan of the North-East quarter of Township Thirteen, Range Twenty-seven, West of the Sixth Meridian, approved and confirmed by E. Deville, Surveyor General, on the 5th October 1915.

Not important
Was issued
in 1912.
Now to be
cancelled
M.R.W.

see file 221

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
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Copy for 22150-1a

22165-31

Ottawa, 25th November 1924

Sir,- Your file No.C.77

Reply to your letter of the 20th October last regarding the right of way of the main line of the Canadian Pacific Railway through the Whyeek Indian reserve No.4 of the Kanaka Bar band, I beg to say that your suggestion has been approved.

Herewith please find draft of the description it is proposed to insert in the new patent. It will be necessary to have the land conveyed by patent issued in 1912 reconveyed to this Department, either by cancellation of patent or by some other course.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

Messrs. Ewart, Scott, Kelley and Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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CANADA

22150-1/2

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 21st November 1924

Description for patent Main Line CPR

All that parcel of land situate in the Kumcheen Indian reserve number One of the Cook's Ferry band, in Township Seventeen, Range Twenty-five, West of the Sixth Meridian, Province of British Columbia and Dominion of Canada, containing by admeasurement three acres and eighty-seven hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway through the said Indian reserve, as shown on plan of the Canadian Pacific Railway right of way main line as constructed from Spatsum to Spuzzum from survey by James F. Garden, dated 17th October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under number 287.

WRM

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

Ottawa, 21st November 1924

Description for patent main line CPR

All that parcel of land situate in the Kumcheen Indian reserve number One of the Cook's Ferry band, in Township Seventeen, Range Twenty-five, West of the Sixth Meridian, Province of British Columbia and Dominion of Canada, containing by admeasurement three acres and eighty-seven hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway through the said Indian reserve, as shown on plan of the Canadian Pacific Railway right of way main line as constructed from Spatsum to Spuzzum from survey by James F. Garden, dated/7th October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under number 287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Copy for file 22150-1½

22154-48

Ottawa, 25th November 1924

Description for patent, main line, Canadian Pacific Railway

All that parcel of land situate in the Sackum Indian reserve Number Three of the Nicomen band in Townships Fifteen and Sixteen, Range Twenty-five, West of the Sixth Meridian, containing by admeasurement seven acres and eight tenths hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the right of way is shown on a plan of the Canadian Pacific Railway right of way main line as constructed from Spatzum to Spuzzum from survey by James F. Garden, dated 7th October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number BR 2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under number 287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Copy for 22150-1a

22154-48

Ottawa, 26th November 1924

Description for patent
Right of way - Canadian Pacific Railway

All that parcel of land situate in the Lecht Indian reserve Number Five of the Siska Flat band, in Section One, Township Fourteen, Range Twenty-seven, West of the Sixth Meridian, containing by admeasurement eight-hundredths of an acre more or less, being composed of that portion of the said reserve required for the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on a plan of the Canadian Pacific Railway right of way main line as constructed from Spatsum to Spuzzum from survey by James F. Garden, dated 7th October 1904, of record in the Survey Branch of the Department of Indian Affairs under number RR 2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under No. 287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Copy for file # 22150-1a

22165-37CP

Ottawa, 26th November 1924

Description for patent
Right of Way - Canadian Pacific Railway

All that parcel of land situate in the Klickumcheen Indian reserve number Eighteen of the Lytton band in Section Six, Township Fifteen, Range Twenty-six, West of the Sixth Meridian, containing by admeasurement six acres and forty-two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on a plan of the Canadian Pacific Railway right of way main line as constructed from Spatsum to Spuzzum from survey by James F Garden, dated 7th October 1904, of record in the Survey Branch of the Department of Indian Affairs under number RR 2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under No.287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Copy for file No 22150-1a

22165-1

Ottawa, 27th November 1924

Sirs-

I beg to refer you to our letter of the 19th February 1921 requesting payment for additional areas shown on plan of the Canadian Pacific Railway, Savonas to Port Moody, Thompson subdivision, Mileage 108.25 to 121.37. Cascade subdivision, Mileage 0 to 7.52, Plan of right of way through Tps. 10, 11 and 12, R. 26, W. 3. M., B.C., showing portions thereof proposed to be ceded to settlers and portions to be retained by the Company and showing also additional right of way required for double track.

Kindly note that the payments requested are for the lands additional to those shown on the Garden plan and coloured blue on the plan above mentioned, together with certain improvements in the Boston Bar Indian reserve No. 2.

In this connection I would refer also to our letter of the 23rd Feb. 1923. The question of patents for the right of way for the main line, Savona to Port Moody, is now receiving attention and I have to request you to forward payment as soon as possible. I would like to direct your attention to the fact that the Department is, outside of those payments, giving you full credit for the right of way as shown on the Garden plan.

Your obedient servant,

(J. D. McLean)
Assistant Deputy and Secretary.

Messrs. Ewart, Scott, Kelley and Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Copy for 22150-1a

Copy sent C.P.R. on 7.22165-37

C

Ottawa, 27th November 1914

Description for patent
Right of Way - Canadian Pacific Railway

All that parcel of land situate in the Klickumcheen Indian reserve number Eighteen of the Lytton band, described as follows,-

Commencing at the point where the western limit of the right of way for main line intersects the southern boundary of the said reserve; thence westerly along said boundary forty-four feet and four tenths of a foot to a wooden post; thence North twenty-one degrees and eighteen minutes E at one hundred and thirty-two feet and five-tenths of a foot, more or less, to the limit of the right of way of the main line of the Canadian Pacific Railway; thence South seventy-three degrees East along the right of way thirty-four feet, more or less, to the westerly limit of the main line right of way; thence southerly along the main line right of way one hundred and eighteen feet and seven-tenths of a foot, more or less, to the place of beginning, containing eleven hundredths of an acre, more or less. This parcel of land is shown on a plan of additional ground required for Canadian Pacific Railway station in the townsite of Lytton and in the

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Lytton Indian reserve number Eighteen, Klickumcheen, certified correct by W.S.Bucknill, B.C.L.S., dated 26th day of June 1911 of record in the Surveys Branch of the Department of Indian Affairs under number 1243.

Carbon copy
Per corrected

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

22165-37

Ottawa, 27th November 1924

Description for patent
Right of way Canadian Pacific Railway

All that parcel of land situate in the Klickumcheen Indian reserve number Eighteen of the Lytton band, described as follows, viz:-

Commencing at the point where the Western limit of the right of way for main line of Canadian Pacific Railway intersects the southern boundary of the said reserve; thence westerly along said boundary forty-four feet and four tenths of a foot to a wooden post- thence North twenty-one degrees and eighteen minutes East one hundred and thirty-two feet and five-tenths of a foot, more or less, to an angle in the limit of the riht of way of the said main line; thence South seventy-three degrees East along the limit of the said right of way, thirty-four feet more or less, to another angle in the western limit of the main line right of way; thence southerly along the last mentioned western limit of main line right of way, one hundred and eighteen feet and seven tenths of a foot, more or less, to the place of beginning, said parcel containing eleven hundredths of an acre, more or less, and being shown coloured yellow on a plan of additional ground required for Canadian Pacific Railway station at the townsite of Lytton and in the Lytton Indian reserve number Eighteen,-

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Kliokumcheen, certified correct by W.B.Bucknill, B.C.L.S., dated 26th day of June 1911, and of record in the Surveys Branch of the Department of Indian Affairs under number 1243.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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Copy for 22150-1a

See also {22165-29 / 22165-1

Ottawa, 26th November 1924

Description for patent
Main line- Canadian Pacific Railway

All that parcel of land situate in the Chuckeetso Indian reserve number Seven of the Boothroyd band in Sections Seventeen and Twenty, Township Twelve, Range Twenty-six, West of the Sixth Meridian, containing by admeasurement twenty-six acres and eighty-two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, comprising parcels A. and B, as shown tinted in pink on a plan of the Canadian Pacific Railway Revenue to Port Moody, Thompson subdivision, British Columbia, by Jacob Lonsdale Doupe, British Columbia Land Surveyor, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1932. This plan is certified a true copy of original plan deposited in the Land Registry Office in the City of Kamloops under number A388.

See file 22165-29

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for 22150-1a

22165-19 CP

Ottawa, 2nd December 1924

Description for patent

Main line - Canadian Pacific Railway

All that parcel of land situate in the Spuzzum Indian reserve Number One in Sections Thirteen, Fourteen, Twenty-three and Twenty-four, Township Eight. Range Twenty-six, West of the Sixth Meridian, containing by admeasurement twenty-five acres and sixty-two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations, is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Copy for file #22150-1a

22165-20

Ottawa, 1st December 1924

Description for patent

All that parcel of land situate in the Long Tunnel Indian reserve number Five of the Spuzzum band in Section Fourteen, Township Nine, Range Twenty-six, West of the Sixth Meridian, containing by admeasurement one acre and sixty-five hundredths of an acre, more or less, being composed of the right of way of the Canadian Pacific Railway as shown on a plan of the Canadian Pacific Railway right of way main line as constructed from Spatzum to Spuzzum from survey by James F. Garden, dated 7th October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under number 287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

Ottawa, 2nd December 1924

Sirs,-

Enclosed herewith are copies of descriptions which it is proposed to insert in the patents of the rights of way of the Canadian Pacific Railway through the Chukcheetso Indian reserve No.7 of the Boothroyd band, Long Tunnel Indian reserve No.5 of the Spuzzum band and Spuzzum Indian reserve No.1. Kindly check these descriptions and if satisfactory, patents will be prepared.

Your obedient servant,

(A.F.MacKenzie)
Act.Assistant Deputy and Secretary.

Messrs.Ewart, Scott, Kelley and Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

22150-1

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H.CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E.P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
DEC 6 1924
RECORDS

R

December 5th, 1924

C. 552
C. 77

D. C. Scott, Esq., Litt. D.,
Superintendent General,
Department of Indian Affairs,
Ottawa, Ont.

Sir:

Savona to Port Moody -- r/w through Indian lands

It appears that, notwithstanding the recent arrangement with the Province of British Columbia confirmed by Orders-in-Council of the Dominion and of the Province, the Province is still refusing to register patents for Indian lands, even in the Railway Belt, issued by your Department. In proof of this, we quote the following wire from one of the Company's representatives at Vancouver, copy of which has been sent to us from Montreal:

> "Your wire re patents Ruby Creek Wye no patents through Indian Reserves yet registered had communication from Department of Lands in Victoria a short time ago stating although order in council to which I had referred had been passed details of final settlement of whole matter not yet completed and as several questions of surveys and titles required to be looked into before actual settlement could take place would probably be some time before the Department able to deal with outstanding matters in the meantime any application for title immediately required would be dealt ~~with~~ with on merits expect to see Superintendent of Lands in Victoria within the next few days to discuss the matter."

We do not know whether there is anything that you can do towards clearing this matter up and inducing the British Columbia Government to recognize the patents that your Department is now issuing but, if so, we will appreciate any action to that end that you may feel able to take.

We have the honour to be, Sir,

P. Your obedient servants,

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Ottawa, 21st November, 1924.

Description for patent

All that parcel of land situate in the Penynoes Indian reserve Number Nine of the Cook's Ferry band, in the Province of British Columbia and Dominion of Canada, in Townships Seventeen and Eighteen, Range Twenty-four, West of the Sixth Meridian, containing by admeasurement one hundred and twenty seven acres and twenty two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve. A part of this right of way containing sixty two acres and eighty five hundredths of an acre, more or less, comprises all the land in said Indian Reserve which is shown colored red on a plan of the Canadian Pacific Railway right of way of main line as constructed from Savonas to Spatsum, Registration District of Kamloops, made by James F. Garden, D.L.S. and P.L.S., dated 15th July, 1904 and of record in the Surveys Branch of the Department of Indian Affairs under Number RR 2006, which plan is certified to be a true and correct copy of the original plan deposited in the Registry Office at Kamloops under No.205

The remainder of this right of way containing sixty four acres and thirty seven hundredths of an acre, more or less, comprises all of the land in the said Indian Reserve which is shown edged in Red on a plan of the Canadian Pacific Railway right of way of main line as constructed from Spatsum to Spuzzum in the Registration District of Kamloops made by James F. Garden, D.L.S. and P.L.S., dated 17th October, 1904, and of

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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record in the Surveys Branch of the Department of Indian Affiars under Number NR 2006, which plan is certified to be a true and correct copy of the original plan on file in the Land Registry Office at Kamloops under No..287

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

22150-1A

Description for patent

All that parcel of land in the Pokheitek Indian reserve Number Ten of the Cook's Ferry band in the Province of British Columbia and Dominion of Canada, in Township Eighteen Range Twenty-four, West of the Sixth Meridian, containing by admeasurement eight acres and eighty-hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, ~~The lands~~ the said parcel of land hereby conveyed ~~as shown~~ # on plan of the Canadian Pacific railway main line as constructed from Savonas to Spatsum, Registration District of Kamloops, ~~by~~ made by James F. Garden, D.L.S. and P.L.S., dated 15th July 1904, and of record in the Surveys Branch of the Department of Indian Affairs under Number RR 2005, ~~which~~ plan is certified to be a true and correct copy of the original plan deposited in the Registry Office at Kamloops under No.203.

comprises all that part of said Indian Reserve which is shown colored Red

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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CANADA

62·85 Ac
64·37 "
127·22 "

22150-1A

~~To be returned to Dept.~~

Ottawa, 21st November 1924

Description for patent

All that parcel of land situate in the Pemynoos Indian reserve Number Nine of the Cook's Ferry band, in the Province of British Columbia and Dominion of Canada, in Townships Seventeen and Eighteen, Range Twenty-four, West of the Sixth Meridian, containing by admeasurement one hundred and twenty-seven acres and twenty-two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve. A part of this right of way containing sixty-two acres and eighty-five hundredths of an acre, more or less, ~~as shown~~ comprises all of the land in said Indian Reserve which is shown on a plan of the Canadian Pacific Railway main line as constructed from Savonas to Spatsum, Registration District of Kamloops, made by James F. Garden, D.L.S. and P.L.S. dated 13the July 1904, and of record in the Surveys Branch of the Department of Indian Affairs under number RR 2005, which ~~this~~ plan is certified to be a true and correct copy of the original plan deposited in the Registry Office at Kamloops under No.203.

The remainder of this right of way containing sixty-four acres and thirty-seven hundredths of an acre, more or less,

Right of Way

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

comprises all of the land in the said Indian Reserve which is shewn edged in Red
~~As shown~~ on a plan of the Canadian Pacific Railway right
of way of main line as constructed from Spatsum to Spuzzum
~~from survey~~ made by James F. Garden, B.C.L.S. and P.L.S. dated 17th October 1904, and of
(17th. not 7th.)
record in the Surveys Branch of the Department of Indian
Affairs under number RR 2006, which plan is certified to be a
true and correct copy of the original plan on file in the Land Registry
Office at Kamloops under No. 287.
in the Registration District of Kamloops

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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22150-1

DEPT. OF INDIAN AFFAIRS
DEC 5 1924
RECORDS

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W. H. CURL
GEN[illegible]OLICITOR, MONTREAL.
E. P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

R

December 4th, 1924

C. 77

DEPT. OF [illegible] AFF
DEC 11 1924
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:

Right-of-way through Pokheitsk Indian Reserve No. 10 and Pemynoos Indian Reserve No. 9 of Cook's Ferry Band in Townships 17 and 18, R. 24, W. 6. -- Your file 22150.1 A

We are in receipt of your letter of the 21st ultimo enclosing descriptions proposed to be used in patent to the Canadian Pacific Railway Co. of right-of-way through the above mentioned Indian Reserves and asking us to check these descriptions. This we have had done and we return your descriptions herewith with certain suggested changes made therein. For your convenience, we are also enclosing typewritten copies of the descriptions as it is suggested that they should be altered.

Some of the proposed changes are merely verbal or as to form. It is thought advisable that the same form of wording should be followed in each. It is also the practice of the Company's Engineering Department to make a description read continuously instead of dividing it up by periods into different sentences.

We have the honour to be, Sir,

Your obedient servants,

Ewart Scott Kelley & Kelley

ENCL.
P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

22150-1a

22165-16 CP

Ottawa, 16th December 1924

Description for patent

Main line C.P.R.-Albert Flat Indian reserve No.5

All that parcel of land situate in the Albert Flat Indian reserve Number Five of the Yale Branch in Section Thirt -four, Township Six and Section Two, Township Seven, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containinf by admeasurement eleven acres and fifty-seven hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Depar ment of Indian Affairs under number RR 2007. This plan, with alterations is certified a true copy of plan of re in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

22150-1a

Original on 22165 18 CP

Ottawa, 16th December 1924

Description for patent

Main line Canadian Pacific Railway, Four and a half Mile Indian reserve

All that parcel of land situate in the 4½ Mile Indian reserve Number Two of the Spuzzum band in Sections Thirty-Five and Thirty-six, Township Seven, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement two acres and thirty-two hundredhhh of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations, is certified a true copy of plan of record in the Registry Office under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

F.22150-1a

Original on 22165 18 CP

Ottawa, 16th December 1924

Description for patent

Main line Canadian Pacific Railway, Yale Town Indian Reserve Number One.

All that parcel of land situate in the Yale Town Indian reserve Number One of the Yale Band in Section Fourteen, Township Seven, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement one acre and fifty-nine hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said Reserve as the said right of way is shown on Canadian Pacific Railway right of way plan, main line as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

22150-1

DEPT. OF INDIAN
DEC 17 1924
SURVEYS

OTTAWA, December 17th, 1924.

Gentlemen: re Savona - Port Moody R. W. through Indian Lands

I beg to acknowledge receipt of your letter of the 5th instant, your number C552 and C77 in the above matter and in reply to say that under date of the 20th ultimo we were advised by Indian Commissioner Ritchburn, of Victoria, that the Provincial authorities had instructed the Land Registrars of the Province to register such patents for Indian lands as may come before them. In view of this information doubtless there will ne no further difficulty experienced in this regard.

Your obedient servant,

J. D. McLean,
Assistant Deputy and Secretary.

Messrs. Ewart, Scott, Kelley and Kelley,
Barristers, etc.,
OTTAWA, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for 22150-1a

22165-18

Ottawa, 27th December 1924

Description for patent

Main line Canadian Pacific Railway - Klaklaokum Indian reserve No.12 of the Yale Union Bar band.

All that parcel of land situate in the Klaklaokum Indian reserve number Twelve of the Yale Union Bar band in Sections Twenty-seven, Township Five, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement six acres and ninety-hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as contructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

22150-1a

22165-15

Ottawa, 27th December 1924

Description for patent

Main line Canadian Pacific Railway - Stullawheets Indian Reserve No.8 - Yale band.

All that parcel of land situate in the Stullawheets Indian reserve Number Eight of the Yale band, in Sections Ten and Fifteen in Township Six, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement four acres and forty-eight hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 8th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 28C.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for F. 22150-1a

22175-10 CP

Ottawa, 27th December 1924

Description for patent
Main line Canadian Pacific Railway through Sohkam Indian reserve No.2 of the Hope band

All that parcel of land situate in the Sohkam Indian reserve number Two of the Hope band, in Sections Sixteen and Seventeen, in Township Five, Range ~~Thirty-six~~ Twenty six, West of the Sixth Meridian, Province of British Columbia and Dominion of Canada, containing by admeasurement thirty-three acres and one hundredth of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007.
This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165-14

Ottawa, 27th December 1924

Description for patent

Main line C.P.R. through Puckatholechin I.R.No.11
Yale band

All that parcel of land situate in the Puckatholechin Indian reserve number Eleven of the Yale Union Bar band in Section Thirty-three, Township Five, and Sections Three, Four and Ten, Township Six, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement twenty-five acres and ~~thirty hundredths~~ three-tenths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under RR 2007. This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165-8CB

Ottawa, 30th December 1924

Main line Canadian Pacific Railway through Skawahlooks Indian reserve No.1, Skawahlook band

All that parcel of land situate in the Skawahlooks Indian reserve number One of the Skawahlooks band in Sections Four and Five, Township Five, Range Twenty-seven, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement six acres and six-tenths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Ra lway, as the said right of way is shown on Canadian Pacific Railway ri ht of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22154-7 CP

Ottawa, 30th December 1924.

Description for patent

All that parcel of land situate in the Stequmwhulpa Indian reserve number Five of the Adams Lake band in Sections Four and Five, Township Twenty-two, Range Twelve, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement twenty-two acres and five-tenths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve as shown coloured pink on plan showing right of way of Canadian Pacific Railway in Adams Lake Indian reserve number Five, Stequmwhulpa, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1599. This plan is certified by E.J.Boswell, British Columbia Land Surveyor, a correct copy of part of a plan entitled "Plan of the Canadian Pacific Railway right of way Kamloops to Sicamous, B.C., signed by E.B.Herman, Dominion Land Surveyor and deposited in the Registry Office at Kamloops B.C., on the 5th day of August 1897 as Number 51.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22154-7 CP

Ottawa, 30th December 1924

Description for patent

All that parcel of land situate in the Chum Creek Indian reserve number Two of the Little Shuswap band, in Sections Nine, Ten and Fifteen, Township Twenty-two, Range Twelve, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement thirty-two acres and ninety-two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as shown coloured pink on plan showing right of way of the Canadian Pacific Railway Company in the Little Shuswap Indian reserve number Two, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1598. This plan is certified by E.J.Bossell, British Columbia Land Surveyor, a correct copy of part of a plan entitled "Plan of the Canadian Pacific Railway right of way Kamloops to Sicamous, B.C., signed by E.B.Herron, Dominion Land Surveyor, and deposited in the Registry Office at Kamloops, B.C., on the 5th day of August 1897, as Number 31.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1ov

22165-9 CP

Ottawa, 30th December 1924

Description for patent
Main line Canadian Pacific Railway through
Lukseetaisaum Indian reserve No.9 of the Yale band.

All that parcel of land situate in the Lukseetaisaum Indian reserve number Nine of the Yale band in Sections Thirty-one and Thirty-two, Township Four, Range, Twenty-seven, West of the Sixth Meridian and Section Five, Township Five, Range Twenty-seven, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement twenty-one acres and nine-tenths of an acre, more or less, being composed of the right of way and station grounds of the main line of the Canadian Pacific Railway Company in and through the said reserve, as the said right of way and station grounds are shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165-9 CP

Ottawa, 30th December 1924

Description for patent, main line,
Canadian Pacific Railway through Ruby Creek Indian reserve No.2 of the Skawahlook band

All that parcel of land situate in the Ruby Creek Indian reserve Number Two of the Skawahlook band in Section Thirty-two, Township Four, Range Twenty-seven and Section Five, Township Five, Range Twenty-seven, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement four acres and forty-one hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165-7 CP

Ottawa, 31st December 1924

Description for patent, main line,
Canadian Pacific Railway through Saleesh Island Indian reserve No.2 of the Chemil band

All that parcel of land situate in the Saleesh Island Indian reserve number Two of the Chemil band in Township Four, Ranges Twenty-seven and Twenty-eight, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement fifteen acres and thirty-one hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This, plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165-11 CP

Ottawa, 31st December 1924

Description for patent, Main line, Canadian Pacific Railway, through Chawathen Indian reserve No.2 of the Hope band.

All that parcel of land situate in the Chawathen Indian reserve number Two of the Hope band in Sections Three, Four, Nine, Ten, Eleven and Twelve, in Township Five, Range Twenty-seven, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement forty-four acres and twenty-one hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on Canadian Pacific Railway right of way plan, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

Ottawa, 9th January 1925

Description for patent, main line of Canadian Pacific Railway through Scowlitz Indian reserve No.1 of the Harrison River band.

All that parcel of land situate in the Scowlitz Indian reserve number One of the Harrison River band, in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing by admeasurement thirty-six acres and ninety-nine hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway and station grounds in and through the said reserve, as the said right of way and station grounds are shown on a plan of Canadian Pacific Railway right of way main line as constructed from Agassiz to Harrison River by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 5th October 1904, of record in the Surveys Branch of the Department of Indian Affairs under No. RR 2008. This plan, with alterations, is certified a true copy of original plan deposited in the Registry Office at New Westminster under number 906.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22155-15 CP

Ottawa, 12th January 1925

Description for patent
Main line Canadian Pacific Railway through
Holachten Indian reserve No.8 of the Sumass band.

All that parcel of land situate in the Holachten Indian reserve number Eight of the Sumass band, in the District of New Westminster, Province of British Columbia, and Dominion of Canada, containing by admeasurement nineteen acres and ninety-one hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on a plan entitled Canadian Pacific Railway right of way plan, main line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2009. This plan, with alterations, is certified a true copy of an original plan deposited in the Registry Office at New Westminster under number 908.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22153-15 CP

Ottawa, 12th January 1925

Description for patent
Main line Canadian Pacific Railway through
Lakahahmen Indian reserve No.11 of the Sumas band.

All that parcel of land situate in the Lakahahmen Indian reserve number Eleven of the Sumas band, in the District of New Westminster, Province of British Columbia, and Dominion of Canada, containing by admeasurement six acres and five-tenths of an acre, more or less, being composed of the right of way of the mainline of the Canadian Pacific Railway in and through the said reserve, as the said rihr of way is shown on a plan entitled Canadian Pacific Railway right of way plan, main line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2009. This plan, with alterations, is certified a true copy of an origin l plan deposited in the Registry Office at New Westminster under number 908.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22153-17 CP

Ottawa, 13th January 1925

Description for patent
Main line Canadian Pacific Railway through
Indian reserve No.5 of the Langley band.

All that parcel of land situate in Indian reserve number Five of the Langley band in Township Eleven, East of the Coast Meridian, in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing by admeasurement twelve acres and forty-six hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on a plan entitled Canadian Pacific Railway right of way plan, main line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July 1904, of record in the Surveys Branch of the Department of Indian Affairs, under number RR 2009. This plan, with alterations, is certified a true copy of an original plan deposited in the Registry Office at New Westminster under number 908.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22153-17 CP

Ottawa, 13th January 1925

Description for patent
Main line Canadian Pacific Railway through
Whonock Indian reserve No.1 of the Langley band

All that parcel of land situate in the Whonock Indian reserve number One of the Langley band, in the District of New Westminster, Province of British Columbia, and Dominion of Canada, containing by admeasurement five acres and ninety-seven hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on a plan entitled Canadian Pacific Railway right of way plan, main line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July 1904, of record in the Surveys Branch of the Department of Indian Affairs, under number RR 2109. This plan, with alterations, is certified a true copy of an original plan deposited in the Registry Office at New Westminster under number 908.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2250-1½

22153-17 CP

Ottawa, 13th January 1925

Description for patent
Main line Canadian Pacific Railway through Langley Indian reserve No.3.

All that parcel of land situate in Indian reserve number Three of the Langley band, in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing by admeasurement eight acres and one-tenth of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, as the said right of way is shown on plan entitled Canadian Pacific Railway right of way plan, main line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July 1904, of record in the Surveys Branch of the Department of Indian Affairs, under No. RR 2009. This plan, with alterations, is certified a true copy of an original plan deposited in the Registry Office at New Westminster under number 908.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

22165-5 CP

Ottawa, 26th January 1925

Description for patent
Main line Canadian Pacific Railway through Seabird Island

All that parcel of land situate in Seabird Island in Townships Three and Four, Range Twenty-eight, West of the Sixth Meridian, in the District of Yale, Province of British Columbia and Dominion of Canada, containing by admeausrement ninety-six acres and forty-two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway Company in and through the said Island, as the said right of way is shown on a plan of Canadian Pacific Railway right of way, main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor, dated the 5th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007. This plan, with alterations, is certified a true copy of plan of record in the Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165-21

Ottawa, 10th February 1925

Description for patent

All that parcel of land situate in Austin's Flat Indian reserve number Three of the Boston Bar band, in the Province of British Columbia and Dominion of Canada, containing by admeasurement one acre and fifty-three hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Branch of the Canadian National Railways in and through the said reserve, comprising a strip of land one hundred and fifty feet in width shown coloured pink on a plan of the said railway by G.M. Christie, British Columbia Land Surveyor, of record in the Surveys Branch of the Department of Indian Affairs under number 1093-A. This plan is certified a true copy of an original plan deposited in the Land Registry Office in the City of Kamloops under number A-519.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165-32

Ottawa, 10th February 1925

Description for patent

All that parcel of land situate in the Kupchynalth Lower Indian reserve number Two of the Siska Flat band in the Province of British Columbia and Dominion of Canada, containing by admeasurement two acres and sixty-seven hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Railway Company in and through the said reserve, comprising the North-East corner of the reserve, as shown coloured pink on a plan of the said right of way by G.M.Christie, British Columbia Land Surveyor, dated the 5th day of June 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1131A. This plan is certified a true copy of an original plan deposited in the Registry Office in the City of Kamloops under number A-485.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165 52 CN

Ottawa, 10th February 1925

Description for patent

All that parcel of land situate in the Siska Flat Indian reserve number Three of the Siska Flat band in the Province of British Columbia and Dominion of Canada, containing by admeasurement twenty-four acres and fourteen hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific ~~Railway Company~~ Railway Company ~~xxxx

22150-1a

22165-27 CN

Ottawa, 11th February 1925

Description for patent

All that parcel of land situate in the Inkahtsaph Indian reserve number Six of the Boothroyd band in the Province of British Columbia and Dominion of Canada, containing by admeasurement forty-three acres and seven hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Railway Company Pacific in and through the said reserve, as the said right of way is shown coloured pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor dated the 22nd day of May 1923, of record in the Surveys Branch of the Department of Indian Affairs under number NR 1134-A. This plan is certified a true copy of an original plan deposited in the Land Registry Office in the City of Kamloops under number A-483.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a 22165-13 CN

Ottawa, 11th February 1925

Description for patent

All that parcel of land situate in the Timber Indian reserve number Fourteen of the Yale Union Bar band in the Province of British Columbia and Dominion of Canada, containing by admeasurement ten acres and ninety-four hundredths of an acre, more or less, being composed of the right of way of the Railway Company
Canadian Northern Pacific ~~xxxxxxxx xxxx xxxxx xxxxxxxxxxxx xxxxxxxxxx~~ ~~xxxxxxx~~ in and through the said reserve, comprising a strip of land one hundred feet wide shown coloured pink on a plan of the said right of way by G.M.Christie, British Columbia Land Surveyor, dated the 26th day of September 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1090-A. This plan is certified a true copy of an original plan deposited in the Land Registry Office in the City of Kamloops under number A-506.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22154-47 CN

Ottawa, 1th February 1925

Description for patent

All that parcel of land situate in the Putkwa Indian reserve number Fourteen of the Nicoman band in the Province of British Columbia and Dominion of Canada, containing by admeasurement four acres and four-hundredths of an acre, more or less, being composed of that portion of the reserve required for right of way of the Canadian Northern Pacific Railway Company across the said reserve, comprising the westerly part of the reserve, as shown coloured pink on a plan of the said right of way by G.M.Christie, British Columbia Land Surveyor, dated the 3rd April 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1346-A. This plan is certified a true copy of an original plan deposited in the Land Registry Office in the City of Kamloops under number A-470.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1

22165-13

Ottawa, 17th February 1925

Description for patent

All the parcel of land situate in the Trafalgar Flat Indian reserve number Thirteen of the Yale Union Bar band in the Province of British Columbia and Dominion of Canada, containing by admeasurement eight acres and fifty-two hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Railway Company in and through the said reserve, comprising a strip of land one hundred feet in width, shown coloured pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated the 26th September 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1090-A. This plan is certified a true copy of an original plan of record in the Land Registry Office in the City of Kamloops under number A-506.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

22165-12 CN

Ottawa, 13th February 1925

Description for patent

All that parcel of land situate in the Aywawis Indian reserve number Fifteen of the Yale band in the Province of British Columbia and Dominion of Canada, containing by admeasurement eight acres and twenty-eight hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Railway Company in and through the said reserve and which may be described as a strip of land one hundred feet in width, as shown coloured pink on a plan of the said right of way by G.W.Christie, British Columbia Land Surveyor, dated the 26th September 1923, of record in the Surveys Branch of the Department of Indian Affairs under number 1090-A. This plan is certified a true copy of an original plan deposited in the Land Registry Office in the City of Kamloops under number A-506.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

copy sent to Indian Dept. Ottawa 13/2/25

File 22150 1a CP

Ottawa, 12th February 1925

Reserves through which the Canadian Pacific Railway passes. Savonas Ferry to Port Moody.

The list does not include reserves adjoining the railway and acquired since the C.P.R. was built.

Plan	Reserve	Band	
2005 old issued	Nepa No.4 (now owned by C.P.R.)		
interim & issue patent	Spatsum No.11-A	Cook's Ferry	
	Spatsum No.11 — Page -366-	"	"
made	Pokheitsk No.10	"	"
made	Pemynoos No.9	"	"
A 2006 old issued	Kumcheen No.1	"	" 22154-26
B made	Shawnikan No.4	"	" 22154-26
C issued	Sackum No.5	Nicomen	22154-48
boundary not decided	Nicomen No.1	"	
returned	Two Mile Creek No.16	Lytton	22165-37
made	Klickkumcheen No.18	"	22165-37
returned	Inklyukinatko No.2	Skuppah	22165-35 plan incomp
returned	Skuppah No.4	"	-22166-1-
E issued	Zacht No.5	Siska Flat	22165-31
returned	Nahamanak No.7	"	"
22165-1 returned	Whyeek No.4	Kanaka Bar	
F issued	Chukcheetso No.7	Boothroyd	22165-24
	Speyum No.3	"	22165-25
plan 1932 for 22165-1	Kopchitchin No.2	Boston Bar	22165-22
	Shryptakooks No.7	Boston Bar	22165-21
	Scaucy No.5	" "	22165-21
	Paul's No.6	" "	22165-21
exchange title sheet 2007	Spuzzum No.1	Spuzzum	
M made	4½ Mile No.2	Yale	22165-18
N made	Yale Town No.1	"	22165-18
J issued	Albert Flat No.5	"	22165-16
L issued	Stellawheets No.8	"	22165-15
K made	Puckatholetchin No.11	"	22165-14
O made	Schkam No.2	Hope	22165-10
P made	Klaklacum No.12	Yale	22165-13

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Plan	Reserve	Band
2007 Q issued	Chawathen No.4	Hope 22165-11
U. issued	Skawahlook No.1	Skawahlook 22165-8
S issued	Ruby Creek No.2	" 22165-9
T. issued	Lukseetsissum No.9	Yale 22165-9
R. issued	Waleach Island No.2	Ohamil 22165-7
A issued	Seabird Island	(several bands) 22165-5
2008 V. issued	Scowlitz No.1	Scowlitz 22165-10
issued	Holachten No.8	Sumas
2009 W. issued	Lakahamen No.11	" 22153-16
Y. issued	No.3	Langley 22153-17
X issued	Whonock No.1	"
Z issued	No.5	" 22153-17

G issued - Long Tunnel NC5 — Spuzzum 22165-20

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

To amend description 9 12 Jan 25

22153-15 CP

Ottawa, 26th February 1925

Description for patent
Main line Canadian Pacific Railway through
Holachten Indian reserve No.8 of the Sumas band

All those parcels of land situate in the Holachten Indian reserve, being reserve number Eight of the Sumas band, in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing together by admeasurement twenty acres and seven hundred and sixty-three thousandths of an acre, more or less, being composed of,- Firstly: the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, containing nineteen acres and ninety-one hundredths of an acre, more or less and comprising all that part of said Indian reserve which is shown edged in red on both sides on a plan entitled Canadian Pacific Railway right of of way plan, main line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2009, which plan, with alterations is certified as being a true copy of an original plan deposited in the Registry Office at New Westminster under number 908; the width at the western end of said parcel of land

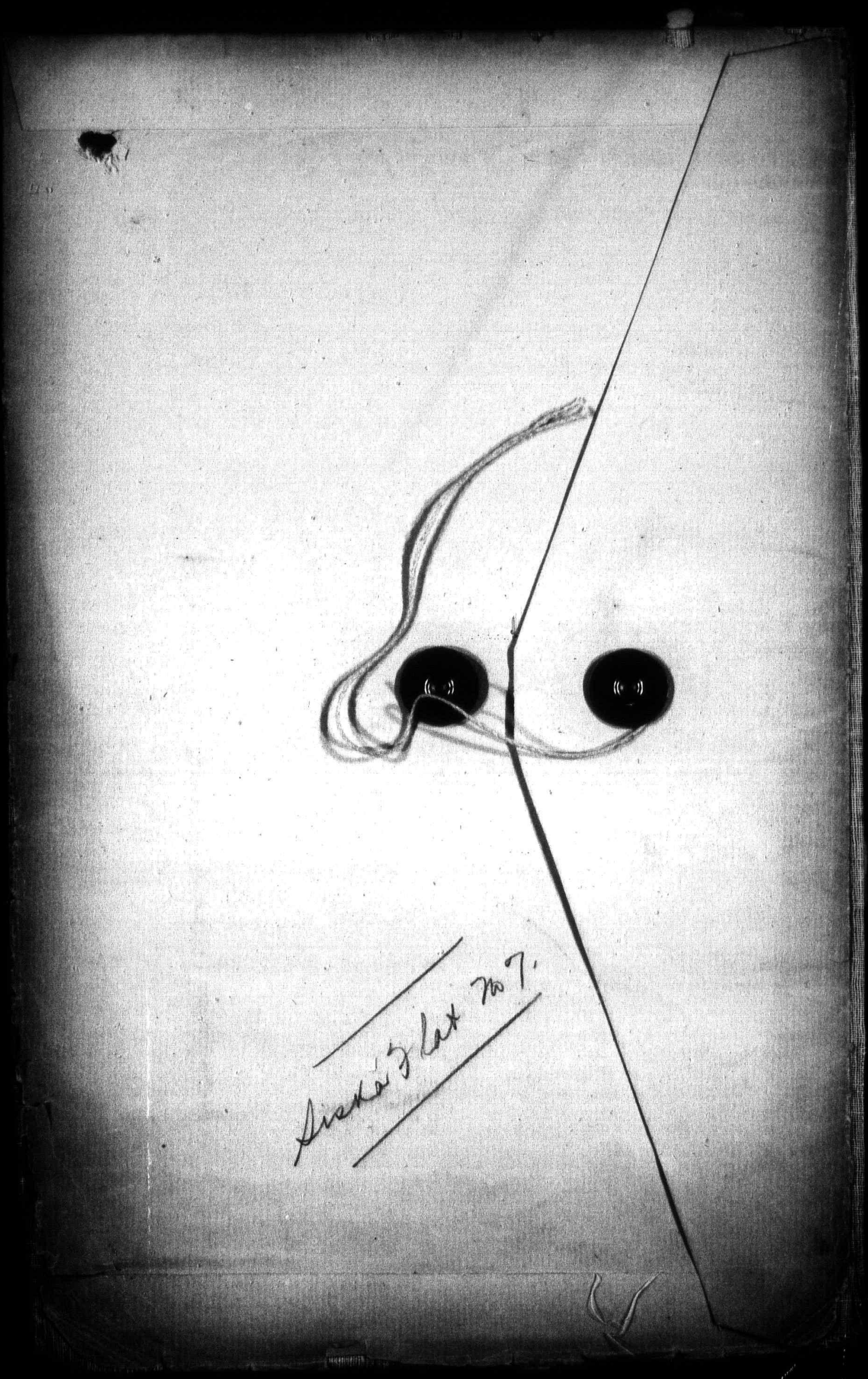
Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

and on the northern side of the centre line of said right of way being one hundred feet measured normally to said centre line. Secondly:- Parcel A,containing six hundred and fourteen thousandths of an acre, more or less,adjoining the previously described parcel on the North and parcel B,containing two hunfrad and thirty-nine thousandths of an acre,more or less,adjoining the firstly described parcel on the South,which parcels A and B are shown coloured pink on a plan showing extra land requir ed in the said reserv,signed by F.T.Cond,Dominion Land Surveyor, dated the thirty-first day of January 1914,of record in the Surveys Branch of the Department of Indian Affairs under number R.R.1475-A and which is certified as an office copy of plan number 2887,deposited in the Land Registry Office at New Westminster,B.C.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

(5)

Sales Page 180

2 x x 945

2215 0 1 cp

L 2305

22150-1 cp

$3.00 should be refunded,

NOTED ON PLAN No. 4985

A. Irwin

Right of Way & Lease Agent

July 24/12.

Returned 21/1/35

INDIAN
LAND SALE

GRANT

TO

The Canadian Pacific Ry. Co'y,

Lytton Indian Reserve No. 16.

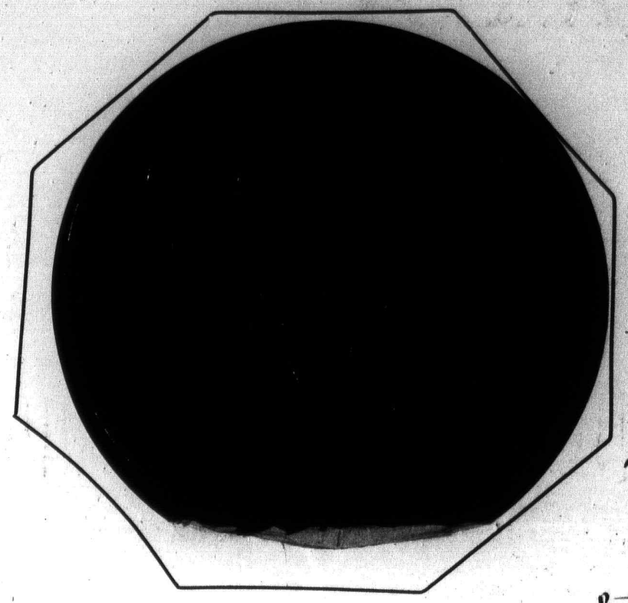
District of Yale.

Acres ..... 1 44/100.

Dated 6th July, 1912.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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E. J. Jones
DEPUTY GOVERNOR.

CANADA.

George the Fifth, *by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India.*

To all to whom these Presents shall come—GREETING:

Whereas the Lands hereinafter described are part and parcel of those set apart for the use of the Lytton Band of Indians.

AND WHEREAS WE have thought fit to authorize the sale and disposal of the Lands hereinafter mentioned, in order that the proceeds may be applied to the benefit, support and advantage of the said Indians, in such a manner as We shall be pleased to direct from time to time: AND WHEREAS

The Canadian Pacific Railway Company

have contracted and agreed to and with Our Superintendent General of Indian Affairs, duly authorized by Us in this behalf, for the absolute purchase at and for the price and sum of Three dollars of lawful money of Canada, of the Lands and Tenements hereinafter mentioned and described, of which We are seized in right of Our Crown.

Now Know Ye that in consideration of the said sum of Three dollars by them the said The Canadian Pacific Railway Company to Our said Superintendent General of Indian Affairs in hand well and truly paid to Our use at or before the sealing of these Our Letters Patent, We by these Presents, do grant, sell, alien, convey and assure unto the said The Canadian Pacific Railway Company their successors and assigns for ever; all that Parcel or Tract of Land, situate, lying and being in the Lytton Indian Reserve number 16 in the District of Yale in the Province of British Columbia in Our Dominion of Canada.

Containing by admeasurement One acre and eleven hundredths of one acre be the same more or less.

Composed of the Right of Way of the Canadian Pacific Railway in and through the said lands which said Right of Way may be described as follows: Commencing at a point of intersection of the centre line of said Railway with the West boundary of said Reserve One hundred and seventy-eight feet North of the South-West corner of said Reserve; thence along said centre line on a Five degree and thirty minute curve to the right One hundred feet and including a width of fifty feet on the Northerly side and One hundred feet on the South side as far as the tangent to the subsequent course; thence continuing said centre line South Seventy degrees and fifty-seven minutes East Three hundred and seventy feet to the intersection with the South boundary of said Reserve and including a width of fifty feet on each side of the said centre line up to the said boundary as said Right of Way is shown on a plan of the same as compiled by E. J. Boswell D.L.S. dated at Montreal on the First day of February 1912, a copy of record in the Survey Branch of the Department of Indian Affairs under number One thousand one hundred and fifty-seven. Provided and it is hereby expressly declared that this patent is issued and accepted without recourse against the Dominion Government in case of the establishment of any claim on the part of or under the Province of British Columbia of the said lands or any interest therein

To have and to hold the said Parcel or Tract of Land hereby granted, conveyed and assured unto the said The Canadian Pacific Railway Company, their successors and Assigns forever: SAVING, EXCEPTING AND RESERVING, NEVERTHELESS, unto Us, Our Heirs and Successors, the free use, passage and enjoyment of, in, over and upon all navigable waters that shall or may be hereafter found on or under, or be flowing through or upon any part of the said Parcel or Tract of Land hereby granted as aforesaid.

GIVEN under the Great Seal of Canada:—**Witness,** CHARLES JEROME JONES, ESQUIRE, a Companion of Our Imperial Service Order, and Deputy of Our Most Dear and Entirely Beloved Uncle and Most Faithful Counsellor, Field Marshal His Royal Highness Prince Arthur William Patrick Albert, Duke of Connaught and of Strathearn, Earl of Sussex (in the Peerage of the United Kingdom), Prince of the United Kingdom of Great Britain and Ireland, Duke of Saxony, Prince of Saxe-Coburg and Gotha; Knight of Our Most Noble Order of the Garter; Knight of Our Most Ancient and Most Noble Order of the Thistle; Knight of Our Most Illustrious Order of Saint Patrick; One of our Most Honourable Privy Council; Great Master and Principal Knight of the Grand Cross of Our Most Honourable Order of the Bath; Knight Grand Commander of Our Most Exalted Order of the Star of India; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George; Knight Grand Commander

Recorded in the Department of Indian Affairs
the 12th day of July 1912.
Liber 37 Folio 122.
Registrar of Indian Lands Patents.

Corrected & Re Issued
Jul 21-1925
Vol 10 28

1 OF

Emperor of India.

To all to whom these Presents shall come—GREETING:

Whereas the Lands hereinafter described are part and parcel of those set apart for the use of the Lytton Band of Indians.

And Whereas We have thought fit to authorize the sale and disposal of the Lands hereinafter mentioned, in order that the proceeds may be applied to the benefit, support and advantage of the said Indians, in such a manner as We shall be pleased to direct from time to time: And Whereas

The Canadian Pacific Railway Company

have contracted and agreed to and with Our Superintendent General of Indian Affairs, duly authorized by Us in this behalf, for the absolute purchase at and for the price and sum of Three dollars of lawful money of Canada, of the Lands and Tenements hereinafter mentioned and described, of which We are seized in right of Our Crown.

Now Know Ye that in consideration of the said sum of Three dollars by them the said The Canadian Pacific Railway Company to Our said Superintendent General of Indian Affairs in hand well and truly paid to Our use at or before the sealing of these Our Letters Patent, We by these Presents, do grant, sell, alien, convey and assure unto the said The Canadian Pacific Railway Company their successors and assigns for ever; all that Parcel or Tract of Land, situate, lying and being in the Lytton Indian Reserve number 16 in the District of Yale in the Province of British Columbia in Our Dominion of Canada.

Containing by abmeasurement One acre and eleven hundredths of one acre be the same more or less.

Composed of the Right of Way of the Canadian Pacific Railway in and through the said lands which said Right of Way may be described as follows: Commencing at a point of intersection of the centre line of said Railway with the West boundary of said Reserve One hundred and seventy-eight feet North of the South-West corner of said Reserve; thence along said centre line on a Five degree and thirty minute curve to the right One hundred feet and including a width of fifty feet on the Northerly side and One hundred feet on the South side as far as the tangent to the subsequent course; thence continuing said centre line South Seventy degrees and fifty-seven minutes East Three hundred and seventy feet to the intersection with the South boundary of said Reserve and including a width of fifty feet on each side of the said centre line up to the said boundary as said Right of Way is shown on a plan of the same as compiled by E. J. Boswell D.L.S. dated at Montreal on the First day of February 1912, a copy of record in the Survey Branch of the Department of Indian Affairs number One thousand one hundred and fifty-seven. Provided and it is hereby expressly declared that this patent is issued and accepted without recourse against the Dominion Government in case of the establishment of any claim on the part of or under the Province of British Columbia of the said lands or any interest therein.

To have and to hold the said Parcel or Tract of Land hereby granted, conveyed and assured unto the said The Canadian Pacific Railway Company their successors and Assigns forever: Saving, excepting and reserving, nevertheless, unto Us, Our Heirs and Successors, the free use, passage and enjoyment of, in, over and upon all navigable waters that shall or may be hereafter found on or under, or be flowing through or upon any part of the said Parcel or Tract of Land hereby granted as aforesaid.

GIVEN under the Great Seal of Canada:—**Witness,** CHARLES JEROME JONES, Esquire, a Companion of Our Imperial Service Order, and Deputy of Our Most Dear and Entirely Beloved Uncle and Most Faithful Counsellor, Field Marshal His Royal Highness Prince Arthur William Patrick Albert, Duke of Connaught and of Strathearn, Earl of Sussex (in the Peerage of the United Kingdom), Prince of the United Kingdom of Great Britain and Ireland, Duke of Saxony, Prince of Saxe-Coburg and Gotha; Knight of Our Most Noble Order of the Garter; Knight of Our Most Ancient and Most Noble Order of the Thistle; Knight of Our Most Illustrious Order of Saint Patrick; One of our Most Honourable Privy Council; Great Master and Principal Knight of the Grand Cross of Our Most Honourable Order of the Bath; Knight Grand Commander of Our Most Exalted Order of the Star of India; Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George; Knight Grand Commander of Our Most Eminent Order of the Indian Empire: Knight Grand Cross of Our Royal Victorian Order; Our Personal Aide-de-Camp; Governor General and Commander-in-Chief of Our Dominion of Canada.

At OTTAWA, this Sixth day of July, in the year of Our Lord, one thousand nine hundred and twelve, and in the third year of Our Reign.

Ref. No. 16.645

Sale No. 1

BY COMMAND,

Under-Secretary of State.

Asst Deputy of the Superintendent General of Indian Affairs.

WDO

Recorded in the Department of Indian Affairs
the 12 *day of* July *1912.*
Liber 37 *Folio* 192.
Registrar of Indian Lands Patents.

Corrected + Re-Issued
under # 21-135
April 10 28

Lib. 1a
File 22945

2 of 2

ARCHIVES PUBLIQUES
CANADA

22150

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W. H. CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E. P. FLINTOFT.
ASST-GENL. SOLICITOR, MONTREAL.
SWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
FEB 21 1925
RECORDS

R

February 20th, 1925

C. 77

LANDS BRANCH
FEB 23 19

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:

Savona to Port Moody
Right-of-way through Indian Reserves

In 1911 and 1912 five patents were issued to the Canadian Pacific Railway Company for areas required in certain Indian Reserves. These patents contain the objectionable clause with reference to claims on the part of the British Columbia Government to reversionary interest in the lands and are, in fact, only quit claim patents and should not, therefore, have been accepted by the Company. However, they have never been registered and we are now instructed to apply to have them cancelled and new patents issued in the form now being adopted in such cases. Further, the land covered by these patents was, by inadvertence, paid for by the Company and the amount so paid should be refunded. The following list shows the patents enclosed, the area patented and the amount to be refunded:

	DATE	NAME OF RESERVE	AREA	To Be Refunded
22165-35 1.	12.10.11.	Skuppah Indian Reserve No. 2	58.72 Ac.	$ 60.00
2.	5. 7.12. ✓	Skuppah Indian Reserve No. 4 ✓	18.35 "	60.00
3.	5. 7.12. ✓	Siska Flat Indian Reserve No. 7 ✓	89.51 "	89.60
Interior 4.	5. 7.12.	Wyeek Indian Reserve No. 4	107.00 "	110.00
37 5.	6. 7.12. ✓	Lytton Indian Reserve No. 16 ✓	1.11 "	3.00
		Totals	274.69 "	$322.60

As you will observe, the patents have not been registered and we will be glad to know whether you desire any form of reconveyance or whether it will be sufficient merely to cancel the patents and issue new ones.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W. H. CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E. P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

The Secretary,
Department of Indian Affairs.

When issuing corrected patents, presumably the form of description now being followed referring to the Garden Plans will be adopted. Will you please draft and submit the proposed descriptions to us for the approval of the Company's Engineering Department or, if you prefer, the Company's Engineering Department will draft descriptions and submit them for your approval.

We have the honour to be, Sir,

Your obedient servants,

Ewart, Scott, Kelley & Kelley

ENCL.
P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

22150-1 A-P

INDIAN AGENT'S OFFICE
NEW WESTMINSTER AGENCY.

DEPT. OF INDIAN AFFAIRS
MAR 9 1925
RECORDS

New Westminster, B.C. March 4th, 1925.

IN YOUR REPLY REFER TO
No. 1-1-19.
ALSO
TO DATE OF THIS LETTER

MAR 7 1925

R

Sir,—

When at Tzeachten Indian Reserve near Chilliwack with Commissioner Ditchburn on the 27th ult., an Indian of that Band named Sam Casmier made an enquiry regarding monies supposed to be in trust by the Department for himself and his sister, now deceased.

As far as I could ascertain the money originally represented his father's, Yale Sam, share in the Canadian Pacific Railway Right-of-Way compensation across the American Bar Indian Reserve now in the Lytton Agency.

see 22150 to close letter Jany 27th 1891

The C.P.R. would have crossed that Reserve in 1884 or 1885. Mr. McTiernan, who was Indian Agent here at the time received the money from the Department for distribution to the various Indians concerned, and went up the valley to distribute it. Before he got there, however, Yale Sam was killed by a construction train on the track, and the Indian Agent took his share of the money back to be held in trust by the Department for the deceased's two children, Sam Casmier and his sister Mary. The latter is now dead, so Sam becomes sole heir.

I can find no reference to any such transaction in this office. In fact the records do not go back any further then 1899, all previous documents having been destroyed in a fire about that time.

I shall be obliged if you could inform me whether you have any record of monies being returned to the Department under the circumstances above related.

Sam Casmier is now a registered member of the Tzeachten Band of Indians, and wishes to receive the money in question.

Your obedient servant,

A.O'N. Daunt.

A.O'N. Daunt.
Indian Agent.

The Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Copy

Original on 2:165-15 CN

Ottawa, 17th March 1925

Description for patent

All that parcel of land situate in the Kaykaip Indian reserve being number Seven of the Yale band in the Province of British Columbia and Dominion of Canada, containing by admeasurement six acres and forty-one hundredths of an acre, more or less, being composed of the right of way and extra width of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated 9th October 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1089-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office in the City of Kamloops under number A-507.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Copy

Original on 22165-21 CM

Ottawa, 18th March 1925

Description for patent

All that parcel of land situate in the Tuckkwiowhum Indian reserve, being number One of the Boston Bar band in the Province of British Columbia and Dominion of Canada, containing by admeasurement nine acres and seventeen hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated 9th October 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1120-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office in Kamloops under number A-512.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Journal fill Copy

Original on 22165-21 CN

Ottawa, 18th March 1925

Description for patent

All that parcel of land situate in the Tuckkwiowhum Indian reserve, being number One of the Boston Bar band in the Province of British Columbia and Dominion of Canada, containing by admeasurement nine acres and seventeen hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated 9th October 1925, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1120-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office in Kamloops under number A-512.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

General file Copy

Original on 12165-23 CN

Ottawa, 17th March 1925

Description for patent

All that parcel of land situate in the Buotum Indian reserve being number Four of the Boson Bar band, in the Province of British Columbia and Dominion of Canada, containing by admeasurement eight acres and twenty-five hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.W.Christie, British Columbia, dated 22nd May 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1122-A, which plan is certified a true copy of an original plan deposited in the Registry Office at Kamloops under number A.481.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

General file Copy original on 22165-39 CN

Ottawa, 17th March 1925

Description for patent

All that parcel of land situate in the Tuckozap Indian reserve, being number Twenty-four of the Lytton band in the Province of British Columbia and Dominion of Canada, containing by admeasurement eighteen acres and three-hundredths of an acre, more or less, being composed of the right of way and extra width of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated 22nd May 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1132-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office in Kamloops under number A-484.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Copy

General file

Original on 22165-24

Ottawa, 17th March 1925

Description for patent

All that parcel of land situate in the Tsawwmuck Indian reserve, being reserve number One of the Boothroyd band in the Province of British Columbia and Dominion of Canada, containing by admeasurement thirteen acres and forty-two hundredths of an acre, more or less, being composed of the right of way and extra width of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M. Christie, British Columbia Land Surveyor, dated 5th June 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1127-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office at Kamloops under number A-485.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

General file

Copy

Original on 22165-24

Ottawa, 17th March 1925

Description for patent

All that parcel of land situate in the Tsintahktl Indian reserve, being number Two of the Boothroyd band, in the Province of British Columbia and Dominion of Canada, containing by admeasurement fifteen acres and six-hundredths of an acre, more or less, being composed of the right of way and extra width of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M. Christie, British Columbia Land Surveyor, dated 22nd May 1925, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1129-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office in the City of Kamloops under number A-482.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Copy

General file

Original on 22165-16

Ottawa, 17th March 1925

Description for patent

All that parcel of land situate in the Qualark Indian reserve, being number Four of the Yale band, in the Province of British Columbia and Dominion of Canada, containing by admeasurement three acres and twenty-seven hundredths of an acre, being composed of the right of way and extra widths of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated 7th December 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1087-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office at Kamloops under number A-516.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Serious file Copy

Original on 22165-17

Ottawa, 17th March 1925

Description for patent

All that parcel of land situate in the Kuthlalth Indian reserve, being number Three of the Yale band, in the Province of British Columbia and Dominion of Canada, containing by admeasurement thirteen acres and seventy-six hundredths of an acre, more or less, being composed of the right of way and extra width of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated 9th October 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1086-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office in Kamloops under number A-513.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

General file Copy

original

22165-37

Ottawa, 18th March 1925

Description for patent

All that parcel of land situate in the Nooten Indian reserve, being number Nineteen of the Lytton band, in the Province of British Columbia and Dominion of Canada, containing by admeasurement five acres and forty-eight hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated 6th April 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR.1344-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office in Kamloops under number A-473.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

Original On
22165-16 CN

Ottawa, 19th March 1925

Description for patent

All that parcel of land situate in the Squeah Indian reserve being number Six of the Yale band, in the Province of British Columbia and Dominion of Canada, containing by admeasurement four acres and fifty-three hundredths of an acre, more or less, being composed of the right of way of the Canadian Northern Pacific Railway Company in and through the said reserve, as shown coloured in pink on a plan thereof by G.M.Christie, British Columbia Land Surveyor, dated the 7th December 1923, of record in the Surveys Branch of the Department of Indian Affairs under number RR 1088-A, which plan is certified a true copy of an original plan deposited in the Land Registry Office at Kamloops under number A-518.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

22150-1A

Ottawa, 20th March, 1925.

Sir:

I beg to acknowledge receipt of your letter of the 4th instant inquiring for certain Right of Way money due to the estate of the late Yale Sam, for compensation paid by the C.P.Ry.Co., in connection with the Right of Way across the American Bar Indian reserve, and in reply may say that the schedule of reserves does not show any such reserve.

If you will refer to the reserve by the name shown in the schedule, the Department may be able to give you some information on the subject, and, I have to ask you that in referring to Indian reserves in future that you will use the names as found in the schedule of Indian reserves.

I may inform you that $35.00, which was payable to Indian Sam for C. P. Ry. Right of Way was returned to the Department because of the death of the Indian, and a cheque was afterwards paid to his mother, Sophia Joseph and his wife, Susan. It is stated that Indian Sam belonged to the Hope band, but it may be that it is not the same Indian as referred to by you.

Your obedient servant,

Assistant Deputy and Secretary.

Mr. A. O'N. Daunt,
Indian Agent,
New Westminster, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

22150-1

DEPT. OF INDIAN AFFAIRS
MAR 28 1925
RECORDS

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

W. H. CURLE,
GENERAL SOLICITOR, MONTREAL.
E. P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

OTTAWA.

LANDS BRANCH
APR 2 1925

March 27th, 1925

C. 77

The Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

R

Sir:

Main line Canadian Pacific Railway
Descriptions for insertion in patents

We are at length in a position to return to you descriptions in the following cases:

EXTRACT 22154-26

Kumcheen Indian Reserve, Number One, of the Cook's Ferry Band, Page 31-

EXTRACT 22154-26

Indian Reserve Number Four of the Cook's Ferry Band,

EXTRACT 22154-48

Sackum Indian Reserve, Number Three, of the Nicomen Band,

EXTRACT 22165-37

Klickumcheen Indian Reserve, Number Eighteen, of the Lytton Band, P 3- Page 94-

EXTRACT 22165-33

Zacht Indian Reserve, Number Five of the Siska Flat Band. A.4 P 135-

We have not compared these descriptions with the draft submitted by you to ascertain whether any changes have been made, but if any changes have been made which do not meet with your approval, we will be obliged if you will take the matter up further with us before adopting a description different from the ones now enclosed.

Copies E.P.

We have the honour to be, Sir,

Your obedient servants,

Ewart Scott Kelley & Kelley

ENCL.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H.CURL[illegible] GEN[illegible] LICITOR, MONTREAL.
E.P. FLINTOFT, ASST-GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY, OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
APR 7 1925
[illegible]

DEPT. OF INDIAN AFFAIRS
APR 2 1926
RECORDS

April 1st, 1925

C. 77

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:

Savona to Port Moody
Patents of Indian lands required for right-of-way between Savona and Port Moody

As you know, the Department is just now issuing, from time to time, patents to the Company of various parcels of right-of-way in the above Section. These patents are in a form satisfactory to the Company, but they cannot at present be registered, by reason of the fact that the dispute between your Department and the British Columbia Government has not been finally adjusted.

In order to avoid any misunderstanding, we are instructed to say that these patents are being accepted by the Company without prejudice to the Company's right to insist that, under the contract between the Dominion Government and the Company embodied in the Act of 1881, the Company is entitled to a registerable title to the lands which the Government is under obligation to convey and that, therefore, until arrangements have been made whereby the patents can be registered, the Dominion Government will not have complied with its obligation by the mere issue of the patents.

We will be glad to hear from you to the effect that this arrangement will be satisfactory.

We have the honour to be, Sir,

P.

Your obedient servants,

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

Ottawa, 14th April 1925

Gentlemen,- Ref. your file No.C.77

I have noted the contents of your letter of the 1st instant in which you point out that the patents which are being issued by the Department at the present time to the Canadian Pacific Railway Company for rights of way through Indian reserves between Savona and Port Moody cannot at present be registered and I have to inform you that the matter is being taken under advisement.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

Messrs. Ewart, Scott, Kelley and Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

INDIAN OFFICE
NEW WESTMINSTER AGENCY.

DEPT. OF INDIAN AFFAIRS
APR 27 1925
RECORDS

File No. 1-1-19.

At New Westminster, B.C.

April 21st, 1925.

SIR:-

R

With reference to your letter No.22150-1A of March the 20th, I am informed by the Indians that the Reserve, in question, was the Puckatholetchin No. 11 Reserve of the Yale Union Bar Band now in the Lytton Agency.

The Indian Sam referred to in the claim was killed by a Canadian Pacific Railway work train near Hatzic in the year 1886 or 1887, and the Indians say that Mr. Frank Devlin, Indian Agent, said there was an amount of $60.75 due him in respect to a Right-of-Way across the above Reserve.

He cannot be the same Indian as the Sam mentioned in your letter, as his mother died when he was very young, and he was raised by his sister, consequently there was no mother to make a payment to after his death as indicated in the case of the other Indian referred to by you.

I trust that this information will enable you to trace the matter.

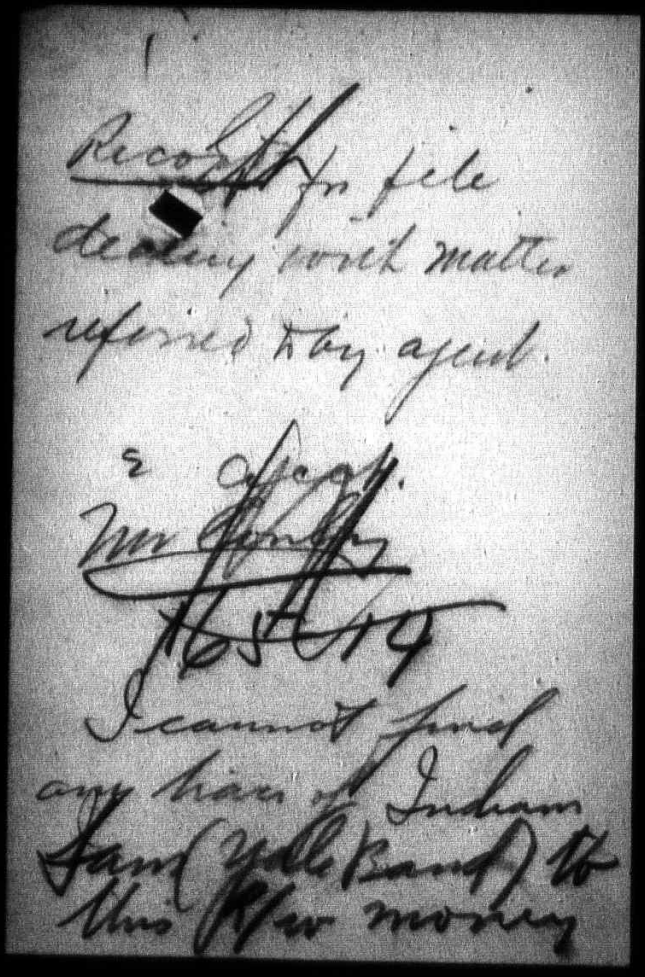
Your obedient servant,

A.O'N. Daunt.
Indian Agent.

The Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

ACCOUNTANTS
APR 29 1925

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA


Recd for file
dealing with matter
referred to by agent.

2 Sept.
Mr Scott
Hobbs

I cannot find
any trace of Indians
from Yale Band to
this River mouth

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A.

1-1-19.

Ottawa, May 1, 1925.

Sir,-

With reference to your enquiry as to certain right-of-way money held by the Department for Yale Sam or Indian Sam, of the Yale Union Bar Band, I beg to inform you that after a thorough search through the records of the Department no trace can be found of any money being held for this Indian.

Your obedient servant,

J. D. McLEAN

J. D. McLean.
Asst. Deputy and Secretary.

T. O'M. Daunt, Esq.,
Indian Agent,
New Westminster, B. C.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-C

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

R

W. H. CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E. P. FLINT
ASSISTANT GENERAL SOLICITOR, MONTREAL.
SWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

Lands

May 8th, 1925

C. 77

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:

DEPT. OF INDIAN AFFAIRS
MAY 9 1925
SURVEYS

Re: C. P. R. right-of-way through Indian Reserves in the Railway Belt Savona to Port Moody

The Company has no detailed information as to the amounts paid by the Department of Railways and Canals to your Department for the various parcels of right-of-way which the Department of Railways and Canals was under obligation to convey to the Company for the main line between Savona and Port Moody. The Company is desirous of having this information in order that it may be in a position to check the consideration contained in the various patents which you are now issuing to the Company. Will you please let us have a list showing the amount paid in each case or, if you prefer, it will suit the Company equally well if, each time you send us a patent, you mention how the consideration is made up.

We have the honour to be, Sir,

Your obedient servants,

Swart Scott Kelley & Kelley

P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

c? Gen file Copy

Original on 22165-9 CP

Ottawa, 4th June 1925

Description for patent

All that parcel of land situate in the Lukseutsiseum Indian reserve number Nine of the Yale Band in the Province of British Columbia and Dominion of Canada, containing by admeasurement one acre and eighty-three hundredths of an acre, more or less, being composed of a wye with extra widths on the side of the main line of the Canadian Pacific Railway, more particularly described as

FIRSTLY: Two strips of land, each fifteen feet wide and six hundred and fifty-four feet long, shown coloured in pink

SECONDLY: That strip of land thirty-five feet in width and six hundred and fifty-four feet in length, lying between the two parcels above described

THIRDLY: That parcel of land lying between the arms of the wye, bounded on the North by the southerly limit of the above described parcel numbered "Secondly", on the South by the northerly limit of the right of way of the main line, a length of three hundred and twelve feet and five-tenths of a foot and on the West by an arc of radius four hundred and twelve feet and eighty-four hundredths of a foot and of length

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

three hundred and fifty feet and forty-two hundredths of a foot and on the East by an arc of radius four hundred and seven feet and eighty-four hundredths of a foot and of length three hundred and forty-nine feet and four hundredths of a foot. These parcels of land are all delineated on a plan of additional land in Yale Indian reserve number Nine, Lukse-taiseum, Township Four, Range Twenty-seven, West of the Sixth Meridian, required for wye at Abby Creek, B.C., by F.A. Wilkin, British Columbia Land Surveyor dated 14th April 1925, of record in the Surveys Branch of the Department of Indian Affairs under number R.R.827-D, which plan is certified a true copy of an original plan deposited in the Land Registry Office in the City of Kamloops under number A-574.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1

Copy sent file

Original on 22167-5 CP

Ottawa, 12th June 1925

Description for patent
Indian interest only

Kitsilano

All that parcel of land situate in the False Creek Indian reserve, being number Six of the Squamish band in the City of Vancouver, Province of British Columbia and Dominion of Canada, containing by admeasurement three acres and sixty-two hundredths of an acre, more or less, being composed of the right of way of the Canadian Pacific Railway across the said reserve, comprising a strip ninety-nine feet in width as shown coloured pink on a plan of Canadian Pacific Railway, Vancouver Terminals, resurvey of right of way of the English Bay Branch through Kitsilano Indian reserve, Vancouver, British Columbia, amplifying plan No.749 by E.B.Harmon, British Columbia Land Surveyor, dated 9th April 1925, of record in the Surveys Branch of the Department of Indian Affairs, under number RR2094, which plan is certified a true copy of railway plan No.517, deposited by E.W.Bateman, on behalf of the Canadian Pacific Railway Company on the 12th May 1925.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Name of Reserve	Are not paid for acres	Rate	Amount	Interest @ 6% Jan.18/86 to July 7/1900	Interest @ 5% July 7/ 1900 to July 30/ 1925	Total
Scowlitz No. 1 Page 290	0.35 ✓ (53)	4.55	1.59	1.38	1.99	4.96
Chawathil " 24 Page 331	3.53 ✓ (84)	33.78	119.24 ✓	103.62	149.42	372.28
Skawalecks " 1	0.17	7.00	1.19	1.03	1.49	3.71
Ruby Creek " 2	✓ 0.30 ✓ (158)	12.80 ✓	3.84 ✓	3.34 ✓	4.81	11.99
Spuzzum Page 374 " 1	14.33 160	10.50	150.47	130.76	188.56	469.79
Zacht (Page 135) " 5 ✓	0.08 ✓ (248)	20.00 ✓	1.60			
Sackum (Page 295) ✓	7.80 ✓ 126	20.00 ✓	156.00 ✓	136.96 ✓	197.52 ✓	492.08
			$ 433.93	$ 377.09	$ 543.79	$1354.81

Less amount of $15.37 which amount represents an overpayment of $4.87 with accrued interest added in respect of land taken in Waleach Island No.2 reserve

(157)

$ 1.339.4

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GP.

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER—WRITE LEGIBLY YOUR FULL NAME AND ADDRESS

R

DEPARTMENT OF
RAILWAYS AND CANALS

CANADA

J. W. PUGSLEY,
SECRETARY

IN YOUR REPLY
PLEASE QUOTE FILE No. 14250.

Encl. cheque and
voucher.

Ottawa, July 30th 1925.

DEPT. OF INDIAN AFFAIRS
AUG 5 1925
SURVEYS

Sir;-

Referring to previous correspondence, relative to the right of way of the Canadian Pacific Railway through certain Indian reserve land in British Columbia, I enclose Finance Department cheque No. 7140, dated the 29th of July, instant, with voucher attached, amounting to $1,339.44, in settlement of the claim of your Department in this matter.

Be pleased to have the voucher completed and returned here.

I have the honour to be,

Sir,

Your obedient servant,

J.W. Pugsley
Secretary.

J.D. McLean, Esq.,
Assistant Deputy and Secretary,
Department of Indian Affairs,
O T T A W A.

55c - 159
55 337
84c 119.24
84 23.3.04
158c - 5.03
158 10.67
160c 150.47
160 319.32
126c 156
126 319.11
148c 1.60

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPT. OF INDIAN AFFAIRS
AUG 5 1925
SURVEYS

BANK RECEIPT No.

Amt. $1339.44 chq

Ct. Cert'd Returned Peremptory

DEPT. OF INDIAN AFFAIRS
JUL 30 1925
RECORDS

Date ..... 19.....

Entered Journal No. 23 Folio 203 Jr 8

Surveys

Dept. Receipt No. CH6632

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Jen file

22165-9 CP

Ottawa, 2nd September 1925

Description for patent

All that portion of the Ruby Creek Indian reserve Number Two of the Skawelooks band, Yale District, in Section Five, Township Five, Range Twenty-seven, West of the Sixth Meridian in the Railway belt in the Province of British Columbia, containing fifty-four hundredths of an acre, more or less, and shown coloured pink on a plan of additional land in Skawa-looks Indian reserve number Two required for cooling plant at Ruby Creek, which plan is signed by F.A. Wilkin, British Columbia and Dominion Land Surveyor, deposited in the Land Registry Office at Kamloops as No.A-579, a copy of which is on record in the Surveys Branch of the Department of Indian Affairs under number RR 1916.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

copies

Original on 22165-9
Len file

Ottawa, 2nd September 1925

Description for patent

All those parcels or tracts of land situated in the Lukseetsiesum Indian reserve, being number Nine of the Yale band in the Province of British Columbia and Dominion of Canada, described as two several strips of land containing together forty-five hundredths of an acre shown coloured pink on a plan of additional land required for wye at Ruby Creek augned by F.A.Wilkin, British Columbia and Dominion Land Surveyor on the 14th day of April 1925, deposited in the Kamloops Land Registry Office as No.A-574, a duplicate of which is on record in the Surveys Branch of the Department of Indian Affairs under number RR 837-D.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

Original on 22165-1

Ottawa, 3rd September 1925

Description for patent

Main line - Canadian Pacific Railway

All that parcel of land situate in the Chukcheetso Indian Reserve, number Seven of the Boothroyd band, in Sections Seventeen and Twenty, Township Twelve, Range Twenty-six, West of the Sixth Meridian, containing by admeasurement twenty-six acres and eighty-two hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, comprising parcels A and B, as shown coloured and edged in Red on a plan of the Canadian Pacific Railway (Savona to Port Moody) from Mileage 108.25 to 121.57 of Thompson Subdivision and from Mileage 0.00 to 7.32 of Cascade Subdivision, British Columbia, by Jacob Lonsdale Doupe, British Columbia Land Surveyor, of record in the surveys branch of the Department of Indian Affairs under number RR 1932, said plan being certified to be a true copy of original plan deposited in the Land Registry Office in the City of Kamloops under number A388.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

Original on 22165-20

Ottawa, 3rd September 1925

Description for patent

All that parcel of land situate in the Long Tunnel Indian reserve, number Five of the Spuzzum band, in Section Fourteen, Township Nine, Range Twenty-six, West of the Sixth Meridian, containing by admeasurement one acre and sixty-five hundredths of an acre, more or less, being composed of the right of way of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of said Indian Reserve which is shown edged in red on both sides of a plan of the Canadian Pacific Railway right of way main line as constructed from Spatsum to Spuzzum from survey by James F. Garden, D.L.S., and P.L.S., dated 17th October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under number 287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

Original on 22154-38

Ottawa, 3rd September 1925

Description for patent
Right of Way- Canadian Pacific Railway

All tht parcel of land situate in the Zacht Indian reserve, number Five of the Siska Flat band, in Section One, Township Fourteen, Range Twenty-seven, West of the Sixth Meridian, containing by admeasurement eight hundredths of an acre more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of said Indian reserve which is shown edged in Red on its North Eastern side on a plan of the Canadian Pacific Railway right of way main line as constructed from Spatsum to Spuzzum from survey by James F. Garden D.L.S., and P.L.S., dated 17th October, 1904, of record in the Survey Branch of the Department of Indian Affairs under Number R.R.2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under No. 287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

Copy

Original on 22154-48

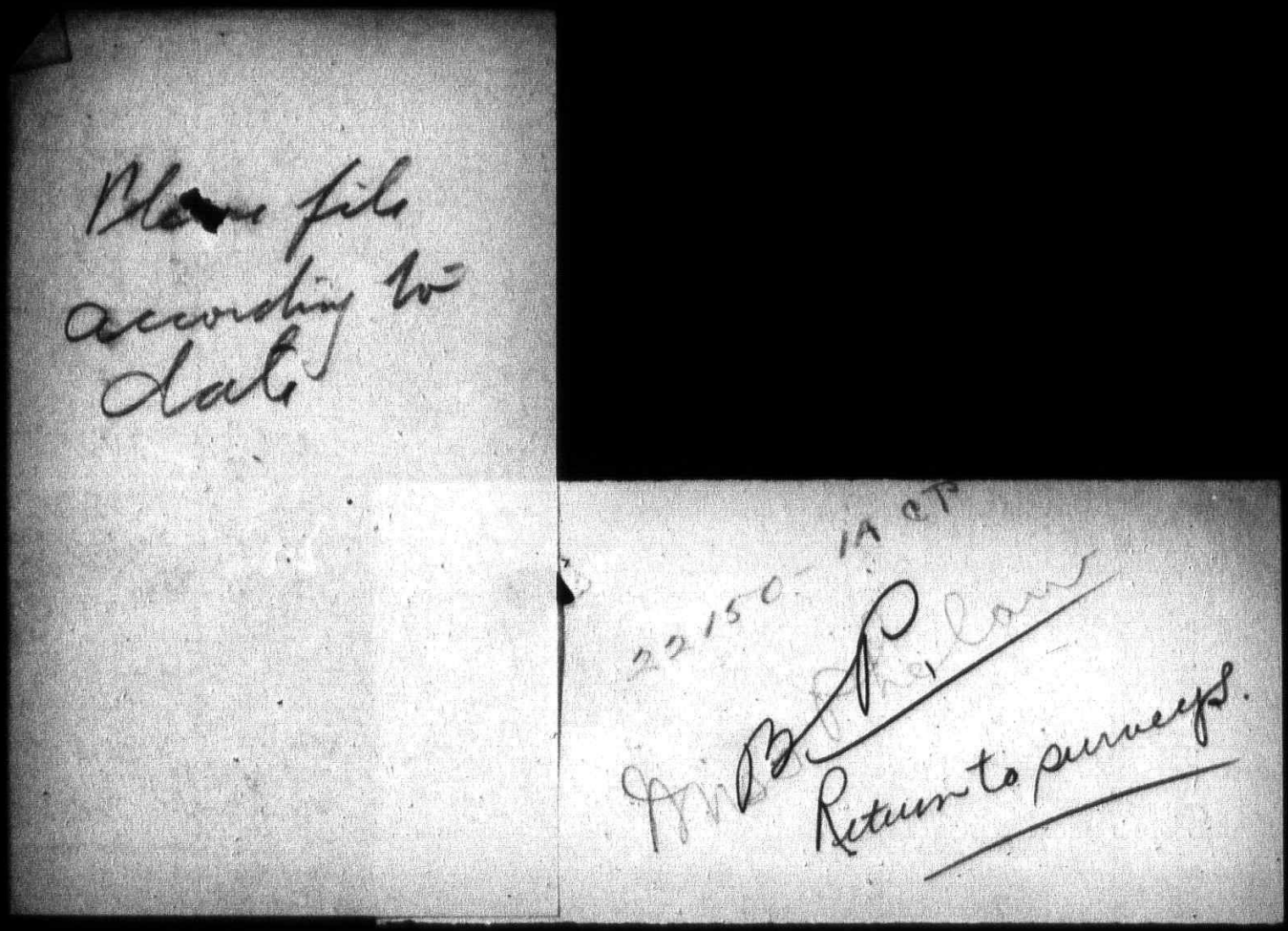
Ottawa, 3rd September 1925

Description for patent
Main line- Canadian Pacific Railway

All that parcel of land situate in the Sackum Indian reserve Number Three of the Nicomen band, in Townships Fifteen and Sixteen, Range Twenty-five, West of the Sixth Meridian, containing by admeasurement seven acres and eight tenths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of said Indian Reserve which is shown edged in Red on both sides on a plan of the Canadian Pacific Railway right of way main line as constructed from Spatsum to Spuzzum from survey by James F. Garden D.L.S. amd P.L.S., dated 17th October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number R^{A} 2006, which plan is certified to be a true copy of the original plan on file in the Land Registry Office at Kamloops under number 287.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Vancouver, B.C.

January 5-25 File
G.V. 2086

P. McPherson, Esq.,
R/W & Tax Agent,
Winnipeg, Man.

Dear Sir: Re Savona to Port Moody, R/W thru Indian Lands. Your file G. 482-3

Referring to yours of the 24th ultimo in which you stat the Ottawa Solicitors advise that the B. C. Provincial authoritie had instructed the various Land Registry Offices to register Patents thru Indian Lands &c.

I also received a copy of Mr. Irwin's letter of the 19t ultimo addressed to you along the same lines.

There is some incorrect information being given in connection with these matters.

Neither the Registrar at Nelson or Kamloops have received instructions as to dealing with lands within Indian Reserves. They did, however, receive a copy of a Privy Council Order, number 1265, copy of which I have.

There is no reference in this Order as to any reversionary interest that the Province alleges to have in Indian Lands when alienated.

However, since receipt of your letter I have had an interview with the Superintendent of Lands at Victoria and he claims the matter is not yet settled with the Dominion Government that it is still under consideration. I believe the Dominion Government have practically agreed on all other matters, but the Province has not accepted the Dominion Government's decision on the matter in dispute.

I made a suggestion I would submit one of our Patents t the Provincial Government for Order in Council under section 47 of the Land Registry Act. I was advised that it was doubtful if I would get even an Order in Council at the present juncture irrespective of the question of having to pay any consideration, as the matter afxakx is still under consideration as between the two Governments.

I notice in reading over the Privy Council Order 1265, that it only seems to deal with the acceptance of the report of the Royal Commission, and I understand this Royal Commission did not go into the question of the Province's alleged claim of reversionary interest.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

I note in the sixth paragraph of said Order it states the Governor in Council was also empowered to carry on such further negotiations, and enter in such further agreement whether with the Provincial Government or Indians, as might be found necessary for full and final adjustments of the differences between said Government.

It would seem under this clause, that continued negotiations are going on to arrive at a settlement of the reversionary interest.

In view of the information I have received at this end, I am not proceeding to deal with the registration of any Patents.

Yours truly,

E. W. Bateman

Local Right of Way & Tax Agent.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.R

W.H. CARLE, K.C.
GENERAL SOLICITOR, MONTREAL.
S.P. FLINTOFT,
ASST-GEN'L SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

DEPT. OF INDIAN AFFAIRS
SEP 21 1925
RECORDS

January 12th, 1925

C. 77

D. C. Scott, Esq., Litt. D.,
Superintendent General,
Department of Indian Affairs,
Ottawa, Ont.

My dear Scott:

Right-of-way through Indian lands in B.C.

As requested in our telephone conversation of to-day, I am enclosing copy of letter received by Mr. McPherson, the Company's Right-of-Way & Tax Agent at Winnipeg, from Mr. Bateman, the Local Right-of-Way & Tax Agent at Vancouver, referring to the attitude of the British Columbia Government in connection with patents being issued by your Department to the Company.

Yours faithfully,

W. L. Scott.
C.C.

ENCL.

P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 -1C.P.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H.C. [redacted] K.C.
GENERAL SOLICITOR, MONTREAL.
E.P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
JAN 12 1926
RECORDS

C 77
Jan. 9th., 1926.

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

R

Savona to Port Moody
Right-of-way through Indian
Reserves

Sir,-

We are in receipt of patents from you covering the right of way through the following Indian reserves:-

"C" Sackum ✓ — D.I- Page 295-
"E" Zacht ✓ " 4 " 135
"F" Chukcheetso ✓ " 1 " 297-
"G" Long Tunnel ✓ " 1 " 293-

As you are, of course, aware it is not at present possible to register these patents without paying the British Columbia Government over again in full for the lands included in them. It is to be assumed that the differences between your Department and the British Columbia Government will eventually be adjusted so that the patents may be registered, but in the meantime we wish to make it clear that these patents, and others which may be issued from time to time, while the difficulty continues, are accepted by the Company without prejudice to its right to insist on a registerable title. As you are aware, the Dominion Government is under contract to furnish the Company with a free right of way over this section, and should it eventually be held that the British Columbia Government is entitled to payment for any portion of this right of way, the Dominion Government will be under obligation to save the Company harmless in that regard.

As you are also aware, your Department was actually paid for this right of way many years ago by the Department of Railways & Canals and the purchase price is, we note, in each case recited in the patent. This is quite proper, but in order to avoid any misunderstanding it is

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H.C[illegible], K.C.
GENERAL SOLICITOR, MONTREAL.
E. P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

suggested that in transmitting such patents in future you write us mentioning that the purchase price, recited in the patent, has been paid.

We have the honour to be, Sir,

Your obedient servants,

JB

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H.CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E.P.FLINTOFT,
ASST-GENL.SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
MAR 9 1926
RECORDS

C 77
March 8th., 1926.

R

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

INDIAN AFFAIRS
MAR 9 1926
SURVEYS

Patents for lands to the C.P.R. Company in Indian Reserves in B.C.

Sir,-

With reference to patents which are now being issued to the Canadian Pacific Railway Company for lands required for railway purposes in Indian Reserves in British Columbia, you are, of course, aware that, as matters now stand, these patents cannot be registered unless the Company is willing to pay in full for the lands to the British Columbia Government. It is, of course, assumed that this state of affairs is merely temporary and that the differences between your Department and the British Columbia Government will eventually be so adjusted as to permit of the Company's registering these patents as of right and without further payment of purchase money. We wish, however, to repeat what we have pointed out in previous correspondence, that these patents are being accepted on the above understanding and without prejudice to the Company's right to insist eventually upon receiving registerable patents.

We have the honour to be, Sir,

Your obedient servants,

JB

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs.
25-2-26.

22153-17 CP.

Ottawa, 13th January, 1925.

Description for patent, Main Line, Canadian Pacific Railway through Indian Reserve No. 5, of the Langley Band.

. . . . . .

All that parcel of land situate in ~~the Whonock~~ Indian Reserve, number Five of the Langley Band, in Townships Eleven and Twelve, East of the Coast Meridian, in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing by admeasurement twelve acres and forty six hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said Reserve, and comprising all that part of the said Indian Reserve which is shown edged in Red on both sides on a plan entitled Canadian Pacific Railway right of way plan, main line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July, 1904, of record, in the Surveys Branch of the Department of Indian Affairs, under number RR 2009, which plan, with alterations is certified to be a true copy of an original plan deposited in the Land Registry Office at New Westminster under number 908.

O.K. H.H.
25-2-26.

P.1 Page 356
J. 22.153 17 C.P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs (Y
25-2-26.

22153-17 CP.

Ottawa, 13th January, 1925.

Description for patent, Main Line, Canadian Pacific Railway through Langley Indian Reserve Number 3.

. . . . . .

All that parcel of land situate in Indian Reserve number Three of the Langley Band, in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing by admeasurement eight acres and one tenth of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of the said Indian Reserve which is shown edged in Red on both sides on a plan entitled Canadian Pacific Railway right of way plan, main line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July, 1904, of record in the Surveys Branch of the Department of Indian Affairs, under number RR 2009, which plan, with alterations, is certified to be a true copy of an original plan deposited in the Land Registry Office at New Westminster under number 908.

O.K. H.H.
25-2-26.

A. 1 Page 354
J. 22,153 17cp

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs (X)
25-2-26.

22153-17 CP.

Ottawa, 13th January, 1925.

Description for patent, Main Line, Canadian Pacific Railway through Whonock Indian Reserve No.1 of the Langley Band.

. . . . . .

All that parcel of land situate in the Whonock Indian Reserve, nunber One of the Langley Band, in the District of New Westminster, Province of British Columbia, and Dominion of Canada, containing by admeasurement five acres and ninety seven hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of the said Indian Reserve which is shown edged in Red on both sides on a plan entitled Canadian Pacific Railway right of Way Plan, Main Line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July, 1904, of record in the Surveys Branch of the Department of Indian Affairs, under number RR 2009, which plan, with alterations, is certified to be a true copy of an original plan deposited in the Land Registry Office at New Westminster under number 908.

A.S. Page 588
22.153 17CP

O.K. H.H.
25-2-26.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs (W)
25-2-26.

22153-15 CP.

Ottawa, 12th January, 1925.

Description for patent, Main Line, Canadian Pacific Railway through Lakahahmen Indian Reserve No. 11 of the Sumas Band.

. . . . . .

All that parcel of land situate in the Lakahahmen Indian Reserve, number Eleven of the Sumas Band, in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing by admeasurement six acres and five tenths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of the said Indian Reserve which is shown edged in Red on both sides on a plan entitled Canadian Pacific Railway right of way plan, Main Line, as constructed from Harrison River to Port Moody by James F. Garden, Dominion and Provincial Land Surveyor, dated at Vancouver, 29th July, 1904, of record in the Surveys Branch of the Department of Indian Affairs under number R^{R} 2009, which plan, with alterations, is certified to be a true copy of an original plan deposited in the Land Registry Office at New Westminster under number 908.

O.K.
25-2-26.

A. 2. Page 103
D. 22,153 15 C.P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs. (U
25-2-26

22165-8 C.P.

Ottawa, 30th December, 1924.

Main Line Canadian Pacific Railway through
Skawahlooks Indian Reserve No.1, Skawahlooks Band.
. . . . . .

All that parcel of land situate in the Skawahlooks Indian Reserve, number One of the Skawahlooks Band in Sections Four and Five, Township Five, Range Twenty seven, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement six acres and six tenths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of the said Indian Reserve which is shown edged in Red on both sides on a plan of the Canadian Pacific Railway right of way of main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor and Provincial Land Surveyor, dated the 6th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007, which plan, with alterations, is certified to be a true copy of plan of record in the Land Registry Office at Kamloops under number 286.

O.K. H.H. 25-2-26

D.I. Page 346 D.I. 22,165 & C.P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs (S
25-2-26.

22165-9 CP.

Ottawa, 30th December 1924.

Description for patent, main line,
Canadian Pacific Railway through Ruby Creek Indian Reserve,
No. 2 of the Skawahlooks Band.

. . . . . .

ALL THAT parcel of land situate in the Ruby Creek Indian Reserve, Number Two of the Skawahlooks Band in Section Thirty-two, Township Four, Range Twenty-seven, and Section Five, Township Five, Range Twenty-seven, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement four acres and forty-one hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve and comprising ALL that part of the said Indian Reserve which is shown edged in red on both sides on a plan of the Canadian Pacific Railway right of way of main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor and Provincial Land Surveyor, dated the sixth day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007, which plan, with alterations, is certified a true copy of plan of record in the Land Registry Office at Kamloops under number 286.

D.4. page 551
F. 22165 C.P.

O.K.
25-2-26.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs.
25-2-26.

(R)

22165-7 CP.

Ottawa, 31st December, 1924.

Description for patent, Main Line, Canadian Pacific Railway through Waleach Island Indian Reserve No.2 of the Ohamil Band.

. . . . . .

All that parcel of land situate in the Waleach Island Indian Reserve, number Two of the Ohamil Band in Township Four, Range Twenty seven, West of the Sixth Meridian in the Province of British Columbia and Dominion of Canada, containing by admeasurement fifteen acres and thirty one hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of the said Indian Reserve which is shown edged in Red on both sides on a plan of the Canadian Pacific Railway right of way of main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor and Provincial Land Surveyor, dated the 6th day of October, 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007, which plan, with alterations, is certified to be a true copy of plan of record in the Land Registry Office at Kamloops under number 286.

A. I. Page 3248
7.22.165 C.P.

O.K.
25-2-26.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Copy for Dept of Indian Affairs.
25-2-26.

22165-13.

Ottawa 27th December, 1924.

DESCRIPTION FOR PATENT.

Main Line Canadian Pacific Railway - Klaklackum
Indian Reserve No.12 of the Yale Union Bar Band
. . . . . .

All that parcel of land situate in the Klaklackum Indian Reserve number Twelve of the Yale Union Bar Band, in Section Twenty seven, Township Five, Range Twenty six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement six acres and ninety hundredths of an acre, more or less, being composed of the right of way of the Main Line of the Canadian Pacific Railway in and through the said reserve, and comprising all that part of the said Indian Reserve which is shown edged in Red on both sides on a plan of the Canadian Pacific Railway right of way of main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor and Provincial Land Surveyor, dated the 6th day of October, 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007, which plan, with alterations, is certified to be a true copy of plan of record in the Land Registry Office at Kamloops under number 286.

O.K.
25-2-26.

A.1 Page 358 J. 2.2.16 s 13 C.P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs. (C
25-2-26.

22165-10 CP.

Ottawa, 27th December 1924.

DESCRIPTION for PATENT.

Main line Canadian Pacific Railway through Sohkam Indian Reserve No. 2 of the Hope Band.

ALL that parcel of land situate in the Sohkam Indian Reserve, number Two of the Hope Band, in Sections Sixteen and Seventeen, in Township Five, Range twenty-six, West of the Sixth Meridian, Province of British Columbia and Dominion of Canada, containing by admeasurement thirty-three acres and one hundredth of an acre, more or less, being composed of the Right of Way of the main line of the Canadian Pacific Railway in and through the said Reserve and comprising ALL that part of the said Indian Reserve which is shown edged in red on both sides on a plan of the Canadian Pacific Railway right of way of main line, as constructed from Spuzzum to Agassiz, by James F.Garden, Dominion Land Surveyor and Provincial Land Surveyor, dated the 6th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007, which plan, with alterations, is certified to be a true copy of plan of record in the Land Registry Office at Kamloops under number 286.

O.K.
25-2-26.

A.2. Page 88
J. 22165-10C.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Dept. of Indian Affairs. (N
25-2-26.

22165 18 CP.

Ottawa, 16th December 1924.

DESCRIPTION for PATENT.

Main line Canadian Pacific Railway, Yale Town Indian Reserve Number One.

ALL That parcel of land situate in the Yale Town Indian Reserve, Number One of the Yale Band in Section Fourteen, Township Seven, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement one acre and fifty-nine hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said Reserve and comprising ALL that part of the said Indian Reserve which is shown edged in red on both sides on a plan of the Canadian Pacific Railway right of way of main line as constructed from Spuzzum to Agassiz, by James F.Garden, Dominion Land Surveyor, and Provincial Land Surveyor, dated the 6th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007, which plan, with alterations, is certified to be a true copy of plan of record in the Land Registry Office at Kamloops under number 286. 18 C.P.

O.K.
25-2-26

A.1 Page 36 F. 22165

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Copy for Dept. of Indian Affairs
25-2-26

22165 18 CP.

Ottawa, 16th December 1924.

DESCRIPTION for PATENT.

Main line Canadian Pacific Railway, Four and a half Mile Indian Reserve.

ALL THAT parcel of land situate in the 4½ Mile Indian Reserve, Number Two of the Spuzzum band, in Sections Thirty-Five and Thirty-six, Township seven, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement two acres and nine-hundredths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve and comprising ALL THAT part of the said Indian Reserve which is shown edged in red on both sides on a plan of the Canadian Pacific Railway right of way of main line, as constructed from Spuzzum to Agassiz, by James F. Garden, Dominion Land Surveyor and Provincial Land Surveyor, of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007, which plan, with alterations, is certified to be a true copy of plan of record in the Land Registry Office at Kamloops under number 286.

O.K. H.H. 3-4-25

D.I. Page 364
7.2.2.165 R.C.P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Copy for Dept. of Indian affairs.
25-2-26

22165-14.

Ottawa. 27th December 1924.

DESCRIPTION for PATENT.

Main line C.P.R. through Puckatholetchim I.R. No.11 Yale Band.

ALL that parcel of land situate in the Puckatholetchin Indian Reserve, number Eleven of the Yale Union Bar Band in Section Thirty-three, Township Five, and Sections Three, Four and Ten, Township Six, Range Twenty-six, West of the Sixth Meridian, in the Province of British Columbia and Dominion of Canada, containing by admeasurement twenty-five acres and three-tenths of an acre, more or less, being composed of the right of way of the main line of the Canadian Pacific Railway in and through the said reserve and comprising ALL that part of the said Indian Reserve which is shown edged in red on both sides on a plan of the Canadian Pacific Railway right of way of main line, as constructed from Spuzzum to Agassiz, by James F.Garden, Dominion Land Surveyor* dated the 6th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under RR 2007, which plan, with alterations, is certified to be a true copy of plan of record in the Land Registry Office at Kamloops under number 286.

O.K.

3-4-25

* and Provincial Land Surveyor;

D.I- Page 360
X. 22165 1½ C.P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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ARCHIVES PUBLIQUES
CANADA

22150-1 CPR

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H. CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E.P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
MAR 9 1926
RECORDS

C 77
March 8th., 1926.

R

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

DEPT. OF INDIAN AFFAIRS
MAR 9 1926
SURVEYS

Surveys

Savona to Port Moody
Right-of-way through Indian Reserves

Sir,-

Referring to your various letters asking for a return of draft descriptions sent us from time to time, we beg to say that just 26 descriptions in all have been sent us, and these for convenience of reference have been lettered in the Company's records from A to Z, both inclusive. We are enclosing herewith descriptions from K to Z, both inclusive, with the exception of four, lettered respectively L, Q, T and V, amended in accordance with suggestions which the Company desires to submit for your consideration. Descriptions lettered L, Q, and V were sent you with our letter of October 10th last, and description T with our letter of the 18th ultimo. Descriptions lettered A to G, both inclusive, were sent you with our letter of the 27th of March, 1925. With those now enclosed, therefore, all descriptions lettered from A to Z have been returned to you, and these include all the draft descriptions which you forwarded to us between the beginning of November 1924 and the end of June 1925.

We note, however, that these 26 descriptions, which have been lettered from A to Z, do not cover all of the parcels of right of way through Indian reserves. There are 30 parcels mentioned in the Order-in-Council of 15th March, 1886, and in addition to those there are, we believe, some others, so that there are probably about 12 descriptions which you have not, as yet, submitted to us.

We have the honour to be, Sir,

JB

Your obedient servants,

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 - C.P.R.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

DEPT. OF INDIAN AFFAIRS
MAR 26 1926
RECORDS

W.H. CU[redacted] CITOR, MONTREAL.
E.P. FLIN[redacted] ASST. [redacted] L. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY, OTTAWA AGENTS

C 77
March 25th., 1926.

1 Legal
2 Survey

The Secretary,
Department of Indian Affairs,
OTTAWA, Ont.

DEPT. OF INDIAN AFFAIRS
JUN 2 1926
SURV

Savona to Port Moody
Right-of-way through Indian Reserves

Sir,-

On March 8th we wrote you making some suggestions as to a change in the form of patent for use in these cases, and particularly as to the recital in the patents that the consideration had been paid by the Company, whereas it had in fact been paid not by the Company, but by the Department of Railways and Canals. We have not heard from you in reply to this letter, and find that the patents are still reaching us in the objectionable form. We will be glad to hear from you in the matter, and the writer would welcome an opportunity of discussing it with whomever in your Department is dealing with it.

We have the honour to be, Sir,

Your obedient servants,

JB

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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CANADA

C A N A D A

DEPUTY GOVERNOR.

GEORGE THE FIFTH, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India.

To all to whom these presents shall come GREETING:

WHEREAS under the provisions of the Act of the Parliament of Canada passed in the Forty-fourth year of the Reign of Her late Majesty Queen Victoria, Chaptered 1 and entitled "An Act Respecting the Canadian Pacific Railway" and by the terms and conditions of the contract and agreement embodied in the said Act and particularly by the terms and conditions of Section 5 of the said Act and Section 7 of the said contract the Canadian Pacific Railway Company (hereinafter called "the Company") is entitled to have conveyed to it the portions of the said railway constructed by the Government.

AND WHEREAS the lands hereinafter described are lands to a conveyance of which the Company is entitled under the provisions of the said Act and contract.

AND WHEREAS the lands hereinafter described are part and parcel of those set apart for the use of the ~~Skawahlook~~ Band of Indians, and whereas the Department of Railways and Canals on behalf of and duly authorized by the Government of our Dominion of Canada, in accordance with Orders of Council of the 18th January 1886 and of the 15th March 1886, has well and truly paid to our Superintendent General of Indian Affairs, duly authorized by Us in this behalf, the sum of Fifty-six [illegible] dollars and fifty cents of lawful money of Canada, in [illegible] the said sum of money [illegible] to the [illegible] and advantage of the said [illegible]

Approved Azee.

Ist Pays

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

~~such a manner as we shall be pleased to direct from time to time~~.

NOW KNOW YE, that in consideration of the premises and in pursuance of the said Act and Contract, we, by these presents do grant, convey and assure unto the Company, its successors and assigns forever all that certain parcel or tract of land situate, lying and being in the

In our Dominion of Canada, and being composed of

containing by admeasurement acres, more or less, together with the railway constructed thereon and all station buildings, water service and other appurtenances, if any, erected or installed thereon.

TO HAVE AND TO HOLD the said parcel or tract of land together with the said railway, station buildings, water service and other appurtenances unto the Company, its successors and assigns forever; Saving and reserving, nevertheless, unto Us, Our Successors and Assigns, the free use, passage and enjoyment of, in, over and upon all navigable waters that now are or may be hereafter found on, or under, or flowing through or upon any part of the said Parcel or Tract of Land.

GIVEN under the Great Seal of Canada:-

WITNESS,

DEPUTY of Our Beloved Cousin the Right Honourable Sir Julien Hedworth George, Baron Bing, of Vimy, General on the Retired List and in the Reserve of Officers of Our Army, Knight Grand Cross of Our Most Honourable Order of the Bath, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Member of Our Royal Victorian Order, Governor Genera

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

and Commander-in-Chief of our Dominion of Canada.

AT OTTAWA, this day of in the year of Our Lord, one thousand nine hundred and and in the year of Our Reign.

Fiat No. .....)
:)
:)
:)
:)

BY COMMAND.

Under Secretary of State.

the 8 Sept. 1911.

Deputy of the Minister of the Interior.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 — 1 C.P.R

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H. CURLETT, K.C.
GENERAL SOLICITOR, MONTREAL
E.P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
JUN 2 1926
RECEIVED

LANDS BRANCH
JUN 4 1926

May 31st., 1926.

C 77

R

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Savona to Port Moody
R/W through Indian Reserves
Form of Patent

Sir,-

Referring to our letters to you of March 8th and 25th and to conversations which the writer has since had with your Mr. Williams, we beg to say that we have now drafted and enclose herewith a suggested form of patent for use in conveying these Indian lands to the Company. The first two recitals are verbatim copies of the recitals settled by the Department of Justice for use in the case of similar patents of Dominion lands referred to at the foot of the first page of our letter of March 8th. The third recital is one that we suggest for patents of Indian lands.

We will be glad if you will consider this form, and if the matter can be facilitated by the writer's attending at the Department and discussing the matter personally with Mr. Williams or with any other official, we will be glad to do so.

We have the honour to be, Sir,

Your obedient servants,

JB

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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ARCHIVES PUBLIQUES
CANADA

22150 — 1 C.P.R.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H.CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E.P.FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
JUN 2 1926
RECORDS

May 31st., 1926.

C 77

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Savona to Port Moody
Right of way through Indian
Reserves - Form of Patent

Sir,-

We are writing you concurrently as to the proper form of patent for use in connection with grants of main line right of way through Indian reserves between Savona and Port Moody, and we are now returning you five patents received from you on the 13th of March, as follows:

EXTRACT ON 22165-16

J -Albert Flat Indian Reserve No. 5 of the Yale Band - 11.57 acres, A1-P-325

EXTRACT ON 22165-15

L -Stullawahweets Indian Reserve No. 8 of the Yale Band - 4.48 acres, A1-P-329

EXTRACT ON 22165-11

Q -Chawuthen Indian Reserve No. 4 of the Hope Band - 44.21 acres, A1-P-331

EXTRACT ON 22153-10

V -Scowlitz Indian Reserve No. 1 of the Harrison River Band - 36.99 acres, A17-P-290

EXTRACT 22165-5

1 -Seabird Island, District of Yale, 96.42 acres. A-1-P-327

Also the following two patents received from you on March 25th:

EXTRACT ON 22165

S -Ruby Creek Indian Reserve No. 2 of the Shawahlook Band - 4.41 acres, A4-P-551

T -Lukseetsissum Indian Reserve No. 9 of the Yale Band - 21.9 acres. A5-P-552

In the case of patent marked "A1", an additional suggested correction has been noted in pen-

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H.CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E.P.FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

oil on the face of the patent.

We have the honour to be, Sir,

Your obedient servants,

JB

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

COPY

Copy for Dept. of Indian affairs
3-3-26

Placed 22165-20
Files 33
22154-39

PREAMBLE FOR FORM OF PATENT RECEIVED FROM MR. W. O. COTE, CONTROLLER OF THE DEPARTMENT OF THE INTERIOR AT OTTAWA, BY MR. W. L. SCOTT - 6-10-23.

WHEREAS under the provisions of the Act of the Parliament of Canada passed in the forty-fourth year of the reign of Her late Majesty, Queen Victoria, Chaptered 1 and entitled "An Act respecting the Canadian Pacific Railway" and by the terms and conditions of the contract and Agreement embodied in the said Act, and particularly by the terms and conditions of Section 5 of the said Act and Section 7 of the said contract, the Canadian Pacific Railway Company (hereinafter called "the Company") is entitled to have conveyed to it the portions of the said railway constructed by the Government.

AND whereas the lands hereinafter described are lands to a conveyance of which the Company is entitled under the provisions of the said Act and contract.

NOW know ye that in consideration of the premises and in persuance of the said Act and Contract, We, by these presents do grant convey and assure unto the Company, its successors and assigns forever all these (that) certain parcels (parcel) or tracts (tract) of land situate lying and being in the and etc., etc.

Copy O.K.
3-3-26.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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22150-1 C.P.R.

W. H. CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E. P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

DEPT. OF INDIAN AFFAIRS
MAR 9 1926
RECORDS

C 77
March 8th., 1926.

MAR 26
SURV

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

Savona to Port Moody
Right-of-way through Indian
Reserves

Sir,-

We are returning herewith the following four patents recently issued to the Company:

EXTRACT ON 22165-20
EXTRACT 22165-33
EXTRACT ON 22154-46
EXTRACT ON 22165-29

Long Tunnel Reserve No. 5 of the Spuzzum Band
Backum Reserve No. 3 of the Nicomen Band
Zacht Reserve No. 5 of the Siska Flat Band
Chukcheetso Reserve No. 7 of the Boothroyd Band

In these patents, it is noted that the consideration is in each case recited to have been paid by the Canadian Pacific Railway Company under a contract with that Company to purchase the land. This is not in accordance with the facts, and might possibly later on be taken as some sort of admission by the Company. As you are aware, these portions of the railway were built by the Dominion Government and the Government, under the contract confirmed by the Act of 1881, is under obligation to convey them to the Company free of charge, and your Department was paid for them by the Department of Railways and Canals and not by the Company. We will be obliged if you will have these patents cancelled, and new ones issued worded in accordance with the facts.

Sometime ago the question of the form of patent to be used for the conveyance of Dominion lands to the Railway Company between Savona and Port Moody was under discussion with the Land Patents Branch of the Department of Interior and was by that Branch referred to the Department of Justice, where after lengthy negotiations a form was decided on. We are enclosing herewith a copy of the recitals in this form, and suggest that it would be advisable to follow this form in the issue of the these and other patents on this section of the line. Probably you will desire to add a further recital after

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W.H. CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E.P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

the two contained in the enclosed copy stating that the lands were purchased from your Department by the Department of Railways and Canals, and paid for by the latter Department.

In redrafting the patents, you will note that in one of them a memorandum has been made of one word in the description which requires to be corrected. The descriptions in the other three patents are correct.

We have the honour to be, Sir,

Your obedient servants,

JB

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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22150-1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

W. H. CURRIE,
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E. P. FLINTOFT,
ASST. GEN'L. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
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LAW DEPARTMENT

OTTAWA.

DEPT. OF INDIAN AFFAIRS
JUL 9 1926
RECORDS

July 8th., 1926.

C 77

The Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Savona to Port Moody
Right of way through Indian Reserves- Form of Patent

Sir,-

We have not heard from you in reply to our letter of May 31st enclosing suggested draft form of patent, but the writer had subsequently a conversation with your Mr. Williams, in which the latter mentioned that the proposed draft would be satisfactory to him provided that the portion of the last recital following the words "of lawful money of Canada" were omitted. As the writer mentioned to Mr. Williams, this would be quite satisfactory to the Company, as the Company is not concerned with the words in question.

It has since occurred to us, however, that it would make the matter clearer were the following words to be inserted in the said last recital after the words "of lawful money of Canada" in lieu of the words to which Mr. Williams objected:

"Being the consideration agreed upon for the taking of said lands for the purposes of the construction, operation and maintenance of the said Railway"

O.K. ABS

We will be glad to hear from you as to this, and if the form as altered is now satisfactory, we trust that you will have copies lithographed so that you may proceed with the issue of the patents to the Company. You will, of course, leave blanks for the name of the Band and also for the amount paid.

We have the honour to be, Sir,

Your obedient servants,

JB

Ewart, Scott, Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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22150-1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

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W.H.CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E.P.FLINTOFT.
ASST-GENL. SOLICITOR, MONTREAL.
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DEPT. OF INDIAN AFFAIRS
AUG 24 1927
SURVEYS

DEPT. OF INDIAN AFFAIRS
AUG 18 1927
RECORDED

August 17th, 1927

C. 77

Department of Indian Affairs,
Ottawa, Ont.

D.I.-Page 331 Hope

Sirs:

Re: Savona to Port Moody
Right-of-way through Indian Lands

We are to-day in receipt of ten patents covering lands required for the right-of-way of the Canadian Pacific Railway Company between Savona and Port Moody. These cover the descriptions lettered by Mr. Irwin "C", "E", "F", "G", "J", "L", "S", "T" and "V". There is also another parcel in Chawuthen Indian Reserve No. 4 of the Hofre Band which we think is not among those lettered by Mr. Irwin.

Mr. Irwin has, in all, checked twenty-five descriptions, which he lettered from "A" to "Z" and "A1", and we will be glad to know when you will issue patents for the remaining fifteen and when you will be prepared to submit additional descriptions, as we are anxious that this right-of-way matter should be entirely cleared up with as little delay as possible.

We have the honour to be, Sirs,

Your obedient servants,

Ewart Scott Kelley & Kelley

P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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22150-1 C.P.

W. H. CURLE, K.C.
GENERAL SOLICITOR, MONTREAL.
E. P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

SWART, SCOTT, KELLEY & KELLEY,
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CANADIAN PACIFIC RAILWAY COMPANY

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OTTAWA.

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AUG 23 1927
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LANDS BRANCH
SEP 26 1927

August 20th, 1927

C. 77

DEPT. OF INDIAN AFFAIRS
SEP 20 1927
SURVEYS

The Secretary,

Department of Indian Affairs,

Ottawa, Ont.

Sir:

Savona to Port Moody
Right-of-way through Indian Lands

When writing you on the 17th inst. acknowledging receipt of certain patents, we stated that we were unable to trace the parcel in Chawuthen Indian Reserve No. 4 of the Hofre Band. We find that this is a misprint for Hope Band and that the patent in question is for the description lettered "Q" by Mr. Irwin.

D.I. Page 33

We have the honour to be, Sir,

Your obedient servants,

P. Swart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Puckatholstchin — 22165 14 C.P ✓ - K - A - 1 - Page 360

Four & a Half Mile — 22165 20 CP ✓ - M - A 1 - " 364
Papsilqua

Yale Town Res. — 22165 18 C.P. ✓ - N - A. 1 - Page 362

Schkam Res. — 22165 10 C.P ✓ - O - A. 2 " 88.

Kkaklackum - 22165 13 C.P ✓ P - A - 1 " 358

Waleach Isld — 22165 7 CP ✓ - R - A. 1 " 348

Ruby Creek. 2 — 22165 9 CR ✓ - S - A. 2 " 551
Skawahlooks - 22165 8 C.P. — U - A - 1 " 346

Lakahahmen — 22165 15 CP ✓ - W - A - 2 " 103

Whonock — 22153 17 ✓ - X - A 5 " 88.

Langley #3. 22153 17 ✓ Y - A - 1 " 354

Lukseetaissum № 9 - 22165 - 9 - T - A - A5 " 552

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ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

W.H.C. [redacted] C.
SOLICITOR, MONTREAL.
E.P. FLINT, Q.C.
ASST-GENL. SOLICITOR, MONTREAL.

LAW DEPARTMENT

OTTAWA.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
DEC 13 1927
RECORDS

Dec. 12, 1927.

C. 77

DEPT. OF INDIAN AFFAIRS
DEC 17 1927
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Savona - Port Moody
Right-of-way through Indian
Reserves

Sir,-

We have not received from you any patents or draft descriptions since the ten patents received on August 17th, 1927. As pointed out in our letter of that date, twenty-five descriptions in all have been submitted by you and checked by the Company and we will be glad to know when you will issue patents for the remaining fifteen and when you will be prepared to submit additional descriptions. As stated in that letter, we are most anxious that the right-of-way matters between Savona and Port Moody should be entirely cleared up with as little delay as possible.

Plans / Surveys

We have the honour to be, Sir,

Your obedient servants,

Scott Kelley & Kelley

JB

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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CANADA

22150-1A C.P.

Ottawa, December 29, 1927.

Gentlemen,-

Replying to your letter of the 13th instant, No. C.77, dealing further with right-of-way through Indian Reserves Sawona-Port Moody, I may say that the matter of issuing the further patents is now receiving attention. You will be further advised in the course of a few days.

Your obedient servant,

Acting Assistant Deputy and Secretary.
(A. F. MacKenzie)

Messrs. Ewart, Scott, Kelley & Kelley,
Barristers, etc.,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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22150-1 C.P.

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FEB 29 1928
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CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

W. H. CURL
GENER. SOLICITOR, MONTREAL.
E. P. FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

OTTAWA.

February 28th, 1928.
.C.77

DEPT. OF INDIAN AFFAIRS
MAR 1 1928
SURVEYS

The Deputy Minister,
Dept. of Indian Affairs,
Ottawa, Ontario.

Sir,

Re: Savona to Port Moody
R/W through Indian Reserve.

We have no record of the numbers which the various Garden plans bear in your records. We will, therefore, be obliged if you will give us a list of the Garden plans indicating in each case what number the plan bears in the records of your Department.

We have the honour to be, Sirs,

Your obedient servant,

Ewart Scott Kelley & Kelley

KVO.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
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ARCHIVES PUBLIQUES
CANADA

22150-1A C.P.

Ottawa, 2nd March 1928

Sirs,- Ref. your file No.C.77

In reply to your letter of the 28th ultimo I beg to say that the various Garden plans recorded in this Department are as follows,-

R.R.2005, Canadian Pacific Railway right of way plan, main line as constructed from 3 miles West of Savonas, Mile 28.5 to 5 miles West of Spatsum, Mile 66, Registration District of Kamloops, B.C. This is a copy of Interior plan No.10053.
R.R.2006, Canadian Pacific Railway right of way plan, main line as constructed from Spatsum, Mile 66, to Spuzzum, Mile 15.5, Registration Yale-Kamloops Division, Yale District. This is a copy of Department of Interior plan No.11195.
R.R.2007, Canadian Pacific Railway right of way plan, main line as constructed from Spuzzum, Mile 14.5 to Agassiz, Mile 59.8, Registration of Hale Division, Yale District, B.C. This is a copy of Department of Interior plan No.11194. main line
R.R.2008, Canadian Pacific Railway right of way plan, as constructed from Agassiz, Mile 59.8 to Harrison River, Mile 72.5, Registration District of New Westminster, B.C. This is a copy of Department of Interior plan No.11193.
R.R.2009, Canadian Pacific Railway right of way plan, main line as constructed from Harrison River, Mile 72.55 to Port Moody, Mile 117, Registration District of New Westminster, B.C. This is a copy of Department of Interior plan No.11539.

MRN. AFM

Your obedient servant,

F. Pedley

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

Messrs. Ewart, Scott, Kelley & Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Copy for Mr. ~~Howard~~ White

SAVONA to PORT MOODY - GARDEN PLANS

PLAN NUMBERS OF THE VARIOUS DEPARTMENTS

Beginning at the Savona end		C. P. R.	Department of	Department of
Mileage	Registry Offices	Montreal	Interior Ottawa	Indian Affairs Ottawa
Thompson Subdivision M.28.5 to M.66.0	Kamloops No. 205	31,398	10,553	R.R. 2,005
Thompson Subdivision M.66.0 to M.121.37 Cascade Subdivision M.0 to M.15.5	Kamloops No. 287	32,968	11,195	R.R. 2,006
Cascade Subdivision M.15.5 to M.59.8	Kamloops No. 286	32,990	11,194	R.R. 2,007
Cascade Subdivision M.59.8 to M.72.5	New Westminster No. 906	33,015	11,195	R.R. 2,008
Cascade Subdivision M.72.5 to M.117	New Westminster No. 906	33,230	11,539	R.R. 2,009

NOTE -- The Western 10 Miles of Plan C. P. R. No. 32,990 seem to belong to the New Westminster Office.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

22150 - 1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

RL
GENERAL SOLICITOR, MONTREAL.
FLINTOFT,
ASST-GENL. SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

Survey

March 12th., 1928.

C 110

DEPT. OF INDIAN AFFAIRS
MAR 15 1928
SURVEYS

DEPT. OF INDIAN AFFAIRS
MAR 15 1928
RECORDS

The Secretary,
Dept. of Indian Affairs,
Ottawa, Ontario.

Sir,-

Savona - Port Moody
Garden Plans
Your file 11174

For your information we enclose copy of table showing the various Garden plans and what they cover, the number in the records of the Canadian Pacific Railway Company and the numbers in the records of your Department and of the Department of Interior respectively.

As regards C.P.R. plan No. 32990, this plan shows the line between the registration districts of Yale and New Westminster as being at the Wye at Agassiz, Mile 59.8 of the Cascade Subdivision. Our understanding, however, is that the line between these two registration districts crosses the right of way at the line between Ranges 27 and 28 West of the 6th, being at Mile 49.8 of the Cascade Subdivision. We are informed that the B. C. Government was prepared to do whatever might be required towards filing in the New Westminster Registry Office plan of right of way between Mile 49.9 and Mile 59.8 in the New Westminster Registry Office, but we think it well to call your attention to this nevertheless.

We have the honour to be, Sir,

Your obedient servants,

JB

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a C.P.

RESERVES THROUGH WHICH CANADIAN PACIFIC RWY
SAVONA TO PORT MOODY PASSES

	File	Reserves			Remarks	Page
✓	27154 25	Nepa #4	✓	✓	Owned by C.P.R. patented	422
		Spatsum #11A	✓	Cook's Ferry	interior to rouse patent	
✓	22,154 29 C.P.	Spatsum #11	✓	" " ✓	PATENTED - Page	366
✓	" " "	Pokheitsk #10	✓	" " ✓	"	368
✓	" " 30 C.P.	Pemynoos #9	✓	" " ✓	"	146
A	" " 26 C.P.	Kumcheen #1	✓	" " ✓	"	31
B	" "	Shawhikan #4	✓	" " ✓	"	311
C	22154-48	Sackum #3	✓	Nicomen ✓	"	295
Sale 1, Page 427	—	Nicomen #1	✓	"		
		Two Mile Creek #16	✓	Lytton		
D	22165-37	Klickumcheen #18	✓	" ✓	"	94
		Inklyukinatko #2	✓	Skuppah		
✓	22165-1-	Skuppah #4 (Sale 2)	✓	" ✓	"	410
E	22154 33 C.P.	Zach #5	✓	Siska Flat ✓	"	135
	22150 1a	Nahamanak #7	✓	" " (No. 7) ✓		134
	22165 31 C.P.	Whyeek #4	✓	Kanaka Bar		1244
F	22165-29-1	Chukcheetso #7	✓	Boothroyd ✓	"	297
	Page 407 —	Speyum #3	✓	"		
G	22165-20	Long Tunnel #5	✓	Spuzzum ✓	"	293
		- Kopchitchin #2	✓	Boston Bar	"	433
		Shryptahooks #7	✓	" "	"	435
		Scaucy #5	✓	" "	"	437
		Paul's #6	✓	" "	"	439
	22165-19	Spuzzum #1	✓	Spuzzum ✓	"	374
M	22165-18	4½ Mile #2	✓	Yale ✓	"	364
N	" " C.P.	Yale Town #1	✓	" ✓	"	362
J	22165-16	Albert Flat #5	✓	" ✓	"	325
L	22165-15	Stellawheets #8	✓	" ✓	"	329
K	22165-14	Puckatholetchin #11	✓	" ✓	"	360
O	22165-10	Schkam #2	✓	Hope ✓	"	88
P	22165-13	Klaklacum #12	✓	Yale ✓	"	358
Q	22165-11	Chawathen #4	✓	Hope ✓	"	324

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

	File	Reserves			Remarks	Sale Book Page
					PATENTED	
U	22165-8	Skawahlook #1 ✓	Skawahlook	✓	"	346
S	22165-9	Ruby Creek #2 ✓	"	✓	"	551
R	22165-7	Waleach Is. #2 ✓	Ohamil	✓	"	348
A-1	22165-5	Seabird Island ✓	"	✓	"	327
V	22153 10 C.P.	Scowlitz #1 ✓	Scowlitz	✓	"	290
✓	22153-15	Holachten #8 ✓	Sumass	✓	"	95
W	"	Lakahamen #11 ✓	"	✓	"	103
		" #3 ✓	Langley			588
X	22153-17	Whonock #1 ✓	"	✓	"	
		" #5 ✓	✓"			
T	22165-9	Lukseetsissum #9	Yale	✓	"	

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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PATENTS ISSUED FOR RIGHT OF WAY-C. P. R.-THROUGH RESERVES-
SAVONA TO PORT MOODY, B.C.

A. Kumcheen Res No1-(P. 31-F. 22154 26CP

B. Shewniken Res No4-S. 2-Page 311 do -

C. Saokum-No. 3-S. 1.-P.395-F.22154-48.

D. Kliexumeheen No. 18-S. 3-Page 94-F. 22,165 37CP.

E. Zacht-Res. No. 5-S. 4-P.135-F.22165-33

F. Chukcheetso-Res. No.7-S. 1-P.297-F.22165-29

✓ G. Long Tunnel-No.5- S.1-P.293-F.22165-20

H.

I.

J. Albert Flat-S. 1-P.325 -F. 22165-16

✓ K. Puckatholetohin Res. No 18.1- P.360-F.22165-14 C. P. R.

L. Stellawheets Res. No. 8-P.329- F. 22165-15.

✓ M. 4 1/2 Mile Res.No.2-F. 22165-18 C. P. -S. 1-P.364.

✓ N. Yale Town Res. No. 1-S. 1-P.362-F. 22165-18 C. P.

✓ O. Schkam Res. No. 2-S. 2-P.88-F. 22165-10 C. P.

✓ P. Klaklasum Res. No. 12-S. 1-P.358-F. 22165-13 C. P. R.

Q. Hope-S. 1-P. 331-F.22165-11. (CHAWUTHEN REGNO 4) 4th Hope Band

✓ R. Waleach Island Res. No.2-S. 1-P.348-F.22165-7 C. P. R.

✓ S. Ruby Creek-No.2-Sale 4-P.551-F. 22165-9

✓ T. Lukseetsissum Res. No.9-S. 5-P.552-F.22165-9

✓ U. Ska-wah-looks No. 1- S.1-P.346-F. 22165-8 C. P. R.

✓ V. Scowlitz Res. No. 1-S.17-P.290-F. 22153-10.

✓ W. LakahahmenNo. 11-S. 2-P. 103-F. 22153-18C. P.

✓ X. Whonnock No. 1-S. 1-P. 354-88- 17 C.P.

✓ Y. Langley No. 3-S. 1-P.354-F. 22153-17 C. P. R.

✓ Z. Langley No. 5-S. 1-P.356-F. "

A-1-Seabird Island-S. 1-P.327-F. 22165-5.
Pennynoos Reserve No.9-S1. Page 146-F.22154-30 C. P.
Ponheitsk " " 10-S. 1-Page 368-F.22154-29 C. P.
Spatzum " " 11-S. 1-Page 366-F. "

Langley - F. 22165 31CP Letter 28 Oct 1928 Paterson Page 124

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CANADA

RESERVES THROUGH WHICH CANADIAN PACIFIC RWY
SAVONA TO PORT MOODY PASSES

File	Reserves		Remarks
	Nepa #4		Owned by C.P.R.
	Spatsum #11A	Cook's Ferry	
	Spatsum #11	" "	
	Pokheitek #10	" "	
	Pemynoos #9	" "	
	Kumcheen #1	" "	
	#4	" "	
22154-48	Sackum #3	Nicomen	
	Nicomen #1	"	
	Two Mile Creek #16	Lytton	
22165-37	Klickumcheen #18	"	
	Inklyukinatko #2	Skuppah	
22165-1-	Skuppah #4	"	
	Zach #5	Siska Flat	
	Nahamanak #7	" "	
	Whyeek #4	Kanaka Bar	Issued & cancelled
22165-29-1	Chukcheetso #7	Boothroyd	
	Speyum #3	"	
22165-20	Long Tunnel #5	Spuzzum	
	Kopchitchin #2	Boston Bar	
	Shryptahooks #7	" "	
	Soaucy #5	" "	
	Paul's #6	" "	
22165-19	Spuzzum #1	Spuzzum	
22165-18	4½ Mile #2	Yale	
	Yale Town #1	"	
22165-16	Albert Flat #5	"	
22165-15	Stellawhaets #8	"	
22165-14	Puckatholetchin #11	"	
22165-10	Sohkam #2	Hope	
22165-13	Klaklacum #12	Yale	
22165-11	Chaw then #4	Hope	

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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File	Reserves		Remarks
22165-8	Skawahlook #1	Skawahlook	
22165-9	Ruby Creek #2	"	
22165-7	Waleach Is. #2	Ohamil	
22165-5	Seabird Island		
	Scowlitz #1	Scowlitz	
22153-15	Holachten #8	Sumass	
	Lakahamen #11	"	
	" #3	Langley	
22153-17	Whonock #1	"	
	" #5	"	

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22150 1a C.1.

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Book 25 Page 4410

7 Dec 1950 19 C.P.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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Pad 1-6-20

2-2-945

2-2150-1 cf

$3.00

The original of this document has been removed therefrom to the Records of the Indian Land Registry.

49885

Signature

Mar 23 1972

INDIAN
LAND SALE

GRANT

TO

The Canadian Pacific Ry. Co'y,

Lytton Indian Reserve No. 16.

District of Yale

Acres ——— 11/100.

Dated 6th July 1912.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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Cheque received Oct 2/29-9-24

D 25 Page 410

3.2.2945

2216

$60.00 would be required.

The original of this Document has been removed for reasons in the Records of the Indian Registry.

Signature

Jan 23 19 72

INDIAN
LAND SALE

GRANT

TO

The Canadian Pacific Ry Coy,

Skuppah Indian Res No. 4

District of Yale

Acres ——— 18 35/100.

Dated 5th July, 1912.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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22150-1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA.

W.H. CURLE[illegible] SOLICITOR, MONTREAL.
E.P. FL[illegible] ASST. GENL. SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY, OTTAWA AGENTS.

DEPT. OF INDIAN AFFAIRS
JAN 30 1929
RECORDS

Jan. 28, 1929.

C. 77

DEPT. OF INDIAN AFFAIRS
JAN 31 1929
SURVEYS

The Secretary,
Department of Indian Affairs,
O t t a w a, Ont.

Sir,-

Savona - Port Moody

You will recall that in February 1925 we returned to you five patents which it was necessary to have cancelled because they had not been prepared on the proper form and called your attention at the same time to the fact that the lands referred to therein had been paid for by the Company in error although they had already previously been paid for by the Department of Railways and Canals. The particulars of the five patents and of the amounts paid in error are as follows:

	DATE	NAME OF RESERVE	AREA	TO BE REFUNDED
1.	12.10.11	Skuppah Indian Reserve No. 2	58.72 ac.	$ 60.00
2.	5. 7.12	Skuppah Indian Reserve No. 4	18.35 ac.	60.00
3.	5. 7.12	Siska Flat Indian Reserve No. 7 -	89.51 ac.	89.60
4.	5. 7.12	Wyeek Indian Reserve No. 4	107.00 ac.	110.00
5.	6. 7.12	Lytton Indian Reserve No. 16 -	1.11 ac.	3.00
			274.69 ac.	$ 322.60

Corrected patents for some or all of these parcels have now been issued and we are, therefore, instructed to ask that you will arrange for a refund to the Company of the $322.60 which was overpaid.

We have the honour to be, Sir,
Your obedient servants,

JB

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1CP

Ottawa, 5th February 1929

Sirs,- Your ref.No.C.77

I have your letter of the 29th ultimo regarding rights of way of the Canadian Pacific Railway Company through the following Indian reserves,- Skuppah #4, Skuppah #2, Siska Flat #7, Whyeek #4 and Lytton #16.

Your statement that these lands have been paid for by your Company as well as by the Department of Railways and Canals is noted. The records of this Department show that the lands were paid for by the Department of Railways and Canals but I am unable to find record of your Company having made any of the payments which you enumerate. Kindly give the exact dates on which the payments were made by your Company.
In this connection I may say that an error appears to have crept into the patents in stating that the Canadian Pacific Railway Company made payment, whereas the records show that they were made by the Department of Railways and Canals.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary

Messrs. Smart, Scott, Kelley & Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

SAVONA TO PORT MOODY
OUTSTANDING TITLES TO RIGHT OF WAY OF MAIN LINE OF THE CANADIAN PACIFIC RAILWAY THROUGH INDIAN RESERVES.

VANCOUVER FILE		NAME OF RESERVE		SITUATED IN Tp.	Rge.		ACRES	
22154-29	437	Cooks Ferry 11/A		19	24	W. 6th	22.60	L
22154-43	375 Page 437	Nicomen I.R. No.1		15	25	" "	25.10	L
22165-18	174A Page 195	Hope I.R. No.6	Sec 21 -	5	26	" "	cancl 14 June 17 f. 22165-10 CP	
22165-23	282	Brothroyd I.R.#3,	Pink "A"	11	26	" "	57.30	
			" "B"	"	"	" "	9.00	
			Blue	"	"	" "	28.30	
							94.60	
22165-22	271 Page 433	Boston Bar, (Kopchitchin Res) No.2	Pink	10	26	" "	45.40	✓ Sch 1 —
			Blue	"	"	" "	3.46	
							48.86	
22165-21	263 " 435	" " No.7	Pink	10	26	" "	32.60	f. 22165-21 CP
			Blue	"	"	" "	1.51	✓
							34.11	
22165-24	260 " 437	" " No.5	Pink	10	26	" "	2.44	f. 22165-24 CP
			Blue	10	26	" "	3.42	✓
							5.86	

NOTE: The Right of Way in the last four Reserves is as per plan by J. L. Doupe, D.L. & B.C.L.S., registered in Kamloops Land Registry Office as No.A/388. Copy filed with the Survey Branch of the Department of Indian Reserves as No. R.R. 1932.

C. P. R. Right of Way Dept.,
Vancouver, B. C.
Oct. 3rd, 1930.

J. Thuillez Paul's IR No 6. Boston Bar ✓
= W½ Sec 8 Tp 10 R 26 W 6 M. should also f. 22165-21 CP
be included

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 e.P.

CANADIAN PACIFIC RAILWAY COMPANY

W.H.CURLE,
GENERAL COUNSEL, MONTREAL.
E.P.FLINTOFT, K.C.
GENERAL SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY & KELLEY,
OTTAWA AGENTS.

LAW DEPARTMENT

1. Record file
Supplied
2

DEPT. OF INDIAN AFFAIRS
Oct 8 1930
SURVEYS

OTTAWA. 9th October, 1930.

C. 77-1.

R

DEPT. OF INDIAN AFFAIRS
OCT 11 1930
RECORDS

The Deputy Superintendent General
of Indian Affairs,
Department of the Interior,
Ottawa.

Dear Sir:

Re patents through Indian Reserves -
railway belt - B. C.

We beg to enclose herewith statement from the Company's records showing patents outstanding covering right of way through Indian reserves in the Port Moody to Savona section of this Company's line.

Encl.

In addition to the items shown on the list, there is a portion of right of way crossing the location of an alleged Indian graveyard in the northwest quarter of section 33, township 15, range 25, west of the 6th meridian, adjacent to the Nicomen Indian Reserve No. 3, (Sackum.) The question of securing the right of way across this graveyard has been in correspondence with the Surveyor General, his file 19805-2-54773 B.C.L. Two grants, Nos. 2230 and 2218, have been received from the Lands Branch of the Department of Interior for the right of way on either side of the graveyard, and have been registered. The description in these grants excepts the graveyard.

Our engineers have checked up on the ground, and we are advised that there is no evidence of a graveyard at this point. It is necessary that we should secure the right of way over this alleged graveyard location either from your Department or the Department of Lands. Would you please advise us as to this.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADIAN PACIFIC RAILWAY COMPANY

W.H.CURLE, K.C.
GENERAL COUNSEL, MONTREAL.
E.P.FLINTOFT, K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS

LAW DEPARTMENT

OTTAWA. 9th October, 1930.

In addition to the list enclosed there are also oustanding patents in Indian Reserves for right of way east of Savona to the eastern boundary of B. C. We shall furnish you in the course of a few days with a list of the outstanding matters.

Mackenzie DR No 2 In Tps. 20+21 R13 W6 m.

We understand that plans and descriptions have been filed with the Department for all these matters, though the descriptions may have been forwarded a good many years ago. As we remember, these were all matters which were held up because the Registrar in British Columbia refused to register patents in the form in which they were being issued by the Department. This question has only recently been straightened up with the Registrar, and there will be no further difficulty as to registration, so that we are anxious to obtain patents for all outstanding matters.

Yours truly,

Ewart Scott Kelley Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

32150-10 C.P.

DEPT. OF INDIAN AFFAIRS
OCT 15 1930
RECORDS

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

W.H.CURL..., GENERAL COUNSEL, MONTREAL.
E.P.FLINTOFT, K.C., GENERAL SOLICITOR, MONTREAL.
EWART, SCOTT, KELLEY, & KELLEY, OTTAWA AGENTS

OTTAWA. 14th October, 1930.

C. 77-1.

DEPT. OF INDIAN AFFAIRS
Oct 22 1930
SURVEYS

R

DEPT. OF INDIAN AFFAIRS
OCT 16
SURVEYS

The Deputy Superintendent General
of Indian Affairs,
OTTAWA, ONTARIO.

Sir:

Re: Patents through Indian Reserves - railway belt.

Referring to the fourth paragraph of our letter of the 9th, instant, we are now advised that there is only one patent outstanding for right of way through Indian reserves East of Savona to the eastern boundary of British Columbia, that is - Neskainlith Indian Reserve, in townships 20 and 21, range 12, west of the 6th meridian.

We have the honour to be
Sir,
Your obedient Servants,

Ewart Scott Kelley & Kelley

see file 22154-10 C.P.R. patent issued 1895

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 CP

Ottawa, 23rd October 1930

Sirs,-

With reference to your letter of the 14th instant, regarding patents through Indian reserves in the railway belt and with special reference to Neskainlith Indian reserve, I may say there is no reserve which crosses the line between Tps.20 and 21, R.12, but Neskainlith Indian reserve No.2 is in Tps.20 and 21, R.13, W.6.M. The right of way of the Canadian Pacific Railway in this reserve was patented in 1895. Please see letter to C.Drinkwater, dated 25th Nov.1895. The other rights of way mentioned in your letter of the 9th instant will be dealt with in separate letters.

Your obedient servant,

(A.F.MacKenzie)
Secretary

Messrs.Ewart, Scott, Kelley & Kelley,
Barristers etc.,
Ottawa.

WKW
WRM

su file 22154-29

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 CP

1. Keep
2 Letters (3 letters)

Ottawa, 24th October 1930

Sir,-

With reference to the right of way of the Canadian Pacific Railway through the graveyard, about six chains South of Nicomen Indian reserve No.3, in Sections 32, Tp, 25, R.26, W.6.M., and Sec.33, Tp.15, R.26, W.6.M., I may say that this graveyard was not shown on Garden's plan, Department of the Interior No.11195, our Number RR 2006. Our official plan does not give much information as to its definite location but we have an official plan filed by the Government of the Province of British Columbia, showing their road through this graveyard, which will assist the Company to have a proper plan made for the transfer of title. You are requested to have a plan and description filed.

Your obedient servant,

(A.F.MacKenzie)
Secretary

Messrs. Ewart, Scott, Kelley and Kelley,
Barristers etc.,
Ottawa.

over

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1 See 3 letters
2 Surveys.

22150-1 CP

Ottawa, 24th October 1930

Sir,-

With reference to your letter of the 9th instant regarding right of way of the Canadian Pacific Railway through Cook's Ferry Indian reserve No.11-A in Tp.19, R.28, W.6.M., I may say that patent was issued on the 5th April 1928 and mailed to you on the 23rd April 1928.

Your obedient servant,

(A.F.MacKenzie)
Secretary

Messrs. Ewart, Scott, Kelley & Kelley,
Barristers etc.,
Ottawa.

see file 2215-4-29

over

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

copy

22150-1

22154-47

Ottawa, 28th October 1930

Description for patent

All that parcel of land within the Nicomen Indian reserve number One, In Section Seventeen, Township Fifteen, Range Twenty-five, West of the Sixth Meridian, containing by admeasurement twenty-nine acres and twenty-six hundredths of an acre, more or less, comprising the right of way of the Canadian Pacific Railway, as the right of way is shown on Canadian Pacific Railway right of way plan, Main line as constructed from Spatsum, Mile 66, to Spuzzum, Mile 15.5, by James F. Garden, dated the 17th day of October 1904, of record in the Surveys Branch of the Department of Indian Affairs under number R.R.2006, which plan, with alterations, is a copy of Department of the Interior plan No. 11195, and as the said Indian reserve is shown on plan of the South West quarter of Township Fifteen, Range Twenty-five, West of the Sixth Meridian, approved and confirmed on the 23rd October 1914.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

22150-1

22154-47

Ottawa, 28th October 1930

Sirs,-

With reference to your letter of the 9th instant, regarding right of way of the Canadian Pacific Railway through Nicomen Indian reserve No.1 in Tp.15, R.25, W.6.M., I beg to enclose a copy of the description of the land proposed to be patented by this Department. Kindly have this description checked and returned with any amendments or suggestions you may desire.

Your obedient servant,

(A.F.MacKenzie)
Secretary

Messrs. Ewart, Scott, Kelley & Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

W.H. CURRIE, K.C.
GENERAL COUNSEL, MONTREAL.
E. P. FLINTOFT, K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS.

LAW DEPARTMENT

OTTAWA. 28th October, 1930.

C. 77.

DEPT. OF INDIAN AFFAIRS
OCT 29 1930
RECORDS

A. F. MacKenzie, Esq.,
Secretary,
Department of Indian Affairs,
Ottawa.

Sir:

Re: Your file 22150-1 C.P.

We have your letter of the 24th, instant, advising us that patent for land through Cook's Ferry Indian Reserve No. 11-A, in township 19, range 24, west 6th, was issued on the 5th April, 1928, and mailed to us on the 23rd April, 1928.

It appears from our file that on the 23rd April, 1928, we received three patents for land in reserves of the Cook's Ferry Band, but we do not appear to have received a patent for the land in the township just referred to.

The patents we received were as follows:

Indian Reserve Shawniken No. 4 of the Cook's Ferry Band in 3-17-25 W. 6th, dated April 4, 1928. 1.04 acres.

Indian Reserve Temynees No. 9 of the Cook's Ferry Band, dated April 5, 1928. 127.22 acres.

Indian Reserve Kumcheen, No. 1 of the Cook's Ferry Band in 17-25 W. 6th, dated April 4, 1928. 3.87 acres.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

W.H.CURLE, K.C.
GENERAL COUNSEL, MONTREAL.
E.P.FLINTOFT, K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS.

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

OTTAWA. 28th October, 1930.

Would you therefore please advise us if this patent was sent to some other of the Company's officials, or if it was sent to us could you please let us have our file number.

We have the honour to be
Sir,
Your obedient Servants,

Ewart Scott Kelley Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 CP

Ottawa, 4th November 1930

Sirs,- Your ref.No.C.77

In reply to your letter of the 28th ultimo regarding right of way of the Canadian Pacific Railway through the Spatsum Indian reserve No.11A of the Cook's Ferry band, it is regretted that the information given you in our letter of the 24th ultimo referred to Spatsum Indian reserve No.11.

Spatsum Indian reserve No.11A was confirmed by the Department of the Interior by Order in Council of the 31st October 1890, omitting the right of way of the Canadian Pacific Railway. The patent for the right of way adjacent to this reserve should, therefore, be issued by the Department of the Interior.

Your obedient servant,

T.R.L. MacInnes

(T.R.L.MacInnes)
Acting Secretary

Messrs.Ewart, Scott, Kelley & Kelley,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

B1

CANADIAN PACIFIC RAILWAY COMPANY

W.H.CUR[illegible]GE, COUNSEL, MONTREAL.
E.P. FLINTOFT, K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS.

LAW DEPARTMENT

OTTAWA. 11th November, 1930.

C. 77-1.

DEPT. OF INDIAN AFFAIRS
NOV 12 1930
RECORDS

The Secretary,
Department of Indian Affairs,
Ottawa.

Sir:

Re: Patents through Indian Reserves - railway belt. Your file 22150-1 C.P.

With reference to your letter of the 23rd, ultimo, we beg to advise that "range 12" as mentioned in our previous letter to you should have read "range 13" in which the Neskainlith Indian Reserve is situated.

We have the honour to be
Sir,
Your obedient Servants,

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

W.H.CUR[redacted]C.
GE[redacted]OUNSEL, MONTREAL.
E.P. FLINT[redacted]K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS.

LAW DEPARTMENT

OTTAWA. 24th November, 1930.

C. 77-1.

R

DEPT. OF INDIAN AFFAIRS
NOV 25 1930
RECORDS

A. F. MacKenzie, Esq.,
Secretary,
Department of Indian Affairs,
Ottawa.

Sir:

Re: Patents through Indian reserves. Neskainlith Indian reserve, townships 20 and 21, range 13, west 6th.
Your file 22150-1 C.P.

With further reference to your letter of the 23rd of October last, we are now advised by our Consulting Right of Way Agent that he has ascertained that patent was issued, as you advised, and that he has located same in the Company's Secretary's office in Montreal.

Thanking you for this information,

We have the honour to be
Sir,
Your obedient Servants,

Ewart Scott Kelley & Kelley

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Lands for patent

22150-1A

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 25th November 1930

Description for patent

All that parcel of land containing by admeasurement three-tenths of an acre (0.3) more or less, lying within the Hope Indian reserve Number Six in Section 21, Township 5, Range 26, West of the Sixth Meridian, in the Province of British Columbia taken for right of way of the Canadian Pacific Railway, as said railway is constructed across said land and lands adjoining the same and as shown edged in red upon a plan of said railway, signed by James F. Garden, Dominion and British Columbia Land Surveyor, dated the 5th day of October 1904 and of record in the Surveys Branch of the Department of Indian Affairs under number RR 2007, which plan, with alterations, is a copy of the Department of the Interior plan No. 11194, a duplicate whereof is on file in the Kamloops Land Registry Office as Number 286 and as the said Indian reserve is shown on a plan of the North West quarter of Township 5, Range 26, West of the 6th Meridian, approved and confirmed on the 15th November 1918.

Sale Folio 195 Blo Ref 2209

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

Ottawa, 25th November 1930

Sir,-

Enclosed please find a copy of plan of Hope Indian reserve No.6, a fishing station containing about 2 acres, situate on the Fraser River in the S.E.¼ Sec.21-5-26-W.6.M.

By the Charter granted to the Canadian Pacific Railwat, the right of way through this reserve, as well as all those in that locality, was to be transferred to the Company free of charge by the Dominion Government. The Department of Railways and Canals paid for the other rights of way but this one has been overlooked. It is now deemed advisable to transfer the right of way through this reserve to the Company, but before the transfer can be made, compensation must be obtained. You are requested to forward your valuation for the land amounting to three-tenths of an acre, in accordance with Sec.72 of the General Instructions to Indian Agents.

Your obedient servant,

A. F. MacKenzie

(A.F. MacKenzie)
Secretary

A. Strang Esq.,
In charge Lytton Agency,
Lytton, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2 letters (Exs. under)
1 Secy
2 Surveys (under)

22150-1A

Ottawa, 25th November 1930

Sirs,-

Referring to your letter of the 9th ultimo, attached you will find a copy of the description proposed to be used in the conveyance of the right of way of the Canadian Pacific Railway across the Hope Indian reserve No.6 in Sec.21, Tp.5, R.26, W.6.M., Province of British Columbia. You are requested to approve or amend it as you see fit and to return it to this Department.

Your obedient servant,

A. J. Boudreau

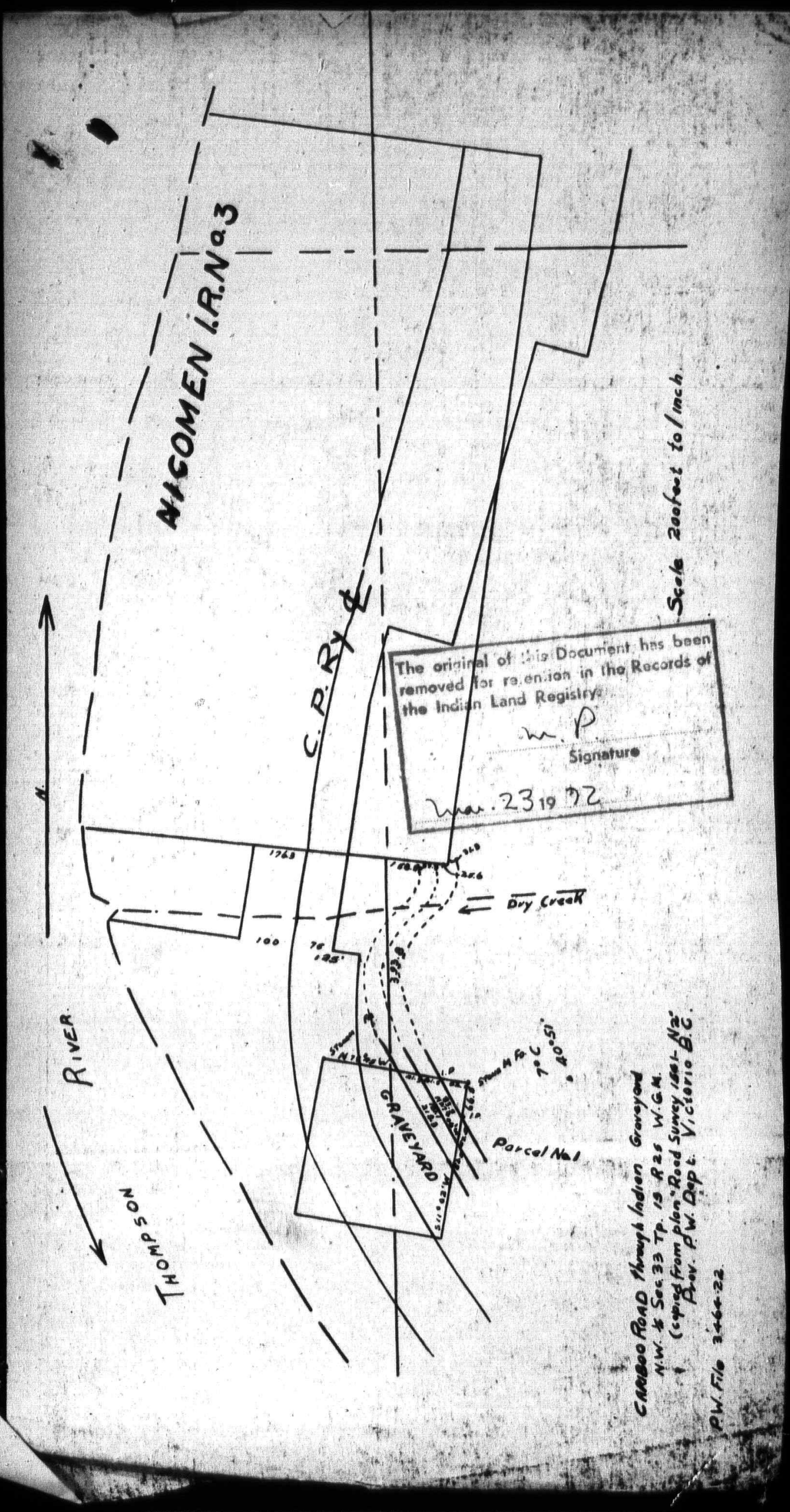
(A. MacKenzie)
Secretary

Messrs. Ewart, Scott, Kelley & Kelley
Barristers etc.
Ottawa.

boer

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



The original of this Document has been removed for retention in the Records of the Indian Land Registry.

Signature

Mar. 23 1972

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C P

CANADIAN PACIFIC RAILWAY COMPANY

W.H.C[redacted] K.C.
GENERAL COUNSEL, MONTREAL.
E.P. FLINTOFT, K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS.

LAW DEPARTMENT

OTTAWA. 3rd December, 1930.

C. 77-1.

R

DEPT. OF INDIAN AFFAIRS
DEC 4 19[illegible]

The Secretary,
Department of Indian Affairs,
Ottawa.

Sir:

Re: Savona to Port Moody. Indian graveyard in northwest quarter, section 33, township 15, range 25, west 6th. Your file 22150/1 C.P.

With reference to your letter of October 24th last, in connection with this matter, we beg to advise that we have obtained from the Department of Public Works, Victoria, tracing copy of the plan of the Cariboo highway through the above property.

Encl. We are enclosing this copy herewith.

Our right of way agent states that there does not appear to be sufficient information on this plan to draft a satisfactory description of that portion of the graveyard lying within the boundaries of the right of way. He suggests that it is possible that the Department of the Interior, or the Surveyor General's Department, have more information than is shown in the enclosed tracing.

We shall be glad if you will take the matter up with the Surveyor General, and have a draft description prepared for our perusal.

We have the honour to be
Sir,
Your obedient Servants,

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

Ottawa, 10th December 1930

Sir,-

The Canadian Pacific Railway Company's main line takes a portion of the Hope Indian reserve No.6, a fishing station containing about 2 acres, situate in the S.E.¼ Sec.21, Tp.5, R.26, W.6.M. This is part of the line in which the Dominion Government was to transfer title to the Canadian Pacific Railway. This reserve was omitted on the Garden plan.

This Department desires to issue title to the railway company and as your Department has issued patents for the right of way on both sides up to this reserve, it is thought you will be in a position to make the description which will convey the portion desired. I shall be obliged if you will have a description of their right of way in this reserve prepared and forwarded to this Department.

Your obedient servant,

A.F. MacKenzie
Secretary

The Surveyor General,
Topographical Surveys,
Department of the Interior,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, 25th November, 1930.

Description for patent

All that parcel of land containing by admeasurement three-tenths of an acre (0.3) more or less, lying within the Hope Indian reserve Number Six in Section 21, Township 5, Range 26, West of the Sixth Meridian, in the Province of British Columbia taken for right of way of the Canadian Pacific Railway, as said railway is constructed across said land and lands adjoining the same, and as shown edged in red upon a plan of said railway, signed by James F. Garden, Dominion and British Columbia Land Surveyor, dated the 5th day of October 1904, and of record in the Surveys Branch of the Department of Indian Affairs under number R.R. 2007, which plan, with alterations, is a copy of the Department of the Interior plan No. 1194, a duplicate whereof is on file in the Kamloops Land Registry Office as Number 286 and as the said Indian reserve is shown on a plan of the North West quarter of Township 5, Range 26, West of the 6th Meridian, approved and confirmed on the 15th November, 1918.

OTT
Encl

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1a

CANADIAN PACIFIC RAILWAY COMPANY

LAW DEPARTMENT

W.H. CURLE[illegible] GEA[illegible] INSEL, MONTREAL.
E. P. FLINTO[illegible] K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS

OTTAWA. 10th December, 1930.

C. 77-1.

DEPT. OF INDIAN AFFAIRS
DEC 11 1930
RECORDS

DEPT. OF INDIAN AFFAIRS
DEC 11
SURVEYS

1 2

The Secretary,
Department of Indian Affairs,
Ottawa.

Dear Sir:

Re: Your file 22150-1A,
Hope Indian Reserve
No. 6.

Replying to your letter of the 25th of November last, with which you forwarded us copy of the description proposed to be used in the conveyance of right of way to the Company across this Indian Reserve, in section 21, township 5, range 26, west 6th, we beg to return draft description herewith, and to advise that it is satisfactory to us and also to the Registrar of Titles to whom it has been submitted.

Yours truly,

Ewart Scott Kelley & Kelley

Folio 193

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A e.P.R

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
DEC 23 1930
RECORDS

8854-G2-12/6 under

22150-1A

Lytton, B. C.,

Dec. 18, 1930.

Sir:-

I herewith beg to acknowledge receipt of your letter dated November 25th, enclosing copy of plan of Hope Indian reserve No. 6, a fishing station containing about two acres, situate on the Fraser River in the S.E.¼ Sec. 21-5-26-W.6.M, requesting me to forward my valuation for the land amounting to three-tenths of an acre, in accordance with Sec. 72 of the General Instructions to Indian Agent.

In reply beg to state that I went to look at this piece of land along with one of the Indians of the Hope band, and find that this is where the Canadian Pacific Railway Company tunnel runs through the land, which is nothing more or less than rock. The tunnel runs through the north-west corner of this reserve, and it is rather hard to put a valuation on it, but think that $20.00 an acre would be as much as could be asked, it not being of any value to the Indians in an agricultural way, and does not interfere with them in any way.

Trusting that this is the information wished by the Department,

I have the honor to be,
Sir,
Your obedient servant,

A. Strang

(A. Strang)
Acting Indian Agent.

SURVEYS
DEC 21 1930
DEPT. OF INDIAN AFFAIRS

Assist. Deputy & Secretary,
Department of Indian Affairs,
Ottawa.

AS/MD

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of Indian Affairs

Ottawa, Jan 9 19[illegible]

Bolton -

The lands applies three tenths of an acre would have a value of $6.00 but as this lies within the portion to be handed to the CPR free by the Dominion Government. Collection would have to be made from the Dept of Railways + Canals. It appears advisable not to bill that department until some future date when some other item comes up.

W R Wilson

Sale 1
Page 195
Lot 8.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DESCRIPTION OF RIGHT OF WAY, CANADIAN PACIFIC RAILWAY, HOPE INDIAN RESERVE NO.6, TOWNSHIP 5, RANGE 26, WEST 6TH MERIDIAN.

Being in the Fifth township, in the Twenty-sixth range, west of the Sixth meridian, in the Province of British Columbia, and composed of all that portion containing by admeasurement forty-six hundredths acres, more or less, of Hope Indian Reserve No.6 in the Twenty-first section of the said township as the said Indian Reserve is shown on a map or plan of survey of the Northwest quarter of the said township, approved and confirmed at Ottawa on the 15th day of November, A.D. 1913, by Edouard Deville, Surveyor General of Dominion Lands, and of record in the Department of the Interior, which said portion comprises all that portion of the said Indian Reserve taken for the right of way of the main line of the Canadian Pacific Railway, as the said right of way is shown edged in red on each side on a plan of survey across the said land and lands adjoining the same, which said plan is signed by James F. Garden, Dominion Land Surveyor and British Columbia Land Surveyor, on the 5th day of October, A.D. 1904, and of record in the Department of the Interior under number 11194, a duplicate whereof is on record in the Land Registry Office at Kamloops under number 286.

not to be used.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DESCRIPTION OF RIGHT OF WAY, CANADIAN PACIFIC RAILWAY, HOPE INDIAN RESERVE NO.6, TOWNSHIP 5, RANGE 26, WEST 6TH MERIDIAN.

Being in the Fifth township, in the Twenty-sixth range, west of the Sixth meridian, in the Province of British Columbia, and composed of all that portion containing by admeasurement forty-six hundredths acres, more or less, of Hope Indian Reserve No.6 in the Twenty-first section of the said township as the said Indian Reserve is shown on a map or plan of survey of the Northwest quarter of the said township, approved and confirmed at Ottawa on the 15th day of November, A.D. 1918, by Edouard Deville, Surveyor General of Dominion Lands, and of record in the Department of the Interior, which said portion comprises all that portion of the said Indian Reserve taken for the right of way of the main line of the Canadian Pacific Railway, as the said right of way is shown edged in red on each side on a plan of survey across the said land and lands adjoining the same, which said plan is signed by James F. Garden, Dominion Land Surveyor and British Columbia Land Surveyor, on the 5th day of October, A.D. 1904, and of record in the Department of the Interior under number 11194, a duplicate whereof is on record in the Land Registry Office at Kamloops under number 286.

not to be used

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DESCRIPTION OF RIGHT OF WAY, CANADIAN PACIFIC RAILWAY, HOPE INDIAN RESERVE NO.6, TOWNSHIP 5, RANGE 26, WEST 6TH MERIDIAN.

Being in the Fifth township, in the Twenty-sixth range, west of the Sixth meridian, in the Province of British Columbia, and composed of all that portion containing by admeasurement forty-six hundredths acres, more or less, of Hope Indian Reserve No.6 in the Twenty-first section of the said township as the said Indian Reserve is shown on a map or plan of survey of the Northwest quarter of the said township, approved and confirmed at Ottawa on the 15th day of November, A.D. 1918, by Edouard Deville, Surveyor General of Dominion Lands, and of record in the Department of the Interior, which said portion comprises all that portion of the said Indian Reserve taken for the right of way of the main line of the Canadian Pacific Railway, as the said right of way is shown edged in red on each side on a plan of survey across the said land and lands adjoining the same, which said plan is signed by James F. Garden, Dominion Land Surveyor and British Columbia Land Surveyor, on the 5th day of October, A.D. 1904, and of record in the Department of the Interior under number 11194, a duplicate whereof is on record in the Land Registry Office at Kamloops under number 286.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

IN REPLY REFER TO
FILE NO. 19805-2

DEPARTMENT OF THE INTERIOR

EEDW/LV

TOPOGRAPHICAL SURVEY OF CANADA

OTTAWA. January 19, 1931.

DEPT. OF INDIAN AFFAIRS
JAN 23 1931
RECD

DEPT. OF INDIAN AFFAIRS
JAN 27 1931
SURVEYS

A. F. MacKenzie, Esq.,
Secretary, Department of Indian Affairs,
Ottawa, Canada.

Sir:

Re: Hope Indian Reserve No.6, Township 5-26-6,
Record Plan 11194, Reference File 39669 B.C.L.

This will acknowledge your letter dated 10th December, last, reference your file 22150-12, asking that a description of the right of way of the Canadian Pacific Railway within the above described area be furnished by this office, in view of the fact that patents for the adjoining areas were issued by our Department.

A draft description in triplicate is enclosed herewith, in compliance with your request, which it is hoped will meet the requirements in this case.

Your obedient servant,

F. H. Peters,
Surveyor General.

Encls.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

5215-0-1 C.P.

CANADIAN PACIFIC RAILWAY COMPANY

W.H.CURLE, K.C.
GENERAL COUNSEL, MONTREAL.
E.P. FLINTOFT, K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS.

LAW DEPARTMENT

OTTAWA. 9th October, 1931.

C. 77.1.

DEPT. OF INDIAN AFFAIRS
OCT 13
SURVEYS

DEPT. OF INDIAN AFFAIRS
OCT 10 1931
RECORDS

The Department of Indian Affairs,
Ottawa,
Ontario.

Dear Sirs:

Re: Spatsum Indian Reserve
No. 11A. Cooks Ferry
Band.
Your file 22150-1 C.P.

Some months ago we took up with you the question of issue of patent to the Company for extra right of way required in the above Reserve. You advised us by Departmental letter that the land adjoining the present right of way patented to the Company was transferred to the Department of Interior.

On looking into this matter, we find that by Order-in-Council P.C. 2410 dated October 31st, 1890, the order mentioned in your letter, this land was, in fact, transferred from the Department of Interior to the Department of Indian Affairs. The Department of Interior confirm our understanding of this matter. It would, therefore, appear to be in order for you to issue patent.

Would you please look into this matter and advise us, as we are anxious to get this matter cleared up.

Yours truly,

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150 - 1 ½ R

By

Nov 7 – 1931.

Mr Scott Jr of Messrs Ewart Scott Kelley & Kelley says this letter refers to extra widths in Spalumn DR 11 a.. I am unable to find a plan showing any extra widths. I telephoned Mr Scott today & he says he will write the company for plan & description of those lands they are now endeavouring to acquire

W R Wood.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ML 437

ALL that certain parcel or tract of land situate, lying and being in the Cook's Ferry Indian Reserve No.11/A in Townships 18 and 19, Range 24, West of the Sixth Meridian, in the Province of British Columbia in our Dominion of Canada, containing by admeasurement 22.69 acres more or less, taken for the right of way and extra lands of the Canadian Pacific Railway in and through the said Reserve as said right of way and extra land and as shown edged in red on a plan of the Canadian Pacific Railway across said lands and lands adjoining the same made by James F.Garden, D.L.S.& B.C.L.S. on the 17th day of October, 1904, and of record in the Survey Branch of the Department of Indian Affairs as No. RR.2005, which plan is certified to be a true and correct copy of the original plan deposited in the Land Registry Office at Kamloops as No. 203. That portion of the limit of the said lands which is formed by the Thompson River shown on said plan being the ordinary high water mark of the adjoining side of the said River, together with the Railway construc thereon, and all station buildings, water service and other appurtenances if any, erected or installed thereon.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

32150-0-1 C.P.R

CANADIAN PACIFIC RAILWAY COMPANY

W.H. CUR[illegible] K.C.
GENERAL COUNSEL, MONTREAL.
E.P. FLINTOFT, K.C.
GENERAL SOLICITOR, MONTREAL.

EWART, SCOTT, KELLEY, & KELLEY,
OTTAWA AGENTS.

LAW DEPARTMENT

OTTAWA. 21st December, 1931.

C. 77.1.

DEPT. OF INDIAN AFFAIRS
DEC 24
SURVEYS

DEPT. OF INDIAN AFFAIRS
DEC 22 1931
RECORDS

The Deputy Superintendent General,
Department of Indian Affairs,
Ottawa.

Dear Sir:

Re: Spatsum Indian Reserve
No. 11 A, Cook's Ferry
Band.
Your file 22150-1 C.P.

With further reference to correspondence we have had in this matter, we have now obtained a description of the additional land showing the right of way herein, for which the Company requires patent.

We presume that you will now be able to proceed with the issue of patent.

Yours truly,

Ewart Scott Kelley & Kelley

Encl.

Desc. approved by Registrar

ACCOUNTANTS
DEC 24 1931

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 CP

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, 24th December 1931

Memorandum

Departmental Solicitor,-

The Canadian Pacific Railway Company are requesting patent for their right of way through Spatsum Indian reserve No.11A of the Cook's Ferry band. The reserve was confirmed by P.C.2410, dated 31st October 1890 and will be found on File 88268-1X.

The description of the reserve given includes the right of way but the ~~Chief Surveyor,~~ "The Canadian Pacific Railway runs through this reserve as shown on sketch." The right of way of 100 ft. in width is not included in the above acreage.

On 4th Nov.1930, this Department informed Messrs.Ewart, Scott, Kelley & Kelley (File 22150-1A C.P.), that the reserve was confirmed omitting the right of way of the C.P.R., and therefore patent should be issued by the Department of the Interior. That firm replied under date 9th Oct. 1931 that they find that the above Order in Council in fact transferred the right of way to this Department and that the Interior Department confirms their understanding.

This right of way lies within the portion which was to be transferred to the Canadian Pacific Railway free.

It would appear to me from the wording of the Order in Council that it was intended to omit the right of way of the Canadian Pacific Railway, if this is correct, it was not constituted part of the reserve and patent should be issued by the Department of the Interior. Please advise what action you consider should be taken.

I quite agree with you. A.S.W.

L Robertson

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

ADIAN PACIFIC RAILWAY COMPANY
FICE OF THE RIGHT OF WAY AND LEASE AGENT
WESTERN LINES

P. MCPHERSON,
RIGHT OF WAY AND TAX AGENT
WINNIPEG

C. W. MCBAIN,
INDUSTRIAL RIGHT OF WAY AND LEASE AGENT
VANCOUVER

22150 - I.C.P

WINNIPEG, MAN. December 24th, 1931.

IN YOUR REPLY REFER TO NO. G. 482 - 4.

CANADIAN PACIFIC RAILWAY LINES

Department of Indian Affairs,
Ottawa, Ontario.

DEPT. OF INDIAN AFFAIRS
DEC 29 1931
RECORDS

DEPT. OF INDIAN AFFA
JAN 11
SURVEYS

Dear Sir:

Re: Indian Land Patents.

- Nicomen Res No. 3 -

The Railway Company holds Grant for a portion of the Indian Graveyard lying within Sections 32 and 33, Township 15, Range 25, West of the 6th Meridian. The Reference Number of the Patent is 22120, Sale Number 1, recorded in the Department of Indian Affairs the 4th of March 1931, Liber 6/A, Folio 8.

I am unable to locate a plan of the Township showing the location of the graveyard. Would you please be kind enough to forward me a print of plan in Township 15, Range 25, West 6th, showing the location of this graveyard.

Yours truly,

Right of Way and Tax Agent.

JGO:RO

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Mr. W. Graham
Memo under

22150-1 C.P.

Ottawa, 11th January 1932

Sir,- Your ref.No.G.482-4

In reply to your letter of the 24th ultimo, you will find enclosed a copy of the plan of the North West quarter of Tp.15, R.25, W.6.M., approved 26th October 1915, which plan shows the graveyard known as Nicomen Indian reserve No.3.

Your obedient servant,

T.R.L. MacInnes

(T.R.L.MacInnes)
Acting Secretary

P.McPherson Esq.,
Right of Way & Tax Agent,
Canadian Pacific Railway Company,
Winnipeg, Man.

DEPT. OF INDIAN AFFAIRS
JAN 13 1932
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 CP

Ottawa, 25th February 1932

Sirs,- Your file C.77.1

Referring to your letter of the 21st December last, enclosed please find copy of a letter this day addressed to the Department of the Interior.

Your obedient servant,

F. Pedley

(A.F. MacKenzie)
Secretary

W.K.M.
A.F.M.

Messrs. Ewart, Scott, Kelley & Kelley,
Barristers etc.,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1CP

EX.D.

Ottawa, 25th February 1932

Sir,-

The Canadian Pacific Railway Company is requesting title to their right of way through Spatsum Indian reserve No.11A, in Tps.18 & 19, R.24, W.6.M. This reserve was confirmed by P.C.2410, dated 31st October 1890. The last paragraph of the Order in Council states "The Canadian Pacific Railway runs through this reserve as shown on sketch. The right of way of 100 feet in width is not included in the above acreage." This Department is of the opinion that the title to the right of way is still in the Department of the Interior and that the intent was to reserve the whole right of way.

It is noted that the right of way in most parts exceeds 100 feet. It appears that your Department should amend the above Order in Council by excluding the right of way as shown on the Garden plan and then your Department can issue title.

Your obedient servant,

(A.F.MacKenzie)
Secretary

H.E.Hume Esq.,
Chairman,
Dominion Lands Board,
Department of the Interior,
Ottawa.

over

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

When replying address
Commissioner of Dominion Lands
Ottawa

Please quote
File 48857 BCL.

Department of the Interior

DOMINION LANDS ADMINISTRATION

ASC/MT

DEPT. OF INDIAN AFFAIRS
MAR 16 1932
RECORDS

Ottawa, 14th March, 1932.

DEPT. OF INDIAN AFFAIRS
MAR 17 1932
SURVEYS

Sir:- Canadian Pacific Railway
right-of-way through
Cooks Ferry Indian Reserve #11A
(Spatsum) - in Townships 18 and
19, Range 24, W.6.M.
Your File - 22150-1CP.

Referring to your letter of the 25th ultimo, I beg to advise you that this railway is part of the main line of the Canadian Pacific Railway which was built by the Government, and which the Government is bound by contract to grant to the Company.

The understanding between this Department and the Company is that before a patent is issued for any particular portion of the right-of-way, the description of such portion is to be forwarded to Mr. E. W. Bateman, the Company's Consulting Right-of-Way Agent at Vancouver, so that he may check it up on behalf of the Company and then take the matter up with the Registrar to see whether it is acceptable to him.

As it is necessary that the right-of-way, as excepted from the Indian Reserve, should agree exactly with the right-of-way as described in the patent to the Company, it is desirable to take up the matter of the description with the Company first. As soon as some necessary information has been obtained from the Surveyor General a description of the right-of-way will be submitted to Mr. Bateman, and on receipt of his reply you will be further advised.

Your obedient servant,

H.E.Hume,
Chairman,
Dominion Lands Board.

A. F. MacKenzie, Esq.,
Secretary,
Department of Indian Affairs,
O T T A W A.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 CP

EX D.

Ottawa, 22nd March 1932

Sirs,-

In accordance with your verbal request I am enclosing copies of description of lands in Cook's Ferry Indian reserve No.11A, in Tp.18 & 19, R.24, W.6.M., required for right of way and extra lands by the Canadian Pacific Railway Company.

Your obedient servant,

(A.F.MacKenzie)
Secretary

Messrs. Ewart, Scott, Kelley & Kelley,
Barristers etc.,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 C.P.

In replying address
Commissioner of Dominion Lands
Ottawa

Please quote
File 48857 B.C.L.

ASC/AHM

CANADA

B

Department of the Interior

DOMINION LANDS ADMINISTRATION

DEPT. OF INDIAN AFFAIRS
[illegible] 1932
RECORDS

17th June, 1932.

Sir,

C.P.Ry right of way through Cooks Ferry Indian Reserve No. 11 A (Spatsum) in Townships 18 and 19, Range 24, W.6th M.
Your File - 22150-1CP.

DEPT. OF [illegible] AFFAIRS
SURVEYS

DEPT. OF INDIAN AFFAIRS
JUN 20 [illegible]
SURVEYS

Referring to your letter of the 25th February last and my reply of the 14th March, I beg to advise you that a description of the Canadian Pacific Railway right of way across this Indian Reserve, based on Mr. Garden's plan recorded in this Department under No. 10553 and registered in the Kamloops Land Registry Office under No. 203, was submitted to Messrs. Ewart, Scott, Kelley, Scott & Howard and that they have replied that the description is satisfactory to the Company and to the Registrar. The area of the right of way, according to Mr. Garden's plan, is 22.69 acres and as the Surveyor General has calculated the area of the Indian Reserve, including the right of way, as 173.8 acres the area, after deducting the right of way, is 151.11 acres.

Herewith is a description of the Indian Reserve, excluding the right of way, which it is proposed to have inserted in a new Order in Council amending the Order in Council of the 31st October, 1890, (P.C. 2410) confirming the reserve, as suggested in your letter.

1 Encl.

If this description is satisfactory to your Department, a memorandum to Council will be submitted recommending that the previous Order be amended accordingly.

Your obedient servant,

H. E. Hume
Chairman, Dominion Lands Board.

A. F. MacKenzie, Esq.,
Secretary,
Department of Indian Affairs,
O T T A W A.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Being in the eighteenth and nineteenth townships in the twenty-fourth range, west of the Sixth meridian, in the Province of British Columbia, and being composed of Cooks Ferry Indian Reserve No. 11 A (Spatsum) as shown in part upon a map or plan of survey of the northwest quarter of the said eighteenth township in the twenty-fourth range approved and confirmed at Ottawa on the 19th day of May, A.D., 1916, by Edouard Deville, Surveyor General of Dominion Lands, and of record in the Department of the Interior and in part upon a map or plan of survey of the southwest quarter of said nineteenth township in the twenty-fourth range approved and confirmed at Ottawa on the 21st day of March, A.D., 1916, by Edouard Deville, Surveyor General of Dominion Lands, and of record in the Department of the Interior, containing by admeasurement one hundred and seventy-three and eighty hundredths acres, more or less, saving and accepting thereout all that portion thereof taken for right-of-way and extra land for the main line of the Canadian Pacific railway, as the said right-of-way and extra land is shown coloured red upon a plan of survey across the said Indian Reserve and lands adjoining the same, signed by James F. Garden, Dominion Land Surveyor and British Columbia Land Surveyor, on the 13th day of July, A.D., 1904, and of record in the Department of the Interior under No. 10553, a duplicate whereof is on record in the Land Registry Office at Kamloops under No.203; that portion of the western limit of the said right-of-way and extra land which is formed by the Thompson river, shown on said plan of survey, being the ordinary highwater mark of the adjoining side of the said river, the said portion taken for right-of-way and extra land containing by admeasurement twenty-two and sixty-nine hundredths acres, more or less; the said Indian Reserve excluding the said right-of-way and extra land, containing by admeasurement one hundred and fifty-one and eleven hundredths acres, more or less.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

IRS.
No .....

22150-1 CP

EX'D.

Ottawa, 24th June 1932

Sir,-

Your ref.No.48857 BCL

I have to advise you that the description enclosed in your letter of the 17th instant is considered satisfactory for the Order in Council confirming Spatsum Indian reserve No.11A of the Cook's Ferry band.

Your obedient servant,

(A.F.MacKenzie)
Secretary

H.E.Hume Esq.,
Chairman,
Dominion Lands Board
Department of the Interior
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for the information of the Secretary,
Dept. of Indian Affairs.

DEPARTMENT OF LANDS

SURVEY BRANCH

Victoria, B.C., May 9, 1933.

F.H. Peters, Esq.,
Surveyor General,
Dept. of the Interior,
Ottawa, Ont.,

Dear Mr. Peters,-

re Main Line C.P. Railway, east of Savona.

We are advised by the C.P. Company that there are certain portions of the right of way of their main line east of Savona to which they have not as yet obtained title, and in accordance with the terms of the "Transfer" they are now applying to this Department for title to such lands. In this connection I would appreciate it if you would forward me, at your convenience, a list of such portions as are still unpatented, according to your records, and at the same time advise me as to which portions you have received the necessary plans from the Railway Company. If these plans are available from your office it will obviate the necessity of the Railway Company preparing duplicate copies.

Your assistance in connection with the above will be appreciated.

Yours truly,

F.C. GREEN
Surveyor General.

In replying please quote file #0110182

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1 c.PR

DEPT. OF INDIAN AFF
JUN 10 1933
SURVEY

DEPARTMENT OF THE INTERIOR

TOPOGRAPHICAL SURVEY OF CANADA

OTTAWA. June 8, 1933.

IN YOUR REPLY REFER TO FILE NO. 19805-3

DEPT. OF INDIAN AFFAIRS
JUN 9
RECORDS

The Secretary,
Department of Indian Affairs,
O T T A W A .

Sir:

I am enclosing for your perusal a copy of a letter received from the Surveyor General of British Columbia.

In preparing the schedule requested, Dominion Lands Administration included a statement that this Department's records do not show that the Canadian Pacific Railway right of way across the following Indian Reserves has been patented:

Tp.	R.	M.	
20	13	6	Neskainlith I.R. No.2,
21	13	6	
21	12	6	Adams Lake I.R. No.5,
22	12	6	
22	12	6	Little Shuswap Lake I.R. No.2,
21	10	6	Little Shuswap Lake I.R. No.5,
20	10	6	Adams Lake I.R. No.6 and 7, and Neskainlith I.R. No.3,

I have advised Mr. Green that you have been requested to reply to him regarding the right of way across these reserves.

Your obedient servant,

F.H. PETERS
Surveyor General.

Encl.

TSN/MMcD

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C. P. R. (Neskainlith Band)

A. Pagen R/W of way thru Neskainlith Res No. 2 Rge 19-W-6-Mo (Tps 20 & 21) Yale Dist.

44.21 acs. Ref. 11255 Pat'd 17th May 1895

Sale 23rd April 1895

A.1. Page 171 C.P.R.

R/W of way thru Stegumuhalpia No. 5 (Kamloops Dist)

22.5 acs. — $170.24

3rd Oct 1924. Ref 20444 Pat'd 6th April 1925

(Adams Lake Band)

C.P.R.

A. 1 - Page 169

32.92 acs. — $1,868.03

3rd Oct 1924

R/W of way thru Chum Creek No. 2 (Dist of Kamloops)

Ref. 20445 - Pat'd 7th April 1925

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

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CANADA

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CANADA
Indian Affairs. (RG 10, Volume 7670, File 22150-1)

File 28 835-

M E M O R A N D U M

To the Deputy Minister-

OTTAWA, 4th May, 1904-

As to the offer made by the Rat Portage Lumber Company, Vancouver, B.C., for a fifty years' lease of 11.16 acres of land on the False Creek Indian Reserve, I beg to say that in December 1902, the City of Vancouver offered $500.00 per acre for the Reserve, which contains 69.48 acres, being a total price of $34,740.00, which funded at 3 per cent would realise for the Indians $1,042.20 yearly, for the Indians.

The offer of the Company is $200.00 per annum for 11.16 acres, for fifty years, and will pay the Indians for their improvements or build them houses on other portions of the Reserve, or furnish them with lumber to build and pay them reasonable costs of construction at an expenditure of about $5,000.00, which amount at three per cent would be $150.00 benefit yearly to the Indians, added to the $200.00 rental would be $350.00 a year for the land, which is about one sixth of the Reserve and for which a corresponding benefit by sale would be only $173.70-

C. P. Ry

Sale Page 15 — R of Way (& Station Grds)
Salmon arm Res No 2 - (Yale Dist)
Sp. 21. R-10 - (Secs 9 & 16 - W - 6 - M)

Sale 22 Dec 1900 — 23.41 acs — $234.10

Ref 13108 - Patd - 6 July 1902

Sale 2 Page 15 — R of way thru Salmon Arm Res No 1.
Sp 20 - Rge 10 - W 6 - M)

22 Dec 1900 — 50.96 — $509.60

Ref. 13109 - Patd. 7th Feby 1902

Sale 3 - Page 151 — Ry Station Ground
Salmon arm No 2 - (Kamloops Dist)

27 Sept 1911 — 8.30 acs — $166.00

Ref 16421 - Patd 12 Oct 1911 -

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Note -

Salmon Arm No 1 called Switzemalph
was decided
into three namely.

S. 2 page 150 50.96 ac Ref 13109

Adams Lake No 6 - 780 ac incl C.P.R. 23.63 ac

Neskainlith No 3 - 1290 ac incl C.P.R. 16.23 ac

Adams Lake No 7 - 330 a incl C.P.R. 11.10 ac

50.96

patented - 50.96 ac patented 7th Feb 1902
file 22154-9 Clg was 82073

C.P.R. S. 1 page 150 13108 23.41 ac

Salmon Arm No 2 became
Little Shuswap No 5 called by
the names of North Bay, or Tappens Siding
Ref 1642-1 P. 15 - C.P.R. 23.41 and other Stopovers 8.30
patented 27 Sept. 1911

C.P.R. patented 23.41 ac patented 6 Feb 1902
file 82073 also 22154-9 Clg.

formerly Salmon Arm No 2

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
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CANADA

Referring to

Page 339 Adams Lake No 5 - This reserve was formerly known as Salmon Arm I.R. No 2 and is also known as Tappen's Siding and North Bay I.R.

-339-

Page 339 Adams Lake Numbers 6 and 7 and Neskainlith I.R. No 3 comprise what was formerly known as Salmon Arm I.R. No 1.

Page 1 Adams Lake No 5 is situate in the S. W¼ Sec 16 and the N. W¼ Sec 9 Tp 21 R 10 W 6 m. Application pre. A.R. was made in 1891.

1st/ Plan from which patent was issued was received in 1900 and payment for 23.41 acres at 10 per acre. $234.10 received with company's letter 1st Nov 1900 and patent issued for 23.41 acres on the 6th Feb 1902

Page 1

Plan of The Right of way through Salmon Arm No 1 including the three reserves Adams Lake No 6 Neskainlith No 3 and Adams Lake No 7 was received with company's letter of 18th Sept 1900 and payment for 50.96 acres at 10 per acre amounting to $509.60 was received with company's letter of 30 Dec 1901. Patent for the 50.96 acres was issued to the company on the 7th Feb 1902

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Page 151

Dec March 1901
The company were given a right during
pleasure to maintain a pipe line in accordance
D.R.P.S. on payment of $5 per year.
~~Dec~~ The Company by letter 20th July 1908 made
application for 18.30 acres for additional station
grounds in this reserve. and on 25th Feb 1909
payment of $166 was received from the company
for these parcels and patent was issued for
them on 12th Oct 1911

Page 339 Dec 20th Dec 1911 The company made
application for land for a wye in this reserve
called it Lappen siding. In 1912 the area
was changed to 2.34 acres and correspondence
Patent not issued the same little Shaunavon D.R.P.S.
2.26 payment of $150 per acre amounting to $351
was received with company's letter of 15th
June 1914. and patent for ~~2.34~~ 2.26 acres
issued

Under O.C. 26 Aug. 1926 the Company were
given patent to parcels a, B, C, as plan
1148 A containing 0.03, 0.03, 0.08, 0.20 respectively
amounting to 0.34 of an acre in exchange for
0.47 of an acre of the station grounds formerly
339 patented the patent for this 0.34 acre parcel cited 2.26
~~acres~~ Patent was issued on Nov 20th 1926
and the parcel of 0.47 acre was conveyed to
the department by certificate of title 43001. Chr
DR 24-26-1926.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-2

EA ~.

Ottawa, 24th July 1933

Sir,-

Your ref.No.0110182

Referring to your letter of the 9th May last addressed to F.H.Peters, Surveyor General of the Department of the Interior, Ottawa, he has advised this Department that his records do not show that the Canadian Pacific Railway right of way across the following Indian reserves has been patented and requests us to advise you as to the titles of the right of way therein,-

Tp.	R.	M.	
20	13	6	Neskainlith I.R.No.2
21	13	6	
21	12	6	Adams Lake I.R.No.5
22	12	6	
22	12	6	Little Shuswap Lake I.R.No.2
21	10	6	Little Shuswap Lake I.R.No.5
20	10	6	Adams Lake I.R.No.6 and 7 and Neskainlith I.R.No.5

Rights of way through all of these reserves have been patented.

Neskainlith I.R.No.2, 44.21 acres were patented 17th May 1895.

Adams Lake I.R.No.5 (Stequmwhulpa) 22.5 acres patented 6th April 1925

Little Shuswap I.R.No.2 (Chum Creek) 32.92 acres patented 7th April 1925.

F.C.Green Esq., B.C.L.S.,
Surveyor General,
Department of Lands,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Little Shuswap I.R.No.5 was formerly known as Salmon Arm No.2. Patent for the main line, 23.41 acres, was issued 6th Feb.1902. This reserve has also been called in correspondence Tappen's Siding and North Bay. Additional station grounds, 8.30 acres, were patented on 12th Oct.1911 and 2.60 acres on the 20th November 1926, and .47 acres reconveyed by the Company on the 26th October 1926.

Adams Lake I.R.Nos.6 and 7 and Neskainlith I.R.No.5 together comprise what was formerly known as Salmon Arm No.1. 50.96 acres was patented 7th February 1902 through these three reserves as Salmon Arm No.1.

Your obedient servant,

(A.F.MacKenzie)
Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Our file:

Kamloops, B.C., 24th July 3

Surveyor General of Canada,
Ottawa, Ont.

Dear Sir:

re Yale Town Indian
Reserve No.1.

Question has come up as to the north boundary of Yale Town Indian Reserve No.1. It has arisen in this way. The C.P.R. are seeking registered title to their right of way. They have registered title through the Reserve (I.F.B.216, 59176E). They can, at any time, obtain registered title to their right of way through D.L.5 Group 1, Y.D.Y.D. But North of the Reserve, and in part South of D.L.5, lies as portion of right of way in Railway Belt lands, now Provincial. The extent of these lands depends on the position of the Reserve's north boundary; and would you be so kind as to see whether your Department could throw light on the subject. Later on, I may present the matter to the Surveyor General of British Columbia.

The latest Dominion map here available is the plan of the S.E.¼ Township 7 Range 26 W.6th Mer. dated 5th November 1915. This shows the Reserve as lying South of the C.P.R., except at its North West corner.

On the other hand, the Indian Department convey to the C.P.R. their right of way, as shown, of Mr. James F. Garden's map, with area 1.59 acres. Mr. Garden's map at this point is, I think, your number 11194, Indian Dept. No. R.R.2007, ours 286. Our copy does not show clearly where the Reserve north boundary runs. But the stated area, 1.59 acres, would seem to show that Mr. Garden took the Reserve as extending at least as far as to the South side of the present Cariboo Road.

There are here also

(a) 2 certified copies of the Town map of Yale, unsigned and undated, but drawn before the road North out of Yale was even proposed.

(b) 2 certified copies of the map of Yale Suburban, undated, signed by R.C. Moody, drawn when the road had been laid out as far as Mary Ann Creek.

(c) Map No. 63, deposited 12th August 1880, Expropriation Map of the C.P.R. through Yale and environs; 1"=100'.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(d) Map No.168, dated 12th March 1884, Expropriation Map Emory to Boston Bar; 1"=200'.
(e) Your map, dated 9th February 1933, amending No.11194 through Yale (our No. A.788).
(f) Mr. W. Humphrey's Re-survey of the C.P.R. right of way through D.L.5, dated 15th December 1932. This is not deposited yet, but the C.P.R. have kindly forwarded us a blue print, and same might be considered, so far as this Office is concerned, as provisionally accepted.

Yale Creek divides the Reserve in two. East of the Creek the map of Yale Suburban shows D.L.5 as bounded on the South by the North line of the Old Cariboo Road, as built before the Railway. Map 63 and Map 168 agree therewith, and Mr. Humphrey has re-surveyed the C.P.R. right of way through D.L.5 accordingly.

As to the Indian Reserve, Maps 63 & 168 show same definitely as extending to the South side of the old Cariboo Road. Mr. Garden, as already mentioned, seems to show same as extending at least up to the South side of the Cariboo Road, as deflected southward on construction of the C.P.R., while the Township map shows same as South of the C.P.R. throughout.

East of the Creek, Maps 63,168, and Mr. Garden, agree in extending the reserve north to the Cariboo Road, which apparently runs still where first built, or nearly so. The Township Map,on the other hand, shows the Reserve north line as running in a direction 0°29' North of that of the North side of Yale Townsite from a point on the East line of the Townsite 0.68 chains South of its North East corner. Comparing with Mr. Humphrey's survey of 15th December 1932, this would give only about 0.138 acre of right of way in the Reserve, and all the rest, West of the Creek, in Provincial land.

There is also a discrepancy as to the West boundary of the Reserve. The Township Map, Map 168, and Mr. Humphreys, show this as parallel to the North and South Streets of Yale; while Maps 63 & 286 show same as diverging toward the South East. As soon as possible I will get you a copy of Mr. Humphrey's survey.

Enclosed is copy of letter on the subject to the Superintendent General of Indian Affairs. Thanking you in advance.

Your obedient servant,
R.A.Braden
REGISTRAR.
per

LHF/FC
Enc.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-2 C.P.

Mr Robertson

Our file: 181/119

LAND REGISTRY OFFICE

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

Kamloops, B.C., 24th July 1933

DEPT. OF INDIAN AFFAIRS
JUL 28 1933
RECORDS

The Superintendent General of Indian Affairs,
Ottawa, Ont.

Sir:

re Yale Town Indian
Reserve No.1.

In connection with the completion of the C.P.R. title to their right of way just East of Yale, a question has arisen as to the extent of Yale Town Indian Reserve No.1.

The Dominion Township map shows same as lying throughout South of the C.P.R., except at its North West corner, while Mr. Garden's map, your No. R.R.2007 (ours 286) shows the Reserve as apparently extending Northward to the South side of the present Cariboo Road. It is according to the latter map that the right of way through the Reserve was conveyed to the C.P.R. (Liber C.P.17).

Would you be so good as to look into the matter, and oblige me with any ties, data, or information of any kind, you may possess. Since the Retrocession of the Railway Belt, the Provincial Government is directly concerned in the matter.

Any information you may be so good as to furnish me, will be forwarded to the Surveyor General of British Columbia. I enclose a copy of my letter on the subject to the Surveyor General of Canada.

Your obedient servant,
R.A.Braden
REGISTRAR.
per

LHF/FC
Enc.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

ALL COMMUNICATIONS IN REFERENCE TO SURVEYS TO BE ADDRESSED TO THE SURVEYOR-GENERAL.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF LANDS
SURVEY BRANCH

VICTORIA, B.C. July 29, 1933

DEPT. OF INDIAN AFFAIRS
29 1933
RECORDS

File

R

A.F.MacKenzie, Esq.,
Secretary, Dep't of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

I am in receipt of your letter of the 24th instant, file 22150-2, in which you advise concerning the right of way of the C.P.Railway, which has been patented through certain Indian Reserves. Your attention in this connection is appreciated.

Yours truly,

J C Green

Surveyor General.

In replying please quote file #0110182

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22150-1A

EX D.

Ottawa, 8th August 1933

Sir,-

I thank you for your letter of the 24th ultimo, and copy of letter of the same date addressed to the Surveyor General at Ottawa, regarding the Yale Town Indian reserve No.1. This Indian reserve was confirmed as shown on plan of the S.E.¼ Tp.7, R.26, W.6.M., dated 18th Jan.1911. The Order in Council of confirmation is P.C.205, dated 25th Jan. 1915.

It appears evident that the West boundary of the Indian reserve is the East boundary of Yale Street. The North boundary of the portion West of Yale Creek was in the first instance the easterly production of the North boundary of Block 7 in the Townsite, but this might not coincide with the line as confirmed. The boundary of the portion of the Indian reserve East of Yale Creek is indefinite; the original plans do not give any distances or direction but show the North boundary to cross the road and include Lots 1 and 2. I am enclosing a copy of the plan which accompanied the original selection of the reserve by Joint Commissioner Mr.J.M.Sproat, dated 5th Aug.1879.

It would appear advisable to definitely settle the boundaries of this reserve and if the land is available, an endeavour might be made to agree that the South side of the old Cariboo Road should be made the North boundary of the reserve.

I shall be pleased to receive your suggestion and a copy, (a blueprint will be sufficient), of Mr.Humphrey's survey, mentioned in your letter to the Surveyor General.

Your obedient servant,

R.A.Braden Esq.,
Registrar,
Land Titles Office
Kamloops, B.C.

(A.F.MacKenzie)
Secretary

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPT. OF INDIAN AFFAIRS
AUG 18 1933
SURVEYS

Our file 22150-1A

LAND REGISTRY OFFICE

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

Kamloops, B.C., 12th Aug. 1933

DEPT. OF INDIAN AFFAIRS
AUG 16 1933
RECORDS

The Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

Sir:

Your file 22150-1A.
re Yale Town Indian Reserve No.1.

I beg to acknowledge with thanks your courteous and interesting letter of the 8th inst. At the moment, I do not feel able to do more than acknowledge it, pending reply from the Surveyor General of Canada.

As regards Mr. Humphrey's survey, I am sorry that I can not supply you myself, as I have no tracing, and now only one blue print left. But I have mentioned your request to the C.P.R. Right of Way Engineer at Winnipeg, and expect you will soon receive one.

Your obedient servant,
R.A.Braden
REGISTRAR
per

LHF/FC
L.I.254/470.

Indian Affairs. (RG 10, Volume 7670, File 22150-1).
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

02

22150-1 C.P. CLOSED

FROM 29/12/11

TO 12/8/33

PUBLIC ARCHIVES
RECORDS CENTRE

390770

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

390770

No. 22150-1 C.P.

Department of Indian Affairs.

22150-1 C.P.

Dept. of Railways & Canals.

Copies of plans &c of land required on Sind reserves for C.P.R. right-of-way between Port Moody and Kamloops Ferry. B.C.

Indian Affairs. (RG 10, Volume 7670, File 22150-1)

PUBLIC ARCHIVES
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CANADA

Indian Affairs
Headquarters Files

(RG 10, Volume 7670)

File 22131-3	(Grouard) - Lesser Slave Lake Agency - Right-of-way for the Edmonton, Dunvegan and British Columbia Railway Company through reserves in the Agency (plans). 1913 - 1964
File 22150	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. 1885 - 1912
File 22150-1	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. (Indian Land Sale - Grant) 1911 - 1933
File 22151-16 G.T.P.	Babine Agency - Right-of-way for the Grand Trunk Pacific Railway through various reserves in the Agency. 1909 - 1928
File 22152-21 E.&N.	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (map, plans, surveys). 1885 - 1899
File 22152-21 2	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (maps, plans). 1898 - 1913

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

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PUBLIC RECORDS

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Dept

22151

No. 151

Department of Indian Affairs

19

22151-16 G.T.P.

Babine

Railway

Returns

Orig-in-Ltr

Equiv-Ltr

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DO NOT WRITE ABOUT MORE THAN ONE SUBJECT IN THE SAME LETTER. — WRITE LEGIBLY YOUR FULL NAME AND ADDRESS.

DEPARTMENT OF RAILWAYS & CANALS
CANADA.

IN YOUR REPLY
PLEASE QUOTE THIS
FILE NO. 7854.

349839

L. K. JONES.
SECRETARY.

Ottawa September 30 1909.

Encl. 2 plans.
(Tracings)

Ex'd.

Sir,

I have the honour to inform you that there has been sent in here by the Grand Trunk Pacific Railway Company, for approval, a plan, in triplicate, in respect of the location of their railway through Kitwangak Indian Reserve, Province of British Columbia, showing the land that they desire to acquire for right of way purposes, and that the same has been duly approved, on the 21st instant, by the Deputy Minister and Chief Engineer of the Department, as required by your Department.

I enclose two tracings of the plan, so approved.

I have the honour to be,
Sir,
Your obedient servant,

J. W. Pugsley
Secretary.

To the Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Great Northern

CABLE

TELEGRAM

All messages are received by this Company for transmission subject to the conditions printed on the back hereof, which terms and conditions have been agreed to by the sender of the following message.
This is an unrepeated message, and is delivered by request of the sender.

H. P. WRIGHT, President.

HEAD OFFICE, TORONTO.

16526

93 N. Ax. Je 40-DH & DH

Winnipeg Man May 28th-10

Frank Pedley,

Sup't General Ind Affairs, OTTAWA-

Re Kitwangak Indian reserve British Columbia Skeena river right of way plans across this reserve sent you thirtieth september last by department of Railways. Indians stopping contractor please instruct R. E. Loring Indian Agent Hazelton to allow work to proceed.

G. U. Ryley

325-pm

OPEN ALL NIGHT.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
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CANADA

Canadian Pacific Railway Company's Telegraph

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS

It is agreed between the sender of the following message and this Company that the said Company shall not be liable for damages arising from failure to transmit or deliver, or for any error in the transmission or delivery of an unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruption in the working of its lines, for errors in cypher or obscure messages, or for errors from illegible writing, beyond the amount received from sending same. To guard against errors, the Company will repeat back any telegram for an extra payment of one-half the regular rate, and in that case it shall not be liable for damages beyond fifty times the amount received for sending and repeating.

Correctness in the transmission of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon, at the following rates, in addition to the usual charges for repeating messages, viz:—One per cent. for any distance not exceeding 1,000 miles and two per cent. for any greater distance.

This Company shall not be liable for the act of omission of any other Company, but will endeavor to forward the telegram by any other Telegraph Company necessary to reaching its destination, but only as the agent of the sender, and without liability therefor. This Company shall not be responsible for messages until the same are presented and accepted at one of its transmitting offices: if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the sender's agent; if by telephone, the person receiving the message acts therein as agent of the sender, being authorized to assent to these conditions for the sender. This Company shall not be liable in any case for damages unless the same be claimed in writing, within sixty days after the receipt of telegram for transmission. No employee of the Company shall vary the foregoing.

B. S. JENKINS, Gen. Supt., Winnipeg, Man.
J. WILSON, Supt., Vancouver, B.C.
J. McMILLAN, Supt., Calgary, Alta.
J. TAIT, Supt., Winnipeg, Man.
F. T. JENNINGS, Supt., Sudbury, Ont.
A. W. BARBER, Supt., Toronto, Ont.
JNO. F. RICHARDSON, Supt., Montreal, Que.
F. I. SHARON, Supt., St. John, N.B.

JAS. KENT,
Manager Telegraphs, Montreal.

SENT BY	REC'D BY	TIME SENT	TIME FILED	CHECK

Send the following Message, subject to the above terms, which are hereby agreed to:

Ottawa May 30th, 1910.

...issioner,

...Grand Trunk Pacific Rwy.

Winnipeg, Man.

...ve ...ollars on account of

... Kitwangar Indian

...MacLean

...P

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
LAND DEPARTMENT.
WINNIPEG, MAN.

G. U. RYLEY,
COMMISSIONER

327496

365579

June 1st., 1910.

DEPARTMENT OF INDIAN AFFAIRS
JUN 6 1910

JUN 7 1910

SURVEYS.

Mr. Frank Pedley,
Deputy Superintendent General of Indian Affairs,
O t t a w a, Ont.

Dear Sir:-

On behalf of the Grand Trunk Pacific Railway Company, I hereby apply to acquire the right of way through the Kitwangak Indian Reserve, in the Province of British Columbia, containing an area of 95.28 acres.

Plan showing our location through the above reserve has already been forwarded to the Secretary of the Department of Railways & Canals, and I infer that it is now in your possession.

Kindly let me hear from you, and oblige.

Yours truly,

G. U. Ryley
Land Commissioner.

Cy. D'A.T.
H.

Appeal approved for recommendation 8 June 1910 J.B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY. 22151-14

Ottawa, June 8, 1910.

Sir,-

There has been sent to you in a separate parcel by registered mail three blue print copies of the plan of the Right of way of the Grand Trunk Railway through the Kitseguecla Indian Reserves Nos. 1 and 2 and the Kitwangar Indian Reserve. I have to request you to be good enough to examine the strips of land required by the Railway Company, to value them and also to value the Indian improvements that may be thereon. Kindly forward your valuation in tabular form as usual.

Your obedient servant,

J.D.McLean,

Secretary.

R.E.Loring, Esq.,

Indian Agent,

Hazelton, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-14.

P.C.1223

Certified copy of a Report of the Committee of the Privy Council, approved by His Excellency the Governor General on the 8th June, 1910.

PRIVY COUNCIL
CANADA.

On a Memorandum dated 7th June, 1910, from the Superintendent General of Indian Affairs stating that the Grand Trunk Pacific Railway Company has applied for right of way through the Kitseguecla Indian Reserves Nos. 1 and 2, and the Kitwangar Indian Reserve No. 1, in the Babine Indian Agency, outside of the railway belt, in the Cassiar district, in the province of British Columbia, and has furnished certificates of the Chief Engineer of the Department of Railways and Canals, endorsed on the plans showing the locations of the lands applied for, to the effect that suchlands are actually required for railway purposes and are such as the company should be allowed to acquire.

The Minister recommends that, under the provisions of section 46 of the Indian Act, the Grand Trunk Pacific Railway Company be allowed to acquire from the Department of Indian Affairs the Indians' interest in the lands referred to, upon such terms as may be agreed upon.

The Committee submit the same for approval.

F.K.Bennetts,
Asst. Clerk of the Privy Council.

The Honourable
The Superintendent General of Indian Affairs.

The original of this Document has been removed for retention in the records of the Indian Land Registry.
Signature
Mar 23 1972

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
LAND DEPARTMENT,
WINNIPEG, MAN.

G. [redacted]YLEY,
COMMISSIONER

327496

DEPARTMENT OF INDIAN AFFAIRS
JUN 9 1910
SECT.

June 2nd., 1910.

365811

Mr. J. D. McLean,

Secretary, Department of Indian Affairs,

Ottawa, Ont.

Dear Sir:-

Referring to your telegram of the 2nd instant, requesting that a deposit of five thousand dollars be made on account of right of way for this Company through the Kitwangak Indian Reserve in the Province of British Columbia, containing an area of 95.28 acres.

I have today issued a voucher covering this amount, and you will receive cheque in due course.

Yours truly,

Land Commissioner.

H.

DEPT. OF INDIAN AFFAIRS
JUN 10 1910
SURVEYS.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ENCLO.

366778

GRAND TRUNK PACIFIC RAILWAY
MONTREAL, CANADA

FRANK SCOTT,
TREASURER.

J.A.Y./L.

June 21st. 1910.

3126

DEPARTMENT OF INDIAN AFFAIRS
JUN 23 1910

Mr. J. D. McLean, Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir,

I enclose herewith cheque No. 4755, on the Bank of Montreal, for $5,000.00, covering payment in full of amount deposited on account of right of way through the Kitwangak Indian Reserve, situated in the first 200 miles east of Prince Rupert, in the Province of British Columbia, containing an area of 95.28 acres. Will you kindly receipt and return to me the accompaning voucher.

Yours truly,

Frank Scott
Per

Treasurer.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496

366778

BANK OF MONTREAL

No. 1330

Original, for the Depositor.

Bank of Montreal. OTTAWA

$5000.00

JUN 22 1910 19

Received from G. T. Pac. Ry.

on account of Indian Funds

the sum of Five Thousand ~~00~~ Dollars,

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate,

F. J. Daniels

Pro Manager.

JUN 23 1910

Ent'd.

30240

BANK OF MONTREAL.

No. 1330

Duplicate, for Department. 366778

Bank of Montreal. OTTAWA

$5000.00

JUN 22 1910 19

Received from G. T. Pac. Ry.

on account of Indian Funds

the sum of Five Thousand ~~00~~ Dollars,

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Signed in Triplicate,

F. J. Daniels

Pro Manager.

JUN 23 1910

Ent'd.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY FILM

327496

Ottawa ,29th June, 1910.

Sir,

I beg to acknowledge the receipt of your letter of the 21st instant, with which you forwarded cheque for $5000.00 being payment on account of right of way accorded the Grand Trunk Pacific Railway Company through the Kitwangak Indian Reserve;and in reply I beg to say that owing to the fact that the receipt is made out to read "payment in full" it is not considered advisable to sign it. It is returned herewith unsigned. The usual receipt of the Department has been enclosed to you which it is hoped will be satisfactory

Your obedient servant.

~~J. D. McLEAN~~

STEWART

Asst Secretary.

Frank R. Scott,Esqr.,

Treasurer,

Grand Trunk Pacific Railway Co.,

Montreal, P.Q.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-1.

GDK.

Ottawa, July 8, 1910.

Sir,-

Referring to your letter of the 23rd May last I have to inform you that the Grand Trunk Pacific Railway Company has made a deposit of $8000.00 in all on account of the right of way through the following Indian Reserves in British Columbia, that is to say the said sum is in addition to the sum of $1470.00 paid by the said Company on account of the cemetery in the Kitsumkaylum Indian Reserve.

Khyex, Meanlaw, Willeelough, Kitsumkaylum, Kshish, Zimacord, Kitsegueela Nos. 1 and 2 and Kotsunger No. 1.

The Company may therefore enter on these reserves for construction purposes.

Your obedient servant,

J.D. McLean,

Asst. Deputy and Secretary.

G.G.Perry, Esq.,
Indian Agent,
Metlakatla, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EXTRACT
ORIGINAL ON
22168-20.

Babine & Upper Skeena River Agency,

Hazelton, B.C., July 18,1910.

The Secretary,
Department of Indian Affairs,
Ottawa,-

Sir,-

x x x

Kitwanga Reserve.

On the north bank of this reserve, and back of the village, are many graves, Of these, 11 came within the scope of the right-of-way.

In my presence, 7 graves were emptied: one of these contained 3 bodies, and one more of the graves, not opened, I was assured to contain 2 bodies, and left one of the G.T.P.engineers, or Revd. A.E.Price to ascertain and substantiate the fact.

This would make 11 graves to contain 14 bodies, which at $110.00 each makes $1,540.00.

I found that here in the right-of-way absorbed the following personal holdings of Indians on this reserve:-

Walter Bright.....	¼ acre.....	$25.00
Mrs. Gilbert.....	¼ "	25.00
Fred Willitsque.....	smoke-house..	20.00
Wm. Turley.....	½ac. of garden...	50.00
Charlie Williams..	small garden.....	10.00
		$130.00

The value of the land taken up by the right-of-way, from east to west boundary of this reserve, I value at $15.00 per acre.

x x x

R. E. Loring,
Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

contract with Foley, Welsh & Stewart) by a party of 7 Indians @ $3.50 p. cord - $140.00.

Sundries, loss by same fire,
Solomon Harris, about 70 feet of good fence $6.00
Mark Weget, cross-cut saw, 6 ft. long 6.00
$12.00

The value of the land here, taken up by the right-of-way is, $8.00 per acre.

x x x

R. E. Loring,
Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22168-1.

Ottawa, September 6th, 1910.

Sir,-

With reference to your several letters of the 1st of June last applying to acquire the Right of Way through a number of Indian Reserves in the Province of British Columbia I beg to enclose herewith a statement showing the valuations made by our Indian Agent of the Right of way of the GrandTrunk Pacific Railway through the several Indian Reserves therein mentioned. I have to request you to state whether your company concur in the said valuation.

As it is desirable to pay the Indians interested for their improvements at as early a date as possible I have to request you to sendyour reply without delay.

You will note that the said valuations, notwithstanding the fact that the areas through three reserves which are necessarily omitted, as the plans have not been furnished, greatly e-xceed the sum deposited with the Department on accoun-t of these Rights of Way. I have therefore to request you to forward another deposit of $4000.

You will notethat the Coryatsaqua Indian Reserve is not mentioned in the said Statement. You will be informed in a separate letter in connection with this Right of way.

Your obedient servant,

J.D.McLean,

Secretary.

G.U.Ryley, Esq.,
Grand Trunk Pacific Railway,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22168-1.

Grand Trunk Pacific Railway,
Land Department,
Winnipeg, Man., Sept. 21, 1910.

J.D.McLean, Esq.,
Secretary,
Department of Indian Affairs,
Ottaw,a Ont.

Dear Sir,-

Referring to your letter of the 6th inst., enclosing statements showing valuation made by your Indian Agent of Right of way of the Grand Trunk Pacific Railway through the several Indian Reserves in the Province of British Columbia.

With reference to the Kitwangar and Kitselas IndianReserve, your valuations on which amount to $3099.20 and $1863.55 respectively. In accordance with these valuations I am today having vouchers prepared covering Right of way through these Reserves, as follows:- Kitwangar Indian Reserve $3159.50, Kitselas Indian Reserve $1863.55, less $5000 covered by my voucher issued in your favour on the 22nd of June last, being deposit on account of Right of way and damages through the Kitwangar Indian Reserve as per your telegram to me of the 2nd June 1910. This will leave a balance due you $23.05. which voucher referred to you covers.

You will notice there is a difference of $60.50 between the amounts specified in your faluation on the Kitwangar Indian reserve and the amount mentioned in my voucher. This is accounted for from the fact that the acreage of the right of way through the Kitwangar Reserve should read 99.30 acres and not 95.28 as stated in your valuation.

You will hear from me in a few days with regard to the balance of the reserves mentioned in your letter of the 6th.

Yours truly,
G. U. Ryley,
Lands Commissioner.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496

Babine and Upper Skeena River Agency.

Hazelton, B. C., October 5th *1910.*

The Secretary,
Department of Indian Affairs,
OTTAWA.

Sir,-

Supplementary to my letter of the 18th of July last (2nd page) I have the honour to furnish herewith the names of Indians of Kitwanga, to whom payments should be made on account of the removal of eleven (11) graves at the rate allowed at Kitsumkalum - i.e.- $110.00 each,

to wit:-

One (1)	Solomon Harris	(2 bodies)
" "	Simadeeks	(1 body)
" "	J. W. Lachmeets	(1 body)
" "	Moses Tait	(1 body)
" "	James Fieg	(1 body)
"	Joseph & Alwyn Williams	(1 body)
"	Luke Ryan	(1 body)
"	Daniel Wells	(1 body)
"	Amos Williams	(1 body)
" "	Simadeeks & Gumlakyelt	(2 bodies)
" "	Mrs. Albert Williams	(1 body)

I have the honour to be,

Sir,

Your obedient servant,

R.E. Loring
Indian Agent.

RECEIVED
OCT 26 1910
DEPT. OF INDIAN AFFAIRS

RECEIVED
OCT 26 1910
SURVEYS B.

RECEIVED
OCT 26 1910
DEPT. OF INDIAN AFFAIRS

RECEIVED
OCT 26 1910
DEPT. OF INDIAN AFFAIRS
SURVEYS B.

RECEIVED
OCT 26 1910
DEPT. OF INDIAN AFFAIRS
SURVEYS B.

RECOMMENDED FOR PAYMENT
$110.00 each
Accountant
APPROVED;
D. S. G. of I.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496

Copy

1280.

Original to this file 342240

Ottawa, December 3, 1910.

Sir,-

Referring to your letter of the 8th October last and previous correspondence I beg to inform you that the Kitwangan and Kitselas Indian reserves belong to the different bands of Indians, and in the majority of cases the reserves through which the G.T.P. passes are owned by different bands. I have therefore to ask you to be good enough to deal with the right of way through only one reserve in the same letter.

In accordance with your request the sum of $5000.00 which was paid by your Company June 22nd, 1910, has been credited as follows:-

Right of Way through the Kitwangan Indian Reserve including graves and Indian improvements-in full - $3159.50.

There is therefore a balance of $1840.50 to be applied to the payment for the right of way &c. through the Kitselas Indian Reserve. As this right of way, graves and improvements amounts to $1865.55, there remains a balance unpaid of $25.05. Please note that you stated in your letter of the 21st September last, (327496) that this would immediately be forwarded; it has not yet been received.

Your obedient servant,

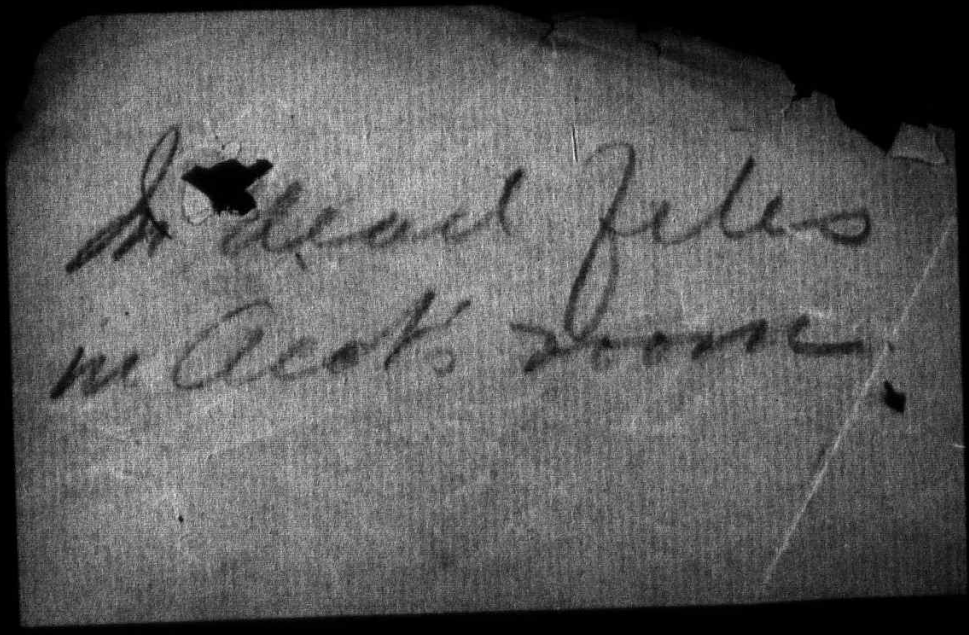
Asst. Deputy & Secretary.

G.U.Ryley, Esq.,

Land Commissioner,
Grand Trunk Pacific, Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496

Department of Indian Affairs.

Ottawa, 1st Febj — 1911.

1st Surveys -

To prepare descriptions for Patent of R.t. of way through the Kitwangar Indian Reserve No. 1, in the Babine agency, Cassiar District, B.C.

2nd - Lands -

Wades

N.M.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496

Ottawa Feby.3rd,1911.

Sir,-

I beg to enclose a copy of description which it is proposed to insert in the patent for the Right of way of the Grand Trunk Pacific Railway through the Kitwangar Indian Reserve No.I British Columbia.

I shall feel obliged if you will return it to this Department with a note of any changes that may seem desirable.

Your obedient servant

Assistant Deputy and Secretary.

Geo.U.Ryley,Esq.,

Land Commissioner,

Grand Trunk Pacific,

Winnipeg,Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496

Description for Patent.

~~All that parcel of land situate in the Kitwanger Indian Reserve No.1 in the Cassiar District in the Province of British Columbia and Dominion of Canada,~~ containing by admeasurement 99 acres and 30 hundredths of an acre be the same more or less ~~containing composed of~~ the Right of way of the Grand Trunk Pacific Railway through said Reserve and which may be described as follows:- Commencing at the intersection of the Centre line of said Railway with the East limit of said Reserve at the distance of 53 feet and five tenths of a foot measured North from a post marked I.R. planted on said East limit of said Reserve at its intersection with the right bank of the Skeena River, Thence Westerly along said Centre line following a three degree curve to the right 197 feet and eight tenths of a foot, thence following a three degree and 30 minute spiral curve to the right 234 feet, thence along said centre line North 69 degrees and 37 minutes West 800 feet and three tenths of a foot and including a width of 50 feet on each side of said Centre line, Thence along a One degree and 40 minute spiral curve to the right 168 feet, Thence along a two degree curve to the right 370 feet and eight tenths of a foot, Thence along a one degree and forty minute spiral curve to the right 168 feet, Thence along said centre line North 58 degrees and 52 minutes West 2108 feet and one tenth of a foot and including a width of 75 feet on each side of said Centre line, Thence North 58 degrees and 52 minutes West along said Centre line 1334 feet thence following a one degree and 30 minute curve to the left 566 feet including a width of 50 feet on each side thereof, Thence along said Curve to the left 485 feet and one tenth of a foot, Thence along said Centre line North 74 degrees and 38 minutes West 4514 feet and nine tenths of a foot

Sale 1 Page 596 C. R. Ref. 16285

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

of a foot and including a width of 300 feet on the North side and I00 feet on the South side thereof,Thence along said Centre line North 74 degrees and 38 minutes West 3000 feet indluding a width of 50 feet on each side thereof,Thence along said Centre line on same bearing I300 feet including a width of 250 feet on each side thereof,Thence on same bearing I8I2 feet and three tenths of a foot,Thence along a 2 degree and 30 minute spiral curve to the left 200 feet thence along a 2 degree and 30 minute curve to the left 846 feet and seven tenths of a foot,Thence along a 2 degree and 30 minute Spiral Curve to the left 200 feet,Thence along a tangent South 79 degrees and I2 minutes West I&4I feet and including a width of 50 feet on each side of said Centre line,Thence on same bearing 64 feet,Thence along a three degree and 30 minute Spiral Curve to the left 204 feet,thence along a 3 degree and 30 minute curve to theleft I222 feet and 9tenths of a foot. ,thence along a spiral curve to the left 204 feet,Thence along said centre line South 29 degrees and 24 minutes West to the intersection of said Curve Centre line with the West limit of said Indian Reserve and including a width of 75 feet on each side of said centre line,as the above described right of way is shown on a plan of the same certified to by W.J.Butler,Deputy Minister of Railways and Canals on the 2Ist of September I909,and which is of record in the Department of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Description for Patent.

All,that parcel of land situate in the Kitwanger Indian Reserve No.1 in the Cassiar District in the Province of British Columbia and Dominion of Canada, containing by admeasurement 99 acres and 30 hundredths of an acre be the same more or less and being composed of the Right of way of the Grand Trunk Pacific Railway through said Reserve and which may be described as follows:- Commencing at the intersection of the Centre line of said Railway with the East limit of said Reserve at the distance of 53 feet and five tenths of a foot measured North from a post marked I.R. planted on said East limit of said Reserve at its intersection with the right bank of the Skeena River,Thence Westerly along said Centre line following a three degree curve to the right 197 feet and eight tenths of a foot,thence following a three degree and 30 minute spiral curve to the right 234 feet,thence along said centre line North 69 degrees and 37 minutes West 800 feet and three tenths of a foot and including a width of 50 feet on each side of said Centre line, Thence along a One degree and 40 minute spiral curve to the right 168 feet, Thence along a two degree curve to the right 370 feet and eight tenths of a foot,Thence along a one degree and forty minute spiral curve to the right 168 feet,Thence along said centre line North 58 degrees and 52 minutes West 3108 feet and one tenth of a foot and including a width of 75 feet on each side of said Centre line,Thence North 58 degrees and 53 minutes West along said Centre line 1334 feet thence following a one degree and 30 minute curve to the left 566 feet including a width of 50 feet on each side thereof,Thence along said Curve to the left 486 feet and one tenth of a foot,Thence along said Centre line North 74 degrees and 38 minutes West 4514 feet and nine tenths of a

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

of a foot and including a width of 300 feet on the North side and 100 feet on the South side thereof,Thence along said Centre line North 74 degrees and 38 minutes West 3000 feet including a width of 50 feet on each side thereof,Thence along said Centre line on same bearing 1300 feet including a width of 250 feet on each side thereof,Thence on same bearing 1613 feet and three tenths of a foot,Thence along a 2 degree and 30 minute spiral curve to the left 200 feet thence along a 2 degree and 30 minute curve to the left 346 feet and seven tenths of a foot,Thence along a 2 degree and 30 minute Spiral Curve to the left 200 feet,Thence along a tangent South 79 degrees and 12 minutes West 1441 feet and including a width of 50 feet on each side of said Centre line,Thence on same bearing 64 feet,Thence along a three degree and 30 minute Spiral Curve to the left 204 feet,thence along a 3 degree and 30 minute curve to theleft 1332 feet and 9tenths of a foot ,thence along a spiral curve to the left 204 feet,Thence along said centre line South 39 degrees and 24 minutes West to the intersection of said curve Centre line with the West limit of said Indian Reserve and including a width of 75 feet on each side of said centre line,as the above described right of way is shown on a plan of the same certified to by J.H.Butler,Deputy Minister of Railways and Canals on the 21st of September 1909,and which is of record in the Department of Indian Affairs.

Wm Ibram

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

...AND TRUNK PACIFIC
...OPMENT COMPANY, LIMITED
W...PEG, CANADA

...RYLEY,
COMMISS...

327496

DEPT OF INDIAN AFFAIRS
MAR 27 1911
SECRETARY.

DEPARTMENT OF INDIAN AFFAIRS
MAR 27 1911

2086. Winnipeg, March 23rd., 1911.

The Secretary,

Department of Indian Affairs,

383604

OTTAWA.

Sale
1
Gale 59
B. C.

Sir,

I return herewith the description which accompanied your letter of the 3rd ult., file 327496. This description has been checked by the Engineering Dep't and found to be correct.

Yours truly,

C.M. Ryley

Land Commissioner.

Enclos'.

M.P.

...S BRANCH
MAR 29 1911

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496 22151-16 CP

Gitwangak
Skeena River
March 20th 1

The Honourable
The Supt General of Indian Affairs

304658

Dear Sir,

The Grand Trunk Pacific Railway is taking part of our Reserve, but theyhave never consulted us in any wayas to our wishes .
Have we no right to our Reserve?
Why are we not allowed a voice in the matter?
We understand that themoney has been paid for our land to you and we have not been allowed to express an opinion we also understand from the Indian Agent,that the money will not be paid to us; why this injustice?
Had we an Indian Agent who wouldinterest himself in us our lands wouldnot be spoiled of its timber without compensation as it is now; neither should we be ignored as we are at the present time:
We respectfully ask you to let us know what hasbeen paid for our land; as we want one hundred dollars an acre for land in our Reserve:

We the Chiefs greet you,

Yours respectfully,

Simdeeks X A. Akgand X Gilawan X
Dowallasqu X Lulagk X Hakqu X
Chief Lenquak X Paul Akdihik X Gwizagan. X

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
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CANADA

327496

Babine and Upper Skeena River Agency.

DEPARTMENT OF INDIAN AFFAIRS APR 15 1911

Hazelton, B.C. March 23rd 1911.

ACCOUNTANTS APR 20 1911 BRANCH

The Secretary,
Department of Indian Affairs,
OTTAWA.

DEPT. OF INDIAN AFFAIRS, APR 19 1911 SURVEYS.

325546

Sir,-

ACCOUNTANT APR 25 1911 BRANCH

I have the honour to state that subsequent a visit during this month to the Indian villages and railway right of way camps, downstream on both banks of the Skeena, I was approached on the 16th whilst at the house of Revd. A.E.Price, at Kitwanga, by Simadeeks the headchief there, stating that he thought it not fair that no allowance was made in those of the Departmental Cheques, dated collectively the 14th of November last - ranging from No. 3877 to 3887, for $110.00 each - subsequent my letter of the 5th of October last, concerning graves removed there, and holding more than one body.

His view was that though the railway company may assert its choice of counting a grave, containing more than one body, one grave, it could not overcome the fact of them thereby being deprived in two instances (Solomon Harris, and Simadeeks and Gunlakyelt, containing two bodies each) of the sum of $15.00, respectively, in handling of the extra bodies so contained.

Simadeeks further stated that if any more bodies should be ordered to be removed, because of that, it would not take place with the consent of the people. In concluding, I may state that there is a tentative arrangement that a siding have yet to be provided on the grave yard flat there, and should that come to be decided upon, it would absorb - depending on what side - the whole of that area, and would involve, perhaps, four times the number of graves then settled for, i.e., eleven (11.)

I have the honour to be,
Sir,
Your obedient servant,

Indian A

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Great North Western Telegraph Company of Canada.

CABLE SERVICE TO ALL THE WORLD.

MAY 6 1911

TERMS AND CONDITIONS.

All messages are received by this Company for transmission, subject to the terms and conditions printed on their Blank Form No. 2, which terms and conditions have been agreed to by the sender of the following message.
This is an unrepeated message, and is delivered by request of the sender under these conditions.

E. P. DWIGHT, President.

HEAD OFFICE: TORONTO.

I. McMICHAEL, Vice-President and General Manager.

177 N.V. 336955

15 Dh & Dh. Winnipeg, Man., May 5/11

Sec'y Dep't of Indian Affairs.,

Ottawa.

Hold patent for right of way through Kitwangar indian reserve until you hear from me.

Chas. G.U. Ryley. 855

Marked C. U. Ryley 8 May 11 Dan

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327,496

Acct see under

ACCOUNTANTS AUG 14 1911 BRANCH

ACCOUNTANTS AUG 17 1911 BRANCH

Ottawa, August, 11, 1911.

Sir;-

In reply to your letter of the 23rd. March last relating to graves on the Kitwanger Reserve, affected by the right of way of the Grand Trunk Pacific Railway, I have to say that the question cannot very well be re-opened as far as the right of way itself is concerned. If extra land should be required as referred to in your letter for a siding, a new arrangement and valuation should be made.

Your obedient servant,

Sgd F. D. McLean

Assistant Deputy and Secretary

S.B.

R. E. Loring, Esq.,
Indian Agent,
Hazelton,
B .C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
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CANADA

GRAND TRUNK PACIFIC RAILWAY
ENGINEERING DEPARTMENT

Residency # 16
Larue Creek. B.C.
April 5/1911.

R. E. Loring. Esq.
Indian Agent. Hazelton,

Dear Sir,

In reply to yours of the 22nd March, the information regarding the Indian grave on this work has been forwarded to the Division Engineer at Hazelton. and I expect you will hear from him shortly.

Sincerely Yours
E J Dolreden

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
ENGINEERING DEPARTMENT

Hazelton B C.

C. C. VAN [redacted]
DIVISION ENGINEER

June 13th 1911;

Mr R E Loring;
Indian Agent
Hazelton B C.

392922

Dear Sir;

Referring to your letter of March 22nd addressed to Mr E J Dorreen, Resident Engineer, Residency 16, Lorne Creek B C., relative to the disturbance of Indian grave situated on the Right of Way at Kitwanga.

This matter has been referred to me through the Assistant Engineer, and after some correspondence I have received letter from Mr E J Dorreen, copy of which I enclose herewith.

I regret very much that this grave was not removed by our men or the matter taken up and finally adjusted with you before they proceed with the work of grading.

If you will kindly advise me what you desire us to do in the matter or what disposition you desire us to make of the bones that were found, we will be glad to take any action that you may request in the matter.

Yours truly;

Division Engineer.

CCV/M

one encl.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
ENGINEERING DEPARTMENT

C. C. VAN ARSDOL
DIVISION ENGINEER

Copy;

Res. # 16.

26th April 1911;

Mr C C Van Arsdol;
Division Engineer GTPR
Hazelton B C.

392922

Dear Sir;

In regard to the Indian grave which was taken out at sta.6878.

The Cut had been started before I learned of the existence of the grave. I was told by the Contractor that there was a grave within the Right-of-Way and that before clearing had been commenced it had a small fence around it: this was destroyed by fire while clearing was in progress and we were not sure of its exact location and thought probably the work would not disturb same.

A short time before the excavation reached this station an Indian called at Camp and told me he knew the Indian to whom the grave belonged and that they wished to remove it. I told him to get it done at once as I did not wish to stop the Contractor with his work. He went over and put a stick on the grave and although this was within the slope stakes, it was so close to the lower slope that I thought there was a chance of missing it if the grave were dug to any depth.

I do not know the Indian's name, but it was the same one who accompanied Major Leslie on his last visit.

However no one came near to remove grave and when the cut was taken out at this place a few rotten boards were discovered.

Now however the Contractor has completed the slope and some of the frozen material has thawed out and some bones have been discover These have been put carefully away until we know what to do with them.

Yours truly;
Sgd E J Dorreen.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496

Babine and Upper Skeena River Agency,

Hazelton, B. C., July 18th 19[illegible]

DEPARTMENT OF INDIAN AFFAIRS
AUG 19 1911

The Secretary,
Department of Indian Affairs,
OTTAWA.

392922

Sir,

I have the honour to enclose herewith a note from Mr. E. J. Dorrton, railway engineer, residency #16, Lorne creek, dated the 5th of March last, copy of a letter of the latter gentleman to Mr, C. C. Van Arsdol, division engineer of the Grand Trunk Pacific railway, dated the 26th of April last, and a letter from the last named gentleman to me, dated the 13th ultimo, in support of a claim of an Indian named Edwin Brown (Chief Towalisk) of Kitwanga, whose enclosure of his sister's grave became destroyed on the clearing and burning of the right of way, and grave destroyed on the grading operation at Kwatsalix, a locality on the right bank of the Skeena, and about 22 miles below of Kitwanga.

In regard of the latter instance, I advised Edwin Brown (Indian) to gather what could be found of his late sister's remains, and to inter them in a spot of his own selection, and promised him that I would present the usual claim of $110.00 through the Department to the Railway Company, and impressed him with the proposition that by re-interring the said remains his claim may be good to that amount, instead of having $15.00 deducted therefrom.

I have the honour to be,

Sir,

Your obedient servant,

DEPT. OF INDIAN AFFAIRS.
SEP 6 1911
SURVEYS.

Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22168-1.

Ottawa, August 11, 1911.

Sir,-

I beg to draw your attention to the letter/6th September last, requesting a further deposit of $4000. on account of the compensation for the Right of Way and (damages) of the Grand Trunk Pacific Railway, through a number of Indian Reserves on the Skeena River, B.C. A statement was enclosed of the said letters setting forth the reserves referred to and the amounts due in each case. I have to ask you to be good enough to forward the said sum of $4000.

x x x

Your obedient servant,

J. D. McLean,

Asst. Deputy and Secretary.

G.U.Ryley, Esq.,
Land Commissioner,
Grand Trunk Pacific Railway,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Babine and Upper Skeena River Agency,

Hazelton, B. C., Agust 21st *1911.*

The Secretary,

Department of Indian Affairs,

OTTAWA.

334620

Sir,-

I have the honour to enclose herewith a letter, dated the 10th, of the Grand Trunk Pacific Engineer Mr. Micholson, residency #19, Skeena, and another from Chief James Lachneets, of Kitwanga, Skeena, B.C., of the 19th instant, importuning my aid in bringing his grievance before the Department in having lost his and his family connections' fishing station by it being obliterated by a fill on the Grand Trunk Pacific Railway grade, on the right bank of the Skeena and about two and a half miles above the village of Kitwanga.

In regard thereto, I would advocate a renumeration of $150.00, and have the matter disposed of thereat.

The compensation at that amount I consider reasonable, fair and just.

I have the honour to be,

Sir,

Your obedient servant,

R.E. Loring

Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

RAND TRUNK PACIFIC RAILWAY
ENGINEERING DEPT.

Residency # 19.

Aug 10th 1911.

394620

Chief Jim Laknito
Kitwanga B.C.

Dear Sir.

Referring to your letter dated July 20th regarding the G.T.P. Co spoiling your land etc. I would suggest that you take the matter up with your agent R.E. Loring I have no authority to act for the G.T.P. Ry Co in such a matter.

Yours truly

D. Nicholson
Resident Engineer
Res # 19.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Kitwangak
Aug 19th/11

DEPARTMENT OF INDIAN AFFAIRS
SEP 8 1911

394620

R. Perry Esq.

Dear Sir

The place where I put my net & catch Salmon at the rock bluff 2½ miles above Kitwangak has been filled up with rock by the G.T.P. Ry Company and I cannot put a net there any more.

I have asked Mr R.E. Paget for compensation and he refers me to you,

I have asked Mr Nicholson resident Engineer, and he refers me to you, both of their letters I enclose

Will you kindly do what you can for me. thanking you for past favors

I am

Yours Respectfully

J. Takunito per A.E.P.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496.

1 Dr. Minister
2 Secty
Return to Secretary - see 395870

Ottawa, September 13, 1911.

Sir,-

A complaint has been made to the Department through the Indian Agent Mr. R. E. Loring, Hazelton, B. C., by J. Laknits an Indian of the Kitwangar Band to the effect that the rock placed in the Skeena River about two and one half miles above Kitwangar where he had been in the habit of placing his net to catch salmon has been filled in with rock in the operations of the G.T.P.Rwy. This spot was not actually granted as a reserve to the Indians; but the land matters of this band were not finally dealt with by the Commissioners. In any subsequent action the long established claims of the Indians to their fishing spots on the river would undoubtedly be dealt with. It is therefore considered that the Indian had a right to his fishing station, and having been deprived of it he is entitled to compensation.

Mr. Agent Loring says that he considers the sum of $150. would be a fair, just and reasonable compensation. I have to request you to be good enough to have this matter looked into as soon as possible and it is to be hoped that your company will see its way to pay the said compensation and thus have this matter disposed of.

Your obedient servant,

(Sgd.) J. D. McLean

Asst. Deputy and Secretary.

Geo E. Pope, Esq.,
Right of Way and Lease Agent,
G. T. P. Rwy.,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327,495

Ottawa, September 19, 1911.

Sir;-

Referring to your letter of the 13th June last, addressed to Mr. R. E. Loring, Indian Agent, Hazelton, B. C., relating to an Indian grave which has been disturbed in the construction of the Grand Trunk Pacific Railway, I beg to inform you that the sum which has been paid in every instance by your railway for each grave disturbed has been $110.00, and I shall be obliged if you will be good enough to take the necessary steps to have the said sum transmitted to this Department as compensation for the disturbance of the said grave belonging to an Indian, Edwin Brown, (Chief Towalisk) of Kitwangar.

Your obedient servant,

(Sgd) J. D. McLean

Assistant Deputy and Secretary

G. C. Vanarsdol, Esq.,
Divisional Engineer, G. T. P. Railway,
Hazelton,
B. C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327,496

Ottawa, September 19, 1911.

Sir;-

I beg to make requisition for the payment of $110.00 as compensation for the disturbance of a grave belonging to an Indian named Edwin Brown (Chief Towalisk) of Kitwangar which was disturbed during the clearing of the right of way and the grading operations at Kwatsalix, a locality on the right bank of the Skeena river and about twenty-two miles below Kitwangar.

Your Divisional Engineer, Mr. G. C. Vanarsdol, of Hazelton, B. C. is aware of the facts of the case, and I beg to refer you to him. I shall be obliged if you will be good enough to have this matter promptly closed.

S. B.

Your obedient servant,

(Sgd) D. W. Ligh

Assistant Deputy and Secretary

Geo. E. Pope, Esq.,
Right of Way and Lease Agent,
G. T. P. Railway,
Winnipeg,
Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
LAND DEPARTMENT
WINNIPEG, MAN.
GEO. H[illegible]E
RIGHT OF WAY AND CLAIMS AGENT

327496

DEPARTMENT OF INDIAN AFFAIRS
SEP 23 1911

September 22nd, 1911.

C. 541.

~~5754~~
305639

Mr. J. D. McLean,
Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Dear Sir:-

Re Claim 541, J. Laknits, Kitwangar Indian Reserve.

Replying to your favor of the 13th instant, No.327.496, making claim for damages on behalf of Mr. Laknits for disturbing his fishing ground. Permit me to say, I note the nature of this claim, which I presume, although not just worded that way in your letter, you mean that in blasting for the railway portions of the rock were thrown into the river at a point where this man formerly fished, and which he says is now interfered with.

I regret I cannot recommend the Company to acknowledge this claim, and if any damage was done it would be done by the contractor who had the contract for the work. Further this is a navigable stream and therefore the property of the Government, and as this is not in a licensed fishing ground, I do not understand this man has any legal claim.

I have the honor to remain,

Yours respectfully,

DEPT OF INDIAN AFFAIRS
SEP 29 1911
VEYS.

E. Claims Agent.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327,496

Ottawa, September 30, 1911.

Sir;-

I beg to acknowledge the receipt of your letter of the 22nd. instant relating to the claim of J.Lakite an Indian of the Kitwangar Band,B. C.and beg to explain that this Indian was the owner of a rock in the river from which he was in the habit of fishing. The rock was covered over in the operations connected with the construction of the Grand Trunk Pacific Railway. We have,therefore to request that the compensation of $150.00 demanded by him be paid without unreasonable delay.

With regard to your reference to the action of your contractors I have to say that this Department has no knowledge of any contractors or subcontractors of your line and will not deal with any but the proper officers of the company.

Your obedient servant,

Sgd. J. D. McLean

Assistant Deputy and Secretary

George H. Pope,Esq.,
Right of way Agent,
Grand Trunk Pacific Railway,
Winnipeg,
Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
LAND DEPARTMENT
WINNIPEG, MAN.

GEO. H. [redacted] E.
RIGHT [redacted] AND CLAIMS AGENT

327496 22151-16

DEPARTMENT OF INDIAN AFFAIRS
OCT 2 1911

September 29th, 1911.

C-2 543.

398082

ACCOUNTANTS
OCT 7 1911
BRANCH

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Dear Sir:-

Re Edwin Brown, Indian Grave, Kwatsalix.

I have your favor of the 19th instant, 327,496, making claim for $110.00 for the removal of this grave. As suggested by you I have communicated with Mr. Van Arsdol for particulars, but I must say to you that the Company will resist paying this price for this grave; it is simply outrageous. This price was submitted to on a former occasion, but under protest, when the cemetery was disturbed but this price included cemetery grounds and other matters, the only reason it was paid, not because it was justice, but because the road was being held up and the contractors stopped in their work, and the price was submitted to rather than delay the work.

You will hear from me as soon as I get a reply from Mr. Van Arsdol.

I have the honor to remain,

Respectfully yours,

E. Claims Agent.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
LAND DEPARTMENT
WINNIPEG, MAN.

GEO. H. [redacted]
RIGHT OF WAY AND CLAIMS AGENT

327496

396722

DEPARTMENT OF INDIAN AFFAIRS
OCT 19 1911

October 6th, 1911.

C. 541.

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

Re J. Lavnits.

I have the honor to acknowledge your favor of the 30th ulto. 327.496, and note you say that this Indian was the owner of a rock in the river from which he was in the habit of fishing. I should like to know, in order to fully understand the matter, if Mr. Lavnits held this rock under a license or a title from the Government, and if so if I could get a description or plan of its location so that I may have it investigated at once by our engineers.

A reply at your early convenience will very greatly oblige.

I have the honor to remain,

Yours respectfully,

Geo H Hopkins

E. Claims Agent.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22368-1.

COPY.

October 12th, 1911.

Mr. J.D.McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir,-

I have the honor to acknowledge your favor of September No. 327496, and note what you say with regard to the different claims.

I enclose herewith a statement in accordance with our records which I submit to you and hope you will find them correct. You will notice that the following Reserves have been paid out in full for right of way and damages:- Kitselas, Kitwangah, Wil-le-clough, Me-an-Law. The following the right of way has been paid but not for damages as mentioned therein, namely, K-H-Yex, Zim-a-oord, Kitsumkaylum, Ksh-Ish, showing the balance $609.30 for damages due on this. Kitseguecla #1, two graves were paid for, the right of way not yet settled. The right of way is 113.62 acres amounting to $1,363.44. Kitseguecla $2, 23.60 acres, amount $283.20. Chemdemash # 2 8.46 acres, amount $84.60. None of these have been paid. Andimaul damages as per statement $1,192.00. The survey for Andimaul has not yet been completed, and I have not the acreage, which as soon as received will be remitted.

If these items are found correct and meet with your approval I will at once issue a voucher and cheque therefor which will square up the account and

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

close them. Thus far the amounts would be as follows:-

Damages as per statement on the four Indian Reserves.

			$ 609.30
Kitseguecla	#1	Right of W	$1,363.44
"	#2	"	285.20
Chimdemash	#2	"	84.60
Andimaul			1,192.00
		Total	$3,532.54

Any other Reserves that may come up, as soon as I can possibly ascertain where they are and the acreage, will at once be reported and settled for. I would like to have you go into this and if approved, as before stated, it will finally settle the correspondence up to date.

You will notice the amounts paid in are as follows: Vouchers June 2nd and Septemter 21st. ~~xxxxxx~~ $5023.05, and paid on the six Reserves as per statement $4,470.00 and for Kitseguecla #1. Graves $220.00.

Trusting you will find this correct and satisfactory, I have the honor to remain,

Respectfully yours,

Geo. H. Hope,

Right of way Agent.
Grand Trunk Pacific Railway.

E.
Enclo.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Kitwangas

327496.

Ottawa, October 14, 1911.

Sir,-

In reply to your letter of the 6th inst., I beg to inform you that the rock in the Skeena River has been used as a fishing point by the Indian J. Laknits and his family connections for a great number of years, and he now complains of his loss by having it covered over with the embankment of the Grand Trunk Pacific Rwy., and further that he has now no place where he can put a net in that locality.

The owhership of the Indians to their fishing spots in the different rivers have been recognized from time to time.

There appears to be no doubt whatever that the Indian was the lawful occupant of the premises, and that he is entitled to compensation for his loss.

We have no plan showing the rock in question, but no doubt your Resident Engineer should be able to supply you with all necessary information as to its locality.

Your obedient servant,

A. Stewart

Asst. Secretary.

Geo. H. Pope, Esq.,
Right of Way & Claims Agent,
Grand Trunk Pacific Rwy.,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444200

ORDER NO. 29164

RL

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA

MONDAY, THE 16TH DAY OF AUGUST, A. D. 1912.

D'ARCY SCOTT,
Asst. Chief Commissioner.

IN THE MATTER of the application of the Grand Trunk Pacific Railway Company, hereinafter called the 'Applicant Company', under section 167 of the Railway Act, for approval of the revised location of its main line, mileage 136.19 to mileage 149.41, Prince Rupert East, through Kquin-Kix-Stattkum Indian Reserve, Cassiar District, in the Province of British Columbia, as shown on the plan and profile and described in the book of reference on file with the Board under file No. 3452.59:

UPON the report and recommendation of the Assistant Chief Engineer of the Board--

IT IS ORDERED that the revised location of the Applicant Company's main line of railway, mileage 136.19 to mileage 149.41, Prince Rupert East, through Kquin-Kix-Stattkum Indian Reserve, Cassiar District, in the said Province of British Columbia, as shown on the plan and profile and described in the book of reference on file with the Board under the said file No. 3452.59, be, and the same is hereby, approved.

Assistant Chief Commissioner,

Board of Railway Commissioners for Canada.

BOARD OF RAILWAY COMMISSIONERS FOR CANADA.
Examined and certified as a true copy under Section 52 of the Railway Act
for
Secretary
Ottawa

The original of this Document has been removed for retention in the Records of the Indian Land Registry.
Signature
Mar 23, 1972

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
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CANADA

A. D. CARTWRIGHT.
SECRETARY.

BOARD OF
RAILWAY COMMISSIONERS
FOR CANADA.

OFFICE OF THE SECRETARY.
OTTAWA.

DEPARTMENT OF INDIAN AFFAIRS
SEP 20 1913
OTTAWA

444200

File 3452.59 Case

DEPT. OF INDIAN AFFAIRS,
SEP 8 1913
SURVEYS.

Dear Sir,

I enclose herewith certified copy of Order of the Board No. 20164 dated Aug. 18th/1913.

Please acknowledge receipt.

Yours truly,

A.D. Cartwright
Secy. B.R.C.

J.D.McLean, Esq.,
Asst. Deputy & Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200

Ottawa, October 7, 1913.

Sir,-

A copy of Order No.20,164,dated 18th August 1913 of the Board of Railway Commissioners has been received approving the revised location of your main line,mileage 138.19 to 149.41,Prince Rupert East,through the Squinlixstat Indian Reserve No.3 of the Kitwangar Band,B.C.

A plan and application for the said right of way has not been received at the Department. Kindly note that no entry should be made for construction purposes on the said reserve until the right of way is arranged for.

Your obedient servant,

Sgd J. D. McLean

Assistant Deputy and Secretary

Wm.Wainwright,Esq.,
Vice President,
Grand Trunk Pacific Railway Co.,
Montreal,
Que.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
MONTREAL, CANADA

HENRY PHILIPS,
SECRETARY.

444200

446420

October 8th, 1913.

DEPT. OF INDIAN AFFAIRS.
OCT 12 1913
SURVEYS.

Mr. J. D. McLean,
Assistant Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

Yours of October 7th, addressed to Mr. Wm. Wainwright, Vice President, has been referred to me, advising that the revised location of this Company's main line, mileage 138.19 to 141.41, Prince Rupert East, through the Squinlixstat Indian Reserve No. 3 of the Kitwanger Band, B.C., has been approved, but plans and application for right of way has not been received at the Department and that no entry should be made for construction purposes until the right of way is arranged for.

Your letter has been forwarded to the office of our Chief Engineer, Mr. B. B. Kelliher, at Winnipeg, with the request that the matter be given the necessary attention.

Thanking you for advising us in this respect.

Very truly yours,

Henry Philips
Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44200

GRAND TRUNK PACIFIC RAILWAY
MONTREAL, CANADA

WM. WAINWRIGHT,
VICE PRESIDENT.

DEPT. OF INDIAN AFFAIRS
OCT 28 1913

October 22nd.1913.

1846.

EX'D.

J. D. McLean, Esq.,
Assistant Deputy & Secretary.
Department of Indian Affairs,
OTTAWA, Ont.

447682

Dear Sir,-

Referring to your letter of the 7th. instant advising that plan and application from this Company for right of way through the Squiqlixetat Indian Reserve No.3 of the Kitwanger Band, B.C., had not been received by the Department.

This matter has been taken up with our Chief Engineer at Winnipeg, who now advises that he has the matter in hand and will attend to it immediately.

Yours truly,

Vice President.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
WINNIPEG, MAN.

H. E. BISSELL
RIGHT OF WAY AND CLAIMS AGENT

4442000

1014/143.

30th December, 1913.

DEPT. OF INDIAN AFFAIRS,
JAN 2 1914
SURVEYS.

452279

Sir:-

I am to-day sending you by express duplicate tracings of revised location of this Company's right of way comprising 3.41 acres through the Squin-lix-Stat Indian Reserve, Mile 144, Prince Rupert East.

These plans bear the approval of the Board of Railway Commissioners, and the certification of the Registrar affected.

Kindly let me hear from you on the subject, and oblige,

Your obedient servant,

H. E. Bissell

HP/F.

Right of Way Agent.

Assistant, Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Comm. - Attn. F. J. Clements M. P.
Publish R. 3 forms Hazelton

plotted on plan
Area calculated
and plan filed
under number 135-8
G.T.P.R.
7/1/14.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, Jan. 13, 1914.

File 444,200.

Memorandum for the Deputy Superintendent General:-

The Grand Trunk Pacific takes a small area of 3.41 acres through the Squin-lix-stat Indian Reserve No. 3 of the Kitwangar Band in the Babine Agency for which Mr. R. E. Loring, Bazelton, is the Indian Agent.

The Kitwangar Reserves are situated in the Northern part of the Comox-Atlin District for which Mr. H. S. Clements is the member. Will you kindly state to whom the instructions are to be sent to have the valuations made in connection with the said right of way.

E. Bray

Chief Surveyor.

Please give instructions to Mr. Loring in this case. DSC

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200.

1 Dy. Minister
2 Secretary

Ottawa, Jan. 13, 1914.

Sir,

I beg to acknowledge the receipt of your letter of the 30th ultimo, No. 1014-143, and of plans in duplicate on tracing cloth on which are shown the right of way of the Grand Trunk Pacific Railway comprising 3.41 acres through the Squin-lix-state Indian Reserve and to inform you that the matter is receiving consideration.

I may say that it is not necessary to send to this Department duplicate copies on tracing cloth of plans rights of way through Indian Reserves. One plan on tracing cloth with two blue print copies ~~are~~ sufficient.

Your obedient servant,

D. C. Scott

Sgd J. D. McLean

Assistant Deputy and Secretary.

H. E. Bissell, Esq.,
Right of Way Agent,
Grand Trunk Pacific Railway Co.,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200.

Dy. Minister
Secty

Ottawa, Jan. 13, 1914.

Sir,

I beg to inform you that there has bee n sent you a copy of a plan filed by the Grand Trunk Pacific Railway on which is shown the right of way comprising 3.41 acres through the Squin-lix-stat Indian Reserve No. 3 of the Kitwangar Band. Kindly bring this matter to the attention of the Commission for action thereon.

Your obedient servant,

Asst. D. M. Nicholson

Assistant Deputy and Secretary.

The Secretary,

Royal Commission on Indian Affairs,

Victoria, B.C.

S. B.

plan 13-8 returned by Com. Feb 6 - 1914 WRent

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200.

LTD.

Ottawa, Jan. 15, 1914.

Sir,

Enclosed please find a blue print plan showing the right of way containing 3.41 acres of the Squin-lix-stat Indian Reserve No. 3 of the Kitwangar Band required by the Grand Trunk Pacific Railway. Will you please make the necessary valuations of land and damages and forward to the Department at an early date.

As usual please show the amount chargeable to the band separate from any amount or amounts that may be payable to Indian occupants also consult the Indians and endeavour to obtain their assent to your valuations.

Your obedient servant,

Sgd J. McLean

Assistant Deputy and Secretary.

R. E. Loring, Esq.,
Indian Agent,
Metlakatla, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444200

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

HON. E. L. [redacted]ORE, LL.D., CHAIRMAN
NATHANIEL [redacted]HITE, K.C.
JAMES A. J. [redacted]KENNA, LL.D.
JAMES P. SHAW, M.L.A.
DAY H. MACDOWALL
J. G. H. BERGERON, B.C.L., K.C.,
SECRETARY AND SOLICITOR

BELMONT HOUSE.

ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY
P.O. BOX 755
TEL. 1808

DEPARTMENT OF INDIAN AFFAIRS
FEB 2 1914
SECRETARY

VICTORIA, B.C. January 26th.1914

~~454600~~

J. D. McLean, Esq.,
Secretary, Department of Indian Affairs,
O t t a w a.

Sir;-

By direction of the Royal Commission on Indian Affairs for the Province of British Columbia, I beg to acknowledge receipt of your communication of the 13th.instant, File No.444,200, regarding the right of way of the Grand Trunk Pacific Railway through the Squin-lix-stat Indian Reserve, and to inform you that this matter will be laid before the Commission at the earliest opportunity.

I have tye honour to be,
Sir,
Your obedient servant,

J. G. H. Bergeron
Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Called up
Feb 6. 1914.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16
C.P.

INTERIM REPORT NO.27.

of the

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF B.C.

Made at Victoria, B.C.,
the 17th day of March,
1914.

To His Royal Highness
The Governor-General of Canada-in-Council

and

To His Honour
The Lieutenant-Governor of British Columbia-in-Council.

The Commission, pursuant to Section 8 of the Agreement referred to in the Commission, has had under consideration the application of the Grand Trunk Pacific Railway Company for right-of-entry upon lands required for right-of-way purposes and described upon plans certified by the Board of Railway Commissioners for Canada on the 13th December, 1913, comprising 8.18 acres forming part of the Chig-in-kaht Indian Reserve No.8 of the Kitwanger Tribe, Babine and Upper Skeena Agency.

The Commission having duly considered the said application and examined the said plans and the material in respect thereto contained on file 455689 of the Department of Indian Affairs, and it appearing that the said lands are required for such right of way purposes by the said Company,

The COMMISSION RECOMMENDS that, subject to compliance with the requirements of the law and to due compensation being made, permission be given to the said Railway Company to enter forthwith upon the said lands and to acquire the same for such right-of-way purposes, according to the plans filed with the Department of Indian Affairs in respect to such application.

All of which is respectfully submitted.

(Sd) D.H. Macdowall

Acting Chairman.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1

Original on file

454118

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA.

454118

Belmont House,

Victoria, B.C. 30th January, 1914

Approved

R.C.21.

J. D. McLean, Esq.,

Secretary, Department of Indian Affairs,

Ottawa.

Sir,-

Referring to yours of the 13th instant, File No. 444,200, I enclose herewith for your information, copy of an Interim Report (No.21) issued to day and transmitted to the Honourable the Secretary of State authorizing the Grand Trunk Pacific Railway Company to enter upon the land of the Squin-lix-stat Indian Reserve. required by that Company for right-of-way purposes.

Under separate cover I am returning the Grand Trunk Pacafic Railway Company's plan.

I have the honour to be,

Sir,

Your obedient servant,

J. G. H. Bergeron,

Secretary.

Enclosure.1.

The original of this Document has been removed for retention in the Records of the Indian Land Registry.

Signature

Jan 23 1972

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
WINNIPEG, MAN.

H. E. BISSELL
RIGHT OF WAY AND CLAIMS AGENT

1014/128.

DEPT. OF INDIAN AFFAIRS,
FEB 20 1914
SURVEYS.

16th February, 1914.

455689

Sir:-

I am sending you under separate cover one tracing and two blue prints showing right of way, comprising 8.18 acres required by the Grand Trunk Pacific Railway through the Chig-ni-Kaht Indian Reserve, No. 8, B. C., situated at Mile 128, Prince Rupert East.

I shall be glad to hear from you on the subject as soon as possible, and oblige

Your obedient servant,

H E Bissell
Right of Way Agent.

HP/F.

Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

plan 1369

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455,689.

Ottawa, Feb.21,1914.

Sir,

I beg to inform you that there has been sent you in a separate roll by registered mail one tracing and a blue print of the right of way of the Grand Trunk Pacific Railway through Chig-ni-kaht Indian Reserve No. 8, B.C., and to request you to be good enough to have the proper officer of the Railway Commission certify that the land shown on the said plan is required for railway purposes, in the usual manner.

W.R.W.

Your obedient servant,

Sgd J D McLean.

Assistant Deputy and Secretary.

A. D. Cartwright, Esq.,
Secretary, Board of Rwy. Commissioners,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455,689.

Ottawa, Feb. 21, 1914.

Sir,

I beg to acknowledge the receipt of your letter of the 16th instant and accompanying plan on tracing cloth and two blue prints of the right of way of the Grand Trunk Pacific railway through Chig-ni-kaht Indian Reserve, comprising 8.18 acres, and to say that the matter will receive immediate attention.

Your obedient servant,

Sgd J D McLean.

Assistant Deputy and Secretary.

W.R.W. fol

H. E. Bissell, Esq.,

Right of Way Agent,

Grand Trunk Pacific Rwy. Co.,

Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200

Ottawa, Feb. 23, 1914.

Sir,

I beg to call your attention to letter of the 15th ultimo wherein you were requested to forward a valuation for the right of way of the Grand Trunk Pacific Railway through Squin-lix-stat Indian Reserve No. 3, containing 3.41 acres. Please forward these valuations as soon as possible.

Your obedient servant,

Assistant Deputy and Secretary.

R. E. Loring, Esq.,
Indian Agent,
Metlakatla, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444200

Babine and Upper Skeena River Agency

DEPARTMENT OF INDIAN AFFAIRS
FEB 27 1914

Hazelton, B. C., February 12th, 1914.

No. 444,200.

456155

Sir,-

In adverting to Departmental letter, dated the 15th ult-mo, and blue print plan contained therewith, showing the right of way consisting of 3.41 acres on the Sdinlixstat Indian Reserve No. 5 of the Kitwanga Band, required by the Grand Trunk Pacific Railway, and the request that I make the necessary valuation of the land and damages thereto, and to forward a report to the Department at an early date, I have the honour to state the following,

to wit:-

Since the Indians of these parts have very much become dissatisfied in that the proceeds of lands thus aliniated are not directly paid to them, but into the trust fund it has now almost become impossible to negotiate with them by the latter procedure to obtain their assent at all on any valuations as formerly I have placed, and to show the amount chargeable to the band seperate from any amount or amounts that may be payable to the Indian occupants; and would respectfully request the Department's advice on what basis I am to proceed, and, if possible, be informed to what an extent, ad maximum, the price pro acre might be affixed.

Since the land under consideration is rather poor of quality, the matter of severance is to be considered and be more feasable of favourable results with cash in hand to be promised, for so small piece of land, than in the other respect.

I have the honour to be,
Sir,
Your obedient servant,

R. Stoney
Indian Agent.

The Assistant Deputy and Secretary,
Department of Indian Affairs,
OTTAWA.

DEPT. OF INDIAN AFFAIRS,
MAR 3 1914
SURVEYS.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, Feb. 21, 1914.

File 455,689.

Memorandum for the Deputy Superintendent General:-

The Grand Trunk Pacific Railway Company has made application for a right of way through the Chig-ni-kaht Indian Reserve, being No. 8 of the Kitwangar Band. situate on the Skeena River about twenty-five miles South of Hazelton. It is in the Electoral Diptrict of Comox-Atlin for which Mr. H. S. Clements, Conservative, is the member. It is in the Babine Agency, for which Mr. R. E. Loring is Agent . Please state to whom instructions may be given to value these lands.

W. R. White

For Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL

OTTAWA February 26th. 1914.

DEPT. OF INDIAN AFFAIRS
FEB 27 1914
SURVEYS.

MEMORANDUM

Surveys Branch.

Please have the necessary action taken for the employment of Mr. E. H. Hicks Beech, of Hazelton, B. C., as valuator in connection with the application of the Grand Trunk Pacific Railway Company for right of way through the Chig-ni-kaht Indian Reserve, No. 8 of the Kitwangar Band, situate on the Skeena River, about twenty-five miles south of Hazelton.

Duncan C. Scott

D. S. G. I. A.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455,689.

1. D.P.M.
2. Sec

Ottawa, Feb. 28,1914.

Sir,

I have been directed to request you to be good enough to make a valuation of the land and damages in connection with the right of way of the Grand Trunk Pacific Railway across Chig-ni-kaht Indian Reserve, No. 6 of the Kitwangar Band. Kindly value the land and damages and separately the Indian improvements affected, if any, which may consist of cleared and cultivated land, fruit trees, any buildings or fences affected, etc. The name of the Indian owner should be given together with the amount he is entitled to, in each case. In making your valuation it should be borne in mind that the individual Indians are entitled to compensation for their improvements.

You will please consider the question of crossings and recommend what farm or public crossings, if any, you consider the railway should be requested to leave and show their approximate positions on the accompanying blue print which you will please return with your report.

For this service you will be allowed ten dollars ($10.00) per day and all travelling and living expenses for a reasonable amount of time spent. You should submit

Encl.

E. H. Hicks Beech, Esq.,
Hazelton,
B. C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

submit your account in duplicate accompanied by receipts for all expenditures wherever it is possible to obtain the same.

Your obedient servant,

Sgd J D McLean.

Assistant Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

456182

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



I, [illegible] of the City of Winnipeg in the Province of Manitoba Land Surveyor, make oath and say:
1. That I did personally superintend the survey represented by the plan hereto annexed, and that the said plan is correct. The survey was completed on the [illegible] day of [illegible] 1913.

A.W.Barre
British Columbia Land Surveyor

Plan of [illegible] Section Survey
[illegible] Right of way shown in Red.

GRAND TRUNK PACIFIC RAILWAY COMPANY

PRINCE RUPERT EAST

REVISED LOCATION THROUGH

CHIGHNIKAHT INDIAN RESERVE

MILE 126·55 TO MILE 127.08

[illegible] DISTRICT

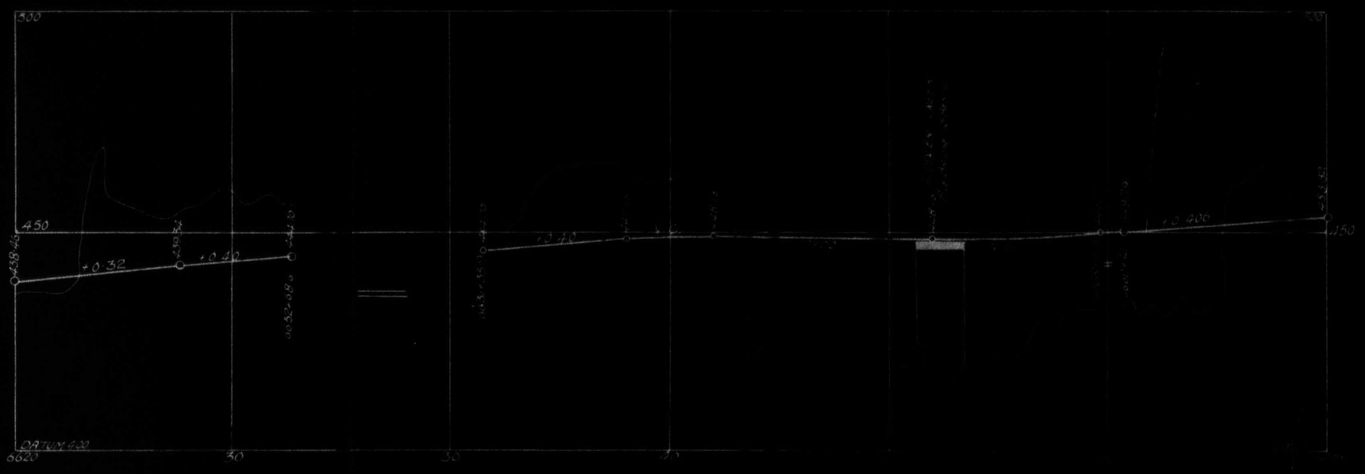
[illegible] BRITISH COLUMBIA

SEPTEMBER 22 1913

[illegible]
ASST. TO CHIEF ENG.

1 OF 1

1070
27th day of January 1914 at 1.30 p.m.
Per A. E. Abbott
District Registrar



PROFILE ALONG G.T.P. RAILWAY
SCALES 100 FEET TO AN INCH HORIZONTAL
SCALES 10 FEET TO AN INCH VERTICAL


126·55
127
127·08
To Prince Rupert
N 48°56 W
690 Ac
Loc. Approved by
G.R.C. Nov 26 1913
CHIG-IN-KAHT INDIAN RESERVE
CHIG-IN-KAHT CREEK
23°-2
48°-56'
35
35
35

5243 Or.

Plan No. 1070

Deposited this 27th day of January 1914 at 3:30 p.m.

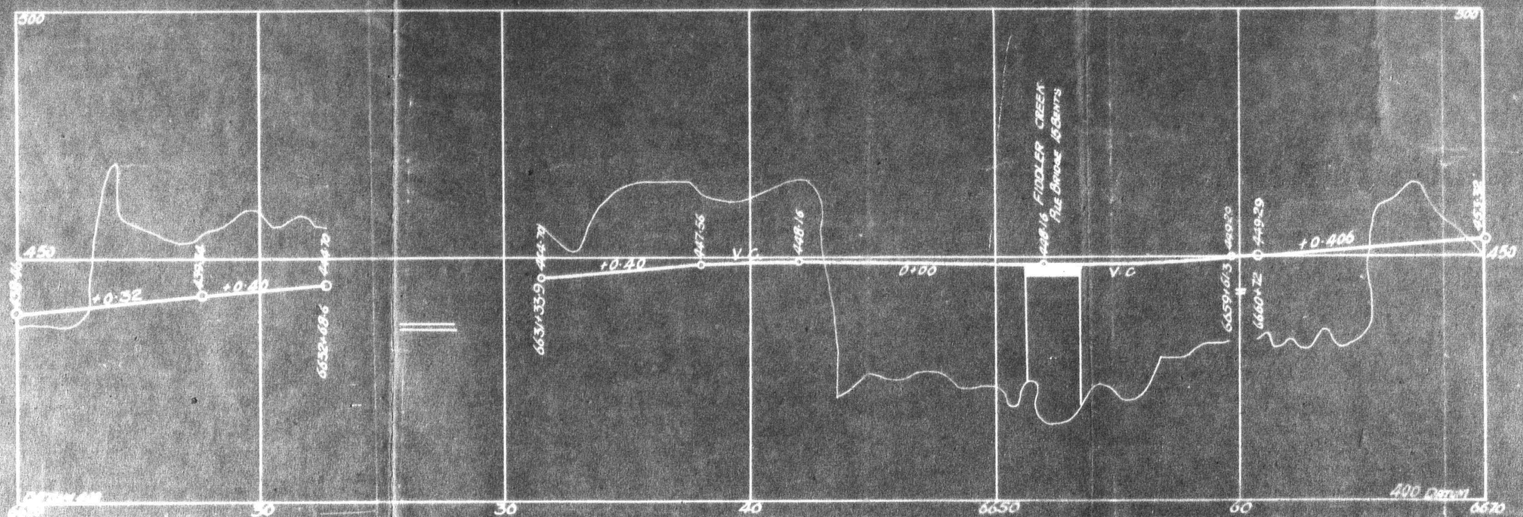
Sig. H. F. MacLeod.

District Registrar.

I hereby certify that the within is a true and correct copy of Plan No. 1070 deposited in this office on the 27th day of January 1914 at 3:30 o'clock p.m. as examined and compared by me this 27th day of January 1914, the original whereof is now in my custody.

Land Registry Office.
Prince Rupert. B.C.

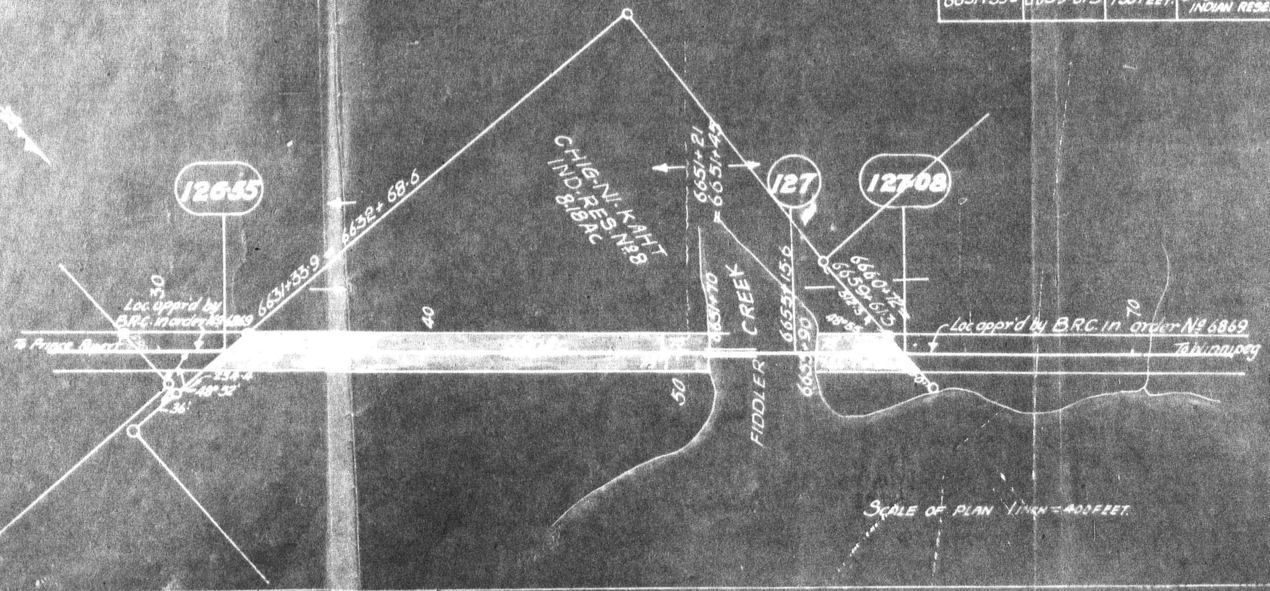
H F MacLeod
District Registrar



PROFILE ALONG G.T.P. RAILWAY
SCALES HOR. 1 INCH = 400 FEET
VER. 1 INCH = 20 FEET.

BOOK OF REFERENCE

STAT. TO	STAT.	WIDTH OF RIGHT OF WAY	OWNER	DISTRICT	CONTENTS
6631+339	6639+613	150 FEET.	CHIE-NI-KAH-T INDIAN RESERVE	R.S. COAST	8.18 Ac.



DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 1369
Reg. 155.689
File 155.612
Date Feb 20/14

OFFICE OF CHIEF ENGINEER

APPROVED

VICE PRESIDENT & GENERAL MANAGER

Yellow

T. L. Smith
Feby 28

I ... C.E. Darraw ...
... Ass ...
... and ...
... Ry ...
... A ...
T. L. S. ...

Note:
Bearings are ...
Posts planted ...

GRAND ...

PRINCE ...

REVISED ...

CHIE-NI-KAHT ...

MILE 126.00 TO ...

RANGE 5 ...

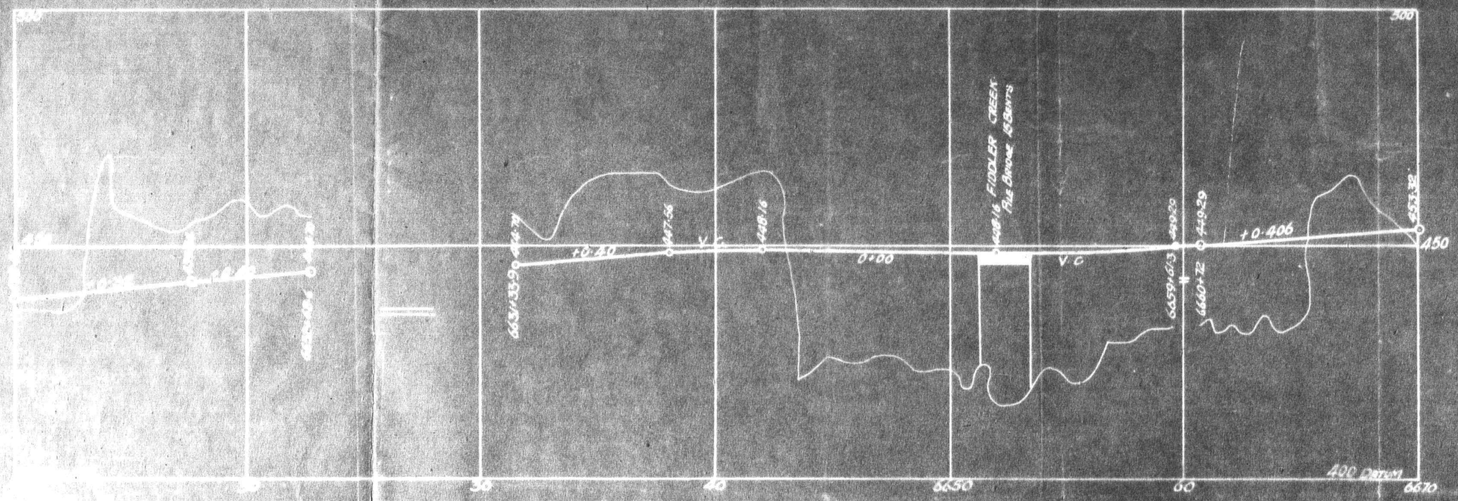
... OF ...

...1070.
...his 27th day of January 1914 at 3.30 p.m.
Sig. H. P. MacLeod.
District Registrar.

I hereby certify that the within is a true and correct copy of Plan No 1070 deposited in this office on the 27th day of January 1914 at 3.30 o'clock p.m. as examined and compared by me this 27th day of January 1914, the original whereof is now in my custody.

Land Registry Office.
Prince Rupert. B.C.

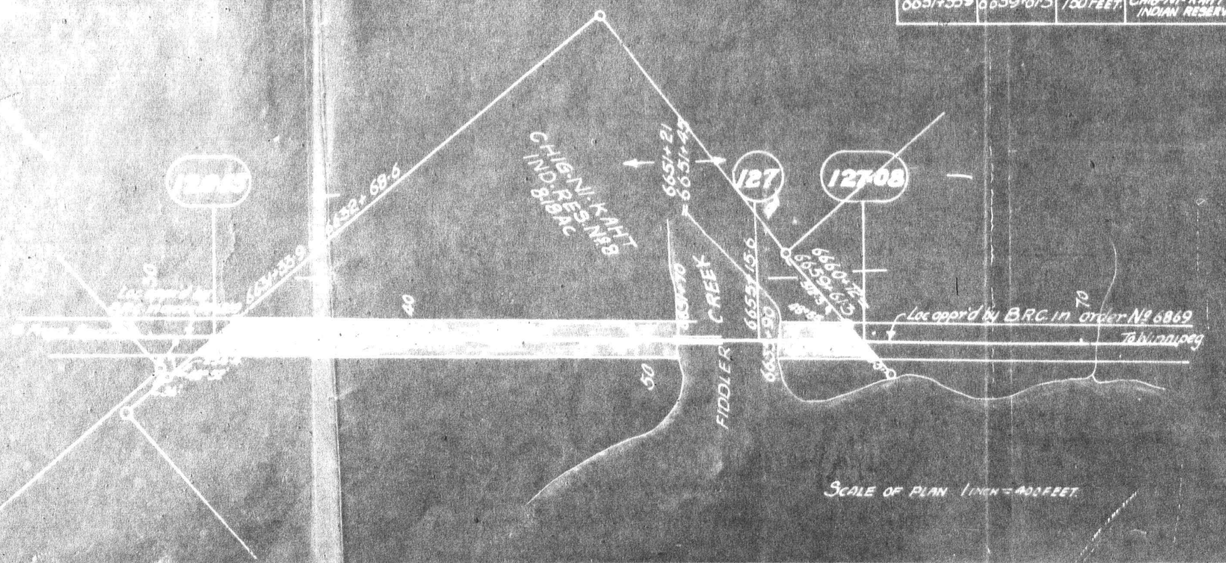
H P MacLeod
District Registrar.



PROFILE ALONG G.T.P. RAILWAY
SCALES HOR. 1 INCH = 400 FEET.
VER. 1 INCH = 20 FEET.

BOOK OF REFERENCE

STAT. TO	STAT.	WIDTH OF RIGHT OF WAY	OWNER	DISTRICT	CONTENTS
6631+33.9	6659+61.3	150 FEET.	CHIS-NI-KAHT INDIAN RESERVE	R.S. COAST.	8.18 Ac.



SCALE OF PLAN 1 INCH = 400 FEET.

Gellatly
J. L. Simmons
Feby 28

I, A. R. Barraw, of the City of Manitoba, in the Province of British Columbia, Dominion Land Surveyor, make oath and say:
I was present at and did personally superintend the survey represented on this plan, and that the survey and plan are correct.
Sworn before me, at the City of Winnipeg, in the Province of Manitoba, this 5th day of September, 1913.
A. R. Barraw

Note:
Bearings are astronomical from G.T.P. Railway Posts planted 3' inside limit of right of way shown on plan.

GRAND TRUNK PACIFIC RAILWAY COMPANY

PRINCE RUPERT, B.C.

REVISED LOCATION THROUGH

CHIS-NI-KAHT INDIAN RESERVE

MILE 126.58 TO MILE 127.08

RANGE 5 COAST DISTRICT
PROVINCE OF BRITISH COLUMBIA
SCALES NOTED

DEPT. OF INDIAN AFFAIRS
SURVEY BRANCH.
No. 1369
Ref. 455,689
File 155,682
Date Feb 20/14

OFFICE OF CHIEF ENGINEER

APPROVED
W. B. Scott
VICE PRESIDENT & GENERAL MANAGER

2 of 2

455-689

T

A. D. CARTWRIGHT, SECRETARY.

BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

OFFICE OF THE SECRETARY, OTTAWA.

INDIAN AFFAIRS MAR 2 1914 DEPT.

Feb. 28th/1914.

Dear Sir.- File 3561.78.

456182

Referring to your letter of the 21st inst., I return herewith one tracing and a blue print of the right-of-way of the Grand Trunk Pacific Railway through Chig-ni-kaht Indian Reserve No.8, B.C., duly certified by the Board's Assistant Chief Engineer.

Encs.

Yours truly,

A.D.Cartwright
Sup. B.R.C.

Secretary, B.R.C.

J.D.McLean, Esq.,
Assist. Deputy & Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

plan 1369 returned
Mar 4th 1914
WPRuttle

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200

Ottawa, 3rd March, 1914.

Sir,-

With reference to your favour of the 12th ultimo, regarding the valuation of the right of way of the Grand Trunk Pacific Railway through the Squinlixstat Indian Reserve No. 3 of the Kitwanga Band, I beg to say you may promise the Indians that they will be paid the individual value of their improvements and 50% of the money to be received for the right of way.

In deciding your valuation you should consider the land value per acre and to this should be added the damages due to severance, and then you should consider whether or not the rest of the land within the Reserve is being enhanced in value on account of the access to the railway. The Indians' improvements consisting of buildings, fences, gardens, clearings and etc. should be valued separately and the name of each individual owner should be given with the amount to which he is entitled for improvements. It is hoped that this will be sufficient to allow you to make a fair and just valuation of these lands.

Please attend to this matter without any delay.

Your obedient servant,

(Sgd) J D McLean

Asst. Deputy and Secretary.

R. E. Loring, Esq.,
Indian Agent,
Hazelton, B. C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455689

I.D.M.
2 Enc

Ottawa, March 4, 1914.

Sir,-

Encl.

I beg to enclose herewith file 455689 dealing with an application of the Grand Trunk Pacific Railway for a right of way containing 8.18 acres through Chig-ni-kaht Indian reserve number eight of the Kitwangar Band.

In the pocket will be found the original plan on tracing cloth duly certified by the board of Railway Commissioners. You are requested to deal with this matter at your earliest convenience and to return the file and plan.

Your obedient servant,

D.C.L.

W.R.W.

Asst. Deputy and Secretary.

J.G.H. Bergeron, Esq.,
Secretary,
Royal Commission on Indian Affairs
for the Province of British Columbia,
Belmont House,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455,689

Ottawa, 6th March, 1914.

Sir,-

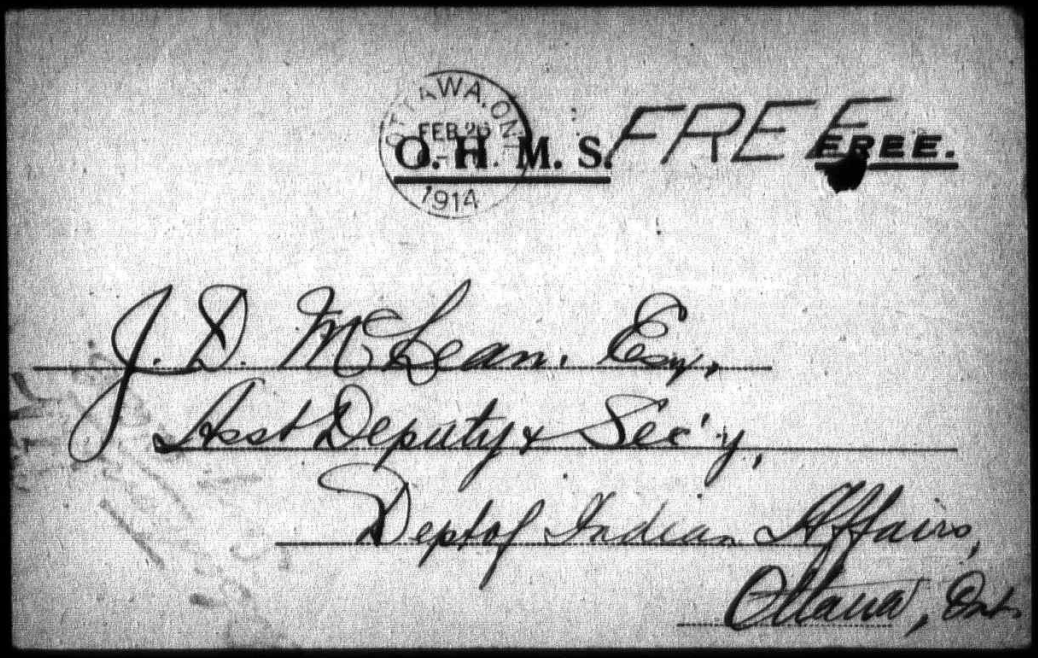
I beg to acknowledge with thanks the receipt of plan of the Grand Trunk Pacific Railway through Chig-ni-kaht Indian Reserve No. 8, British Columbia, duly certified by the Board's Assistant Chief Engineer.

Your obedient servant,

Asst. Deputy and Secretary.

A. D. Cartwright, Esq.,
Secretary,
Board of Railway Commissioners,
OTTAWA.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455-689

BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

OTTAWA. Feb. 26/14

FEB 27 1914

I beg to acknowledge the receipt of your letter of Feb. 21/13 *which will receive the attention of the Board.* 455. 689

In writing further on this subject, please refer to File No. ~~455~~ 3561. 78

4156

A. D. CARTWRIGHT,
Secretary.

NOTE.—Letters addressed to this Board are carried FREE by the Post Office Department.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

INTERIM REPORT NO. 27

of the

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF B.C.

Made at Victoria, B.C.)
the 17th day of March,)
1914:)

To His Royal Highness
The Governor-General of Canada-in-Council

and

To His Honour
The Lieutenant-Governor of British Columbia-in-Council:

The Commission, pursuant to Section 8 of the ~~Instr~~ Agreement referred to in the Commission, has had under consideration the application of the Grand Trunk Pacific Railway Company for right-of-entry upon lands required for right of way purposes and described upon plans certified by the Board of Railway Commissioners for Canada on the 13th December, 1913, comprising 8.18 acres forming part of the Chig-in-kaht Indian Reserve No. 8 of the Kitwangar Tribe, Babine and Upper Skeena Agency;

The Commission having duly considered the said application and examined the said plans and the material in respect thereto contained on File # 455689 of the Department of Indian Affairs, and it appearing that the said lands are required for such right of way purposes by the said Company,

The COMMISSION RECOMMENDS that, ~~#~~ subject to compliance with the requirements of the law and to due compensation being made, permission be given to the said railway company to enter forthwith upon the said lands and to acquire the same for such right of way purposes, according to the plans filed with the Department of Indian Affairs in respect to such application.

All of which is respectfully submitted.

(Sgd) D.W.Macdonald,

Acting Chairman.

The original of this Document has been removed for retention in the Records of the Indian Land Registry.

Signature

Mar 23, 19 72

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

Hon. E. L. [illegible]MORE, CHAIRMAN
NATHANIEL [illegible] WHITE, K.C.
JAMES A. J. McKENNA, LL.D.
JAMES P. SHAW, M.L.A.
DAY H. MACDOWALL
J. G. H. BERGERON, K.C.,
SECRETARY AND SOLICITOR

INDIAN AFFAIRS
MAR 25 1914
ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY

Registered

DEPT. OF [illegible]
MAR 25 1914
SURVEYS.

VICTORIA, B. C.

March 17th 1914

J. D. McLean Esq.,
Secretary Dept. of Indian Affairs,
O t t a w a , C a n .

457816

Sir:

By direction of the Royal Commission on Indian Affairs for the Province of B. C., I have the honour to acknowledge the receipt of your letter of the 4th inst., with File No. 455689, re application of the Grand Trunk Pacific Railway Company for right-of-way through Chig-ni-kaht I. R. No. 8 of the Kitwangar Tribe, Babine and Upper Skeena Agency, and to advise you that same has been dealt with by the Commission in Interim Report No. 27, a copy of which is hereto attached.

File No. 455689 is returned herewith also.

I have the honour to be,
Sir,
Your obedient servant

J. G. H. Bergeron
Secretary.

Enclosures

To mail receipt & solicitor

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

458153

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE
PROVINCE OF BRITISH COLUMBIA.

Victoria, B.C.
March 17th 1914.

The Honourable
The Secretary of State,
Ottawa, Can.

Sir,

By direction of the Royal Commission on Indian Affairs for the Province of British Columbia, I have the honour to transmit, herewith, Interim Report No. 27 of the Commission and to request that same be submitted in due course for the consideration of His Royal Highness the Governor General of Canada-in-Council.

I have the honour to be,
Sir,
Your obedient servant,

(Sd) J.G.H. Bergeron,
Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edward H. Hicks Beach
Hazelton
British Columbia

455-689



458189

Survey Branch
March 31, 1914.

March 28th 1914

To The Secretary,
Department of Indian Affairs
Ottawa Canada

Dear Sir; Re #455,689.

In answer to your letter dated the 28th ultimo, I may say that I shall proceed to the Chig-ni-kaht Indian Reserve the first of next week and make the valuations asked for by your department. As soon as I have accomplished thi I will send my report to you,

I remain yours truly

Edward H. Hicks Beach.
per cwo

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444200 456592

Babine and Upper Skeena River Agency

- Fyle No. 444,200.

Hazelton, B. C., March 21st, 1914.

Sir,-

I have the honour to state that in compliance with Departmental letter of the 3rd instant, I repaired on the 19th following to the Squinlixstat Indian Reserve No. 3 of the Kitwanga Band in connection with the valuation of the right of way of the Grand Trunk Pacific Railway through that reserve in so far as regards 3.41 acres, and have the honour to report that upon careful scrutiny and deliberation, I came to the conclusion, to wit:-

Survey April 4, 1914

The total of 23 acres of that reserve was allotted for fish-grounds, and, on the whole, has small value in any other respect; and estimated the 3.41 acres at the rate of $16.00 pre acre, and promised that the latter be settled for @ 50% to the band in cash

I here beg to add that the said land is not being enhanced in value, since it is located midway between two stations.

As regards about 3/4 of an acre of flat land thereof on the river's (Skeena) front, is very good soil, cleared, fenced, and of late cultivated for potatoes, and would have cost about $75.00 to render it so. The said 3/4 of an acre there also contains:-

1 fish-curing shack, equipped with horizontal poles for drying, etc., etc., 1 potato cache and 1 small hay-shed	$80.00 collectively.

The tolal of the latter 3/4 of an acre, with contents, belong to Ruth Wilson with 6 children, of Meanskinisht, relicts of the late Paul Wilson (Indian) who was lying ill for about one and half years, and left his widow, who is an exceptional good woman, very much in need of means wherewith to maintain her children, and the amount of $155.00 would meet the total compensation of the said Ruth Wilson, and within the senses of severance scarcely considered. In countervail of the latter's loss of the improvements as stated, steps have been taken whereupon to enable her to continue to catch and cure fish and raise potatoes in another locality on the opposite bank of the river.

I have the honour to be,
Sir,
Your obedient servant,

Indian Agent.

The Assistant Deputy and Secretary,
Department of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200.

Ministère

Ottawa, April 7, 1914.

Sir,

With reference to your letter of Dec. 30, last, No. 1014,143, I beg to inform you that the right of way of the Grand Trunk Pacific Railway through the Squinlixstat Indian Reserve No. 2 of the Kitwangar Band, containing 3.41 acres, has been valued by Mr. R. E. Loring, Indian Agent, Hazelton, B.C., as follows:-

3.41 acres @ $16.00 per acre.....		$ 54.56
Ruth Wilson's improvements:-		
Clearing ½ acre.....	$75.00	
1 fish curing shack) 1 potato cache) 1 small hay shed)	$80.00	$155.00
Total.....		$209.56

I have to request that the said sum be forwarded to this Department.

Your obedient servant,

Assistant Deputy and Secretary.

H. E. Bissell, Esq.,
Right of Way Agent,
Grand Trunk Pacific Rwy. Co.,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

459392

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

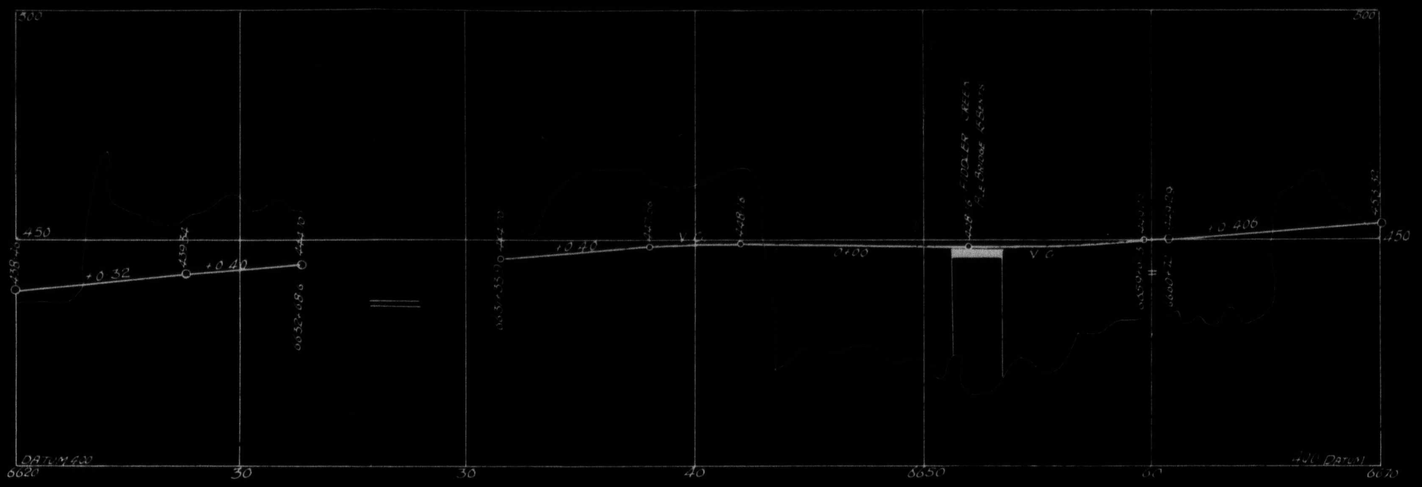
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Plan No: 1070

Deposited this 23rd day of January, 1914 at 4.30 o'm

District Registrar

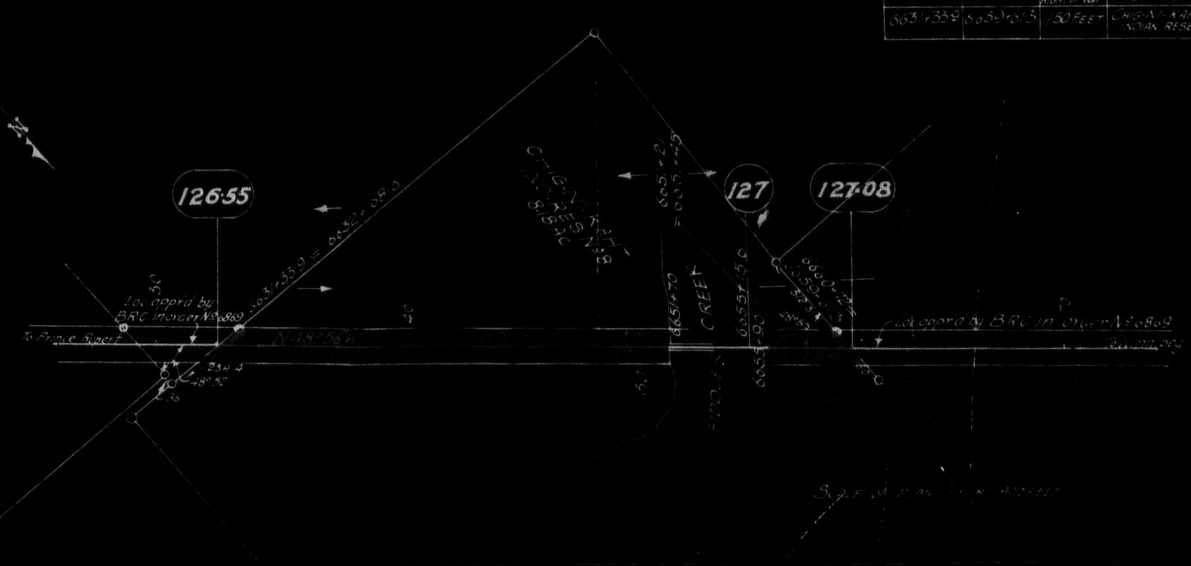
District Registrar



PROFILE ALONG G.T.P. RAILWAY
SCALES HOR. 1 INCH = 20 CHAINS
SCALES VER. 1 INCH = 20 FEET

BOOK OF REFERENCE

STAT. N	STAT.	WIDTH OF RIGHT OF WAY	OWNER	DISTRICT	CHAINAGE
6631+35.9	6659+03.5	100 FEET	CHIGNI-KAHT INDIAN RESERVE	35 COAST	R.R.L.


126·55
127
127·08
CHIG-NI-KAHT INDIAN RESERVE 88 SC
CREEK
To Prince Rupert
Loc. approd by B.R.C. in Order No. 6889
Loc. approd by B.R.C. in Order No. 6889
23 M.S.
88° SC
30°
30°
30°

No 1070

On 27th day of January, 1914 at 3.30 p.m.

Sgd. E. Maclean

District Registrar

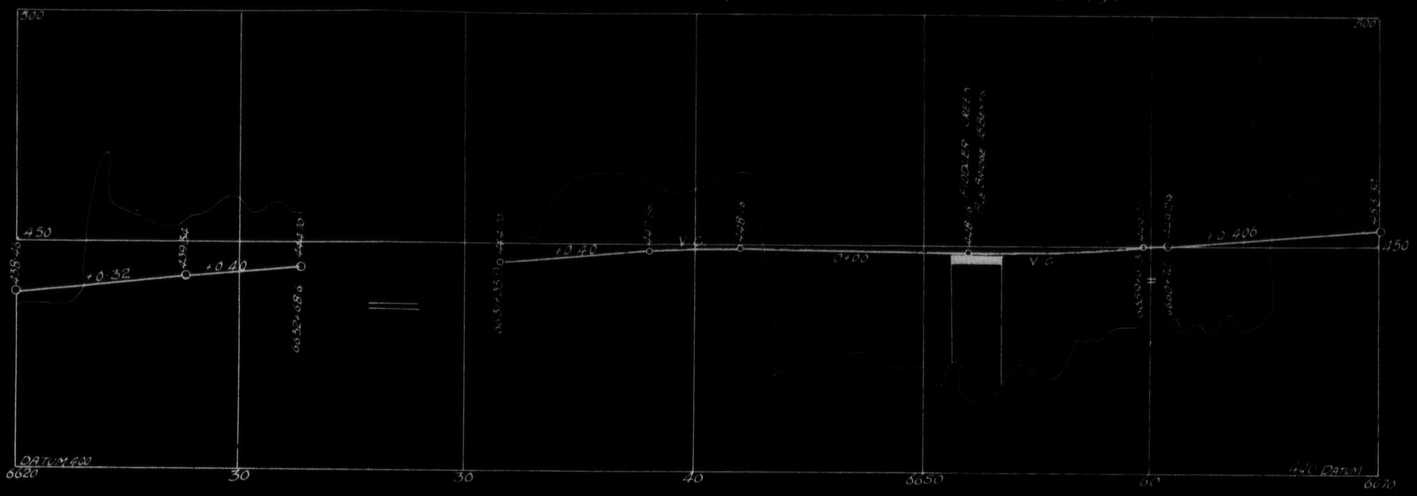
Hereby certify that at a date [illegible] a certified copy of plan [illegible] was deposited in this office and that 2 [illegible] on [illegible] by [illegible] to certain lands and [illegible] as the [illegible] January [illegible] any interest is now in the Crown.

Land Registry Office

Prince Rupert B.C.

[signature]

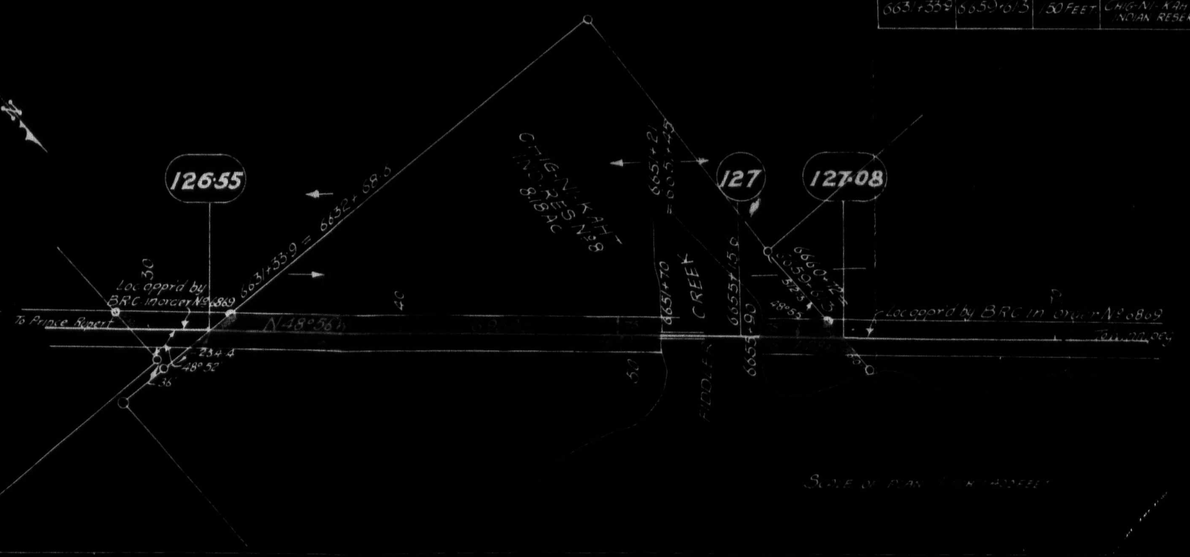
District Registrar



PROFILE ALONG G.T.P. RAILWAY
SCALES HOR. 1 INCH = 400 FEET
VER. 1 INCH = 20 FEET

BOOK OF REFERENCE

SHEET No.	SHEET	WIDTH OF RIGHT OF WAY	OWNER	DISTRICT	DATE 1913
063+33.9	063+70	200 FEET	CHIG-NI-KAHT INDIAN RESERVE	N.S. COAST	N.B.C.



SCALE OF PLAN 1" = 400 FEET

I, H. R. Barrow, of the City of Winnipeg, in the Province of Manitoba, British Columbia Land Surveyor, make oath and say that I was present at and did personally superintend the survey represented by this plan, and that the survey and plan are correct. The survey was completed on the 20th day of September, 1913

Sworn before me this 31st day of January 1913

[signature]

H. R. Barrow
British Columbia Land Surveyor

Note:
Bearings are astronomic from G.T.P. Ry. Co. Station Survey
Rails spiked 3 inside Right of Way Survey is Rec'd.

GRAND TRUNK PACIFIC RAILWAY COMPANY

PRINCE RUPERT EAST

REVISED LOCATION THROUGH

CHIG-NI-KAHT INDIAN RESERVE

MILE 126.55 TO MILE 127.08

RANGE 5 COAST DISTRICT

PROVINCE OF BRITISH COLUMBIA

SCALES NOTED

OFFICE OF THE CHIEF ENGINEER

SEPTEMBER 22 1913

APPROVED

VICE PRESIDENT & GENERAL MANAGER

ASST. TO CHIEF ENGINEER

2 of 2

52413 cf

Plan No. 1070

Deposited this 27th day of January 1914 at 3:30 p.m.

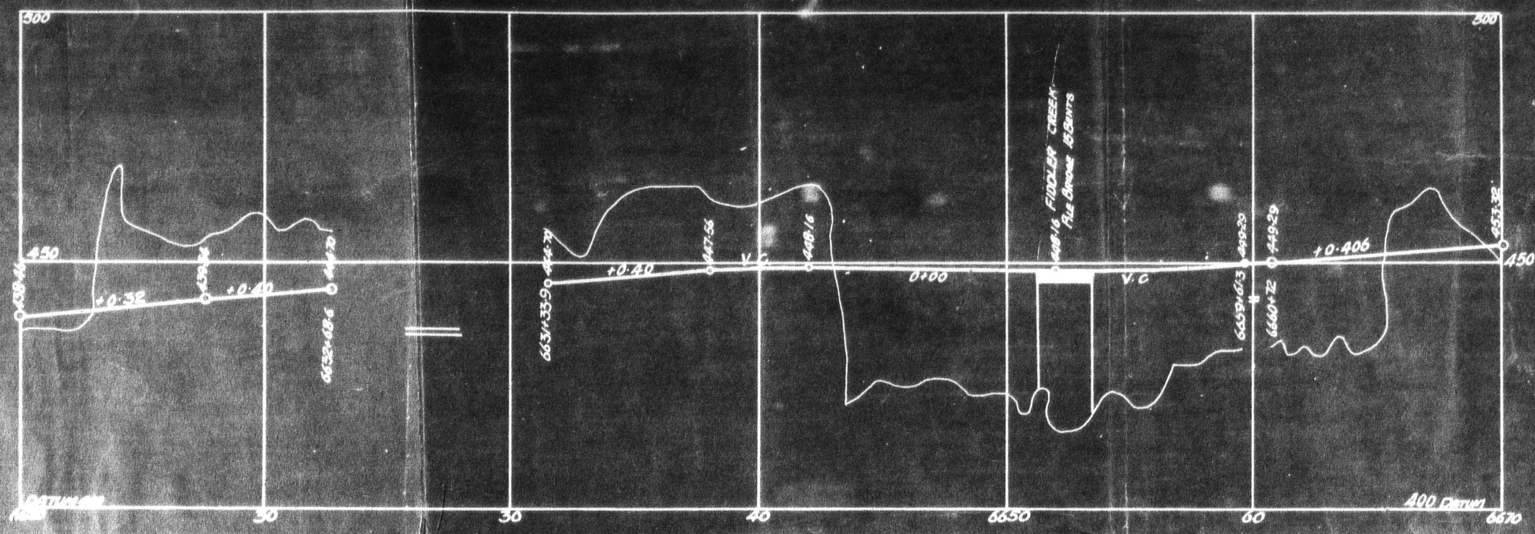
Sig. H. F. MacLeod.

District Registrar.

I hereby certify that the within is a true and correct copy of Plan No. 1070 deposited in this office on the 27th day of January 1914 at 3:30 o'clock p.m. as examined and compared by me this 27th day of January 1914, the original whereof is now in my custody.

Land Registry Office.
Prince Rupert. B.C.

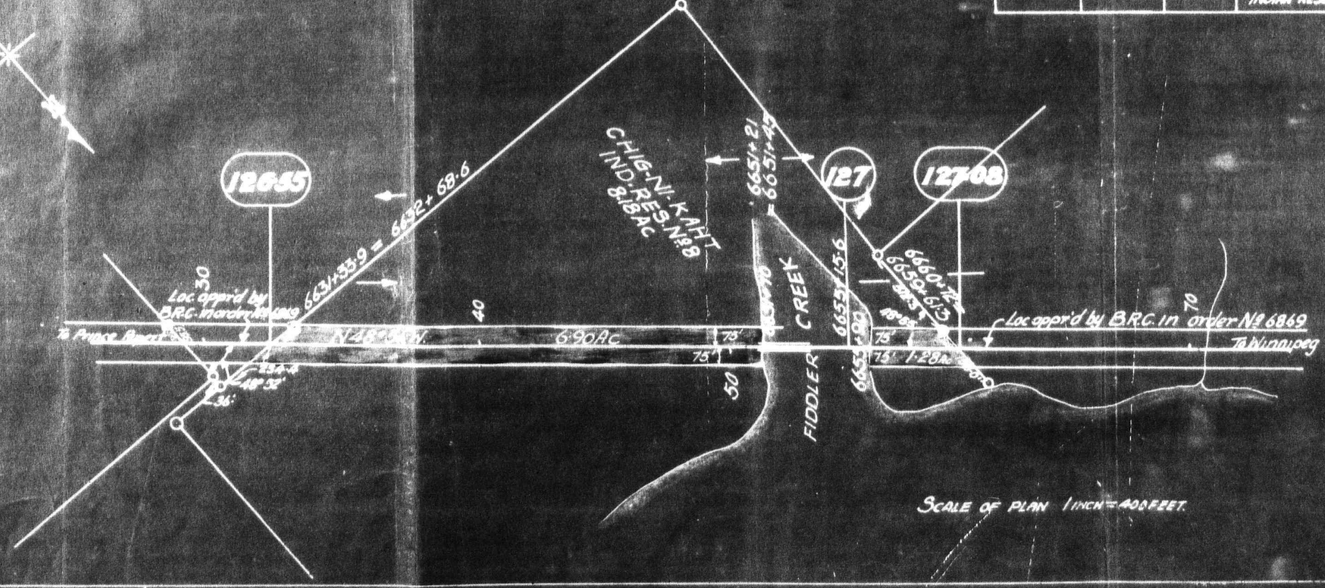
H F MacLeod
District Registrar.



PROFILE ALONG G.T.P. RAILWAY
SCALES HOR. 1 INCH = 400 FEET.
VER 1 INCH = 20 FEET.

BOOK OF REFERENCE

STAT. TO	STAT.	WIDTH OF RIGHT OF WAY	OWNER	DISTRICT	CONTENTS
6631+33·9	6639+61·3	150 FEET.	CHIG-NI-KAHT INDIAN RESERVE	R.5 COAST.	8.18 Ac.



DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 13692
Ref. 4532-6692
File 452-5-6-8-2
Date Feb 3 1914

I, A. P. Barrett, of the City of Winnipeg, in the Province of Manitoba, British Columbia Land Surveyor, make oath and say: I was present at and did personally superintend this survey and plan thereof. The said survey was made by me in the month of January, A.D. 1913, and the said plan is correct.

Sworn before me at Winnipeg in the Province of Manitoba this 15th day of February A.D. 1913

A. P. Barrett B.C.L.S.

A Commissioner for taking Affidavits in the Province of Manitoba

Note:
Bearings are astronomical from G.T.P.Ry. Co. Location Survey. Posts planted 3' inside right of way shown in red.

GRAND TRUNK PACIFIC RAILWAY COMPANY.

PRINCE RUPERT EAST

REVISED LOCATION THROUGH

OHIG-NI-KAHT INDIAN RESERVE

MILE 126.55 TO MILE 127.08

RANGE 5 COAST DISTRICT

PROVINCE OF BRITISH COLUMBIA

SCALES NOTED

OFFICE OF CHIEF ENGINEER

SEPTEMBER 22 1913

APPROVED

VICE PRESIDENT & GENERAL MANAGER

ASST. TO CHIEF ENGR.

1 of 2

1070

is 27th day of January 1914 at 3:30 p.m.

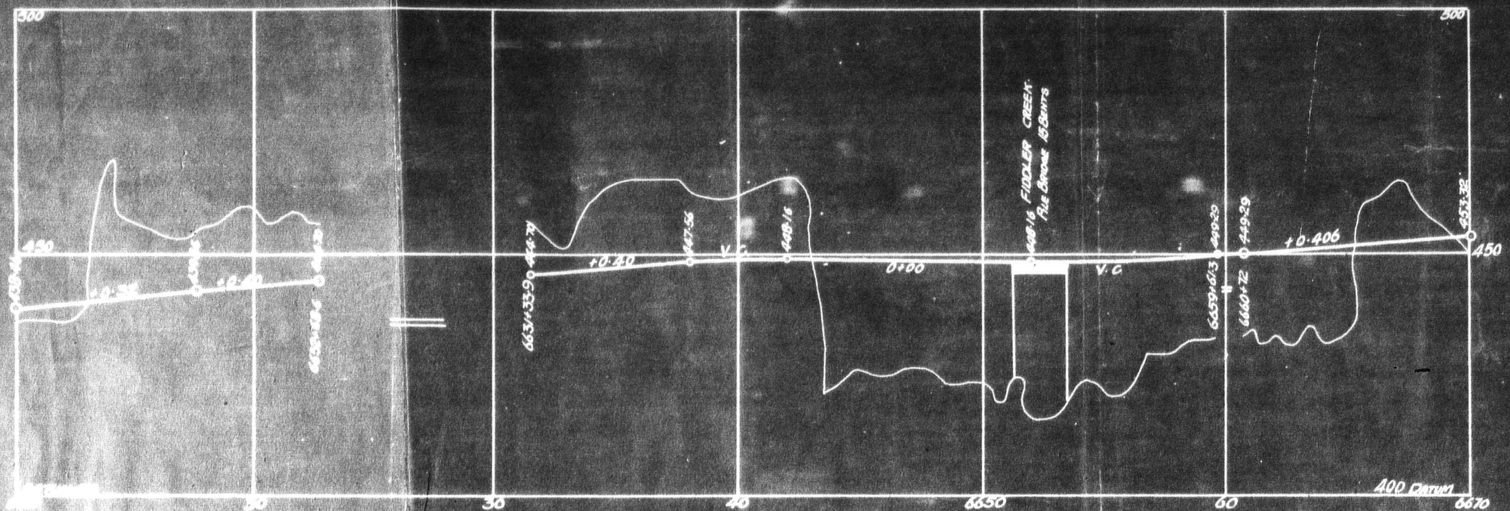
sig. H. F. MacLeod.

District Registrar.

I hereby certify that the within is a true and correct copy of Plan No 1070 deposited in this office on the 27th day of January 1914 at 3:30 o'clock p.m. as examined and compared by me this 27th day of January 1914, the original whereof is now in my custody.

Land Registry Office.
Prince Rupert. B.C.

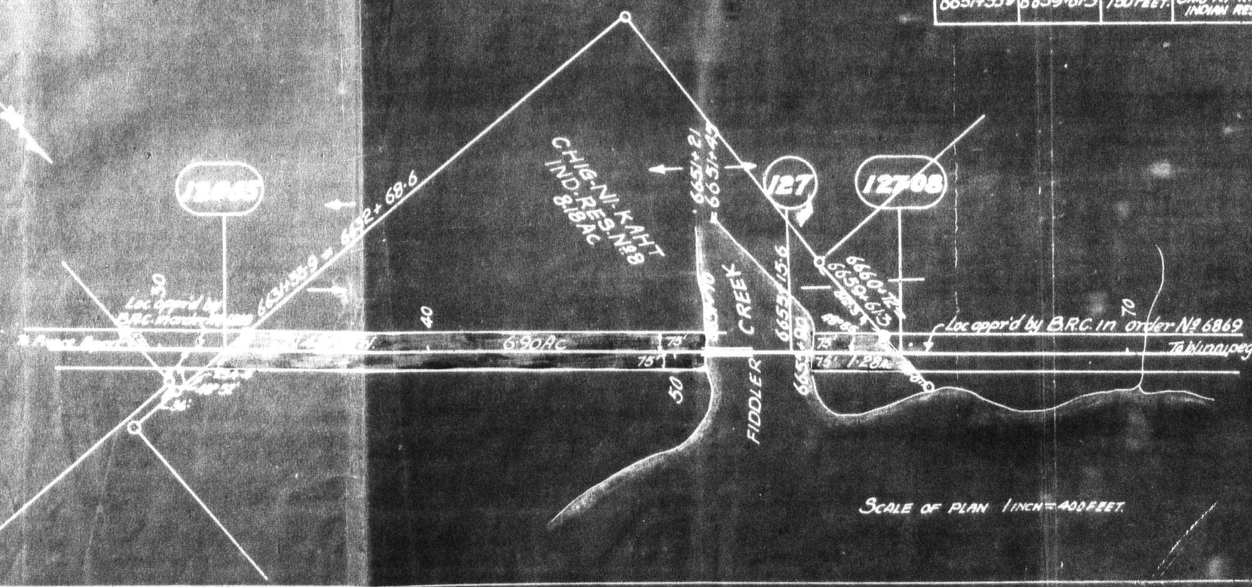
H F MacLeod
District Registrar



PROFILE ALONG G.T.P. RAILWAY
SCALES VER. 1 INCH = 40 FEET.
HOR. 1 INCH = 400 FEET.

BOOK OF REFERENCE

STAT. TO	STAT.	WIDTH OF RIGHT OF WAY	OWNER	DISTRICT	CONTENTS
6631+33.9	6639+61.3	150 FEET.	CHIG-NI-KAHT INDIAN RESERVE	R5 COAST.	8.18 Ac.



SCALE OF PLAN 1 INCH = 400 FEET.

DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 13.6.2
Ref. 4.5.5.6.1.2.
File 4.5.5.6.1.2.
Date Feb 20th

167
13 dec 13
21018

dec 18 13

I, H.F. Barrar, of the City of Winnipeg, in the Province of Manitoba, British Columbia Land Surveyor, make oath and say that I was present at and did personally superintend the survey represented by this plan and that the survey and plan are correct. The said survey was completed on the 5th day of September, 1913

Sworn before me this 5th day of November 1913

H.F. Barrar
British Columbia Land Surveyor

T. L. Ebbs J.P.

Note:
Bearings are astronomical from G.T.P.Ry. Co. Location Survey Posts planted 3' inside Right of Way shown in Red ○

GRAND TRUNK PACIFIC RAILWAY COMPANY

PRINCE RUPERT EAST

REVISED LOCATION THROUGH

OHIG-NI-KAHT INDIAN RESERVE

MILE 126.65 TO MILE 127.08

RANGE 5 COAST DISTRICT

PROVINCE OF BRITISH COLUMBIA

SCALES NOTED

OFFICE OF CHIEF ENGINEER

SEPTEMBER 22 1913

APPROVED

VICE PRESIDENT & GENERAL MANAGER

ASST. TO CHIEF ENGINEER

2 of 2

Duplicate

Kitwangak B. C
March 29th 1914

Received from Edward. H. Hicks Beach
the sum of twelve dollars, for
services rendered on trip to Indian
Reserve No. 8 of the Kitwangak
Tribe, as guide and interpreter

J. A. Sampare

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Gitwangak
B. C
March 26th 1914

Duplicate

Received from Edward H. Hicks Reach
the sum of 85 one dollar and eighty five cents
being train fare for G. Campbare
from Gitwangak to Boreen and
return

W. R. Armstrong

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

New Hazelton
B. C
March 26th 1914

Received of Edward H. Hicks Beach
the sum of Three $1.70/100
being train fare from New Hazelton
to Dorreen and return.

J. D. Constantine
Agent

GRAND TRUNK PACIFIC RAILWAY
MAR 26 14
NEW HAZELTON, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

351 Cap

The Department of Indian Affairs

1914 Dr To E.H.Hicks Beach

March	26th 27th 28th and ½ 29th		
	Three and one half days at $10.00 per day valuing land taken as G.T.P.Right-of-way from Indian Reserve #8 Kitwangar Band Skeena River British Columbia		35. 00 ✓
	Amount paid Gus Sampare as guide and interpreter 3 days, @ $4.00 per day		12. 00 ✓
	Railway fare for self Hazelton to Doreen and return.		3.70 ✓
	Railway fare for Gus Sampare, (Interpreter) Kitwangar to Doreen and return		1. 85 ✓
	Amount paid for provissions		5. 48 ✓
			58.03 ✓

Encl Depte 27/4

343

45939.2

Certified, work performed, charges fair and just.

E. Bray
CHIEF SURVEYOR

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edward H. Hicks Beach
Hazelton
British Columbia

March 30th 1914

45-5-689

Immediate
Survey
Accts

DEPARTMENT OF INDIAN AFFAIRS
APR 14 1914

Re #455,689 dated Feb 28th 1914

APR 14 1914
SURVEYS

To The Assistant Deputy and Secretary
Of Indian Affairs
Ottawa.

459392

Dear Sir,

In reply to your letter dated the 28th ultimo, I herewith enclose my report as follows,

The value of the land I place at $20.00 per acre used as the G.T.P.Right-of-way through the said Chig-ni-kaht Indian Reserve,

There are no Indian improvements on the land affected by the Right-of-way.

The name of the Indian owner is Shegwinkaht, also known by the white name of Edwin Brown,

I should say the amount he is entitled to will be at the rate of $20.00 for every acre of land taken and used by the G.T.P.Railway as right-of-way.

The other indians living on this reserve are Emma Brown wife of Edwin Brown, Silas Brown, a son, and Abel Brown the second son, there is also a daughter now Mrs Harriet Sampare but she does not reside on this reserve, living at present at Hazelton.

Crossings. No farm crossings are needed, but there should be a Public Crossing at a point measured eleven and a half chains West of the Bridge crossing the creek known as Fiddlers creek,

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Edward H. Hicks Beach
Hazelton
British Columbia

at the point where the said public road crosses the Right-
-of-way.
I enclose vouchers which I trust will be found in order, you will understand that the actual valuing of this land did not take the 3½ days as mentioned in the voucher but this was the time taken in going to and returning from this reserve.

I remain yours truly

Edward H. Hicks Beach

P.S. If there are any further Indian Reserves in this locality which you would wish me to value I would suggest that you let me know as soon as possible as it is my intention to leave here in about 6 weeks.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
WINNIPEG, MAN.

H. [redacted] SELL.
RIGHT OF WAY AND CLAIMS AGENT

444200

1014/143.

14th April, 1914.

DEPARTMENT OF INDIAN AFFAIRS
APR 17 1914

DEPT. OF INDIAN AFFAIRS
APR 17 1914
SURVEYS

459505

Sir:-

I beg to acknowledge receipt of your letter of the 7th instant, file 444,200, placing a valuation of $209.56 on right of way and damages through the Squinlixstat Indian Reserve No. 2 of the Kitwanger Band.

The Company concurs in this valuation, and the matter has been reported to our Solicitor, Mr. H. H. Hansard, who will take it up with you and arrange for payment of the consideration money.

Thanking you for your prompt attention to this matter, I am,

Your obedient servant,

Right of Way Agent.

HP/F.

Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1 acct
2 Asst. D.M. for O.B.C.
3 [illegible]

RECOMMENDED FOR PAYMENT
[illegible] Accountant.
APPROVED,
D. Supt. of I. A.

Page 351 Cap

Ottawa, April 21, 1914.

File 455,689/Ty.

Memorandum for the Deputy Superintendent General:-

Mr. E. H. Hicks Beach has reported that he values the right of way of the Grand Trunk Pacific Railway through the Chig-ni-kaht Indian Reserve No. 8 of the Kitwangar Band at $20.00 per acre and he says that the Indian owner is entitled to that amount. The area taken is 8.18 acres; the total amount payable is therefore $163.60.

In all cases the Department has recognized that an Indian Band has an interest in those lands in its reserves which have been allotted to individual members but the extent of this interest has not been decided upon as a fixed rate. The amounts payable to a band have been arrived at from time to time by the Indian Agent or the Inspector who made the valuation. This has been omitted by Mr. Hicks Beach. I beg to submit that where an individual Indian is the recognised owner of his land as in the present case 10% of the award is as large a proportion of the said award as should be credited to the band funds, leaving the balance of 90% to be paid to the individual Indian.

I beg to recommend approval of the valuation made by Mr. Hicks Beach and that demand be made on the company accordingly. The account rendered by Mr. Hicks Beach for $58.03 appears to be reasonable although large

in

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

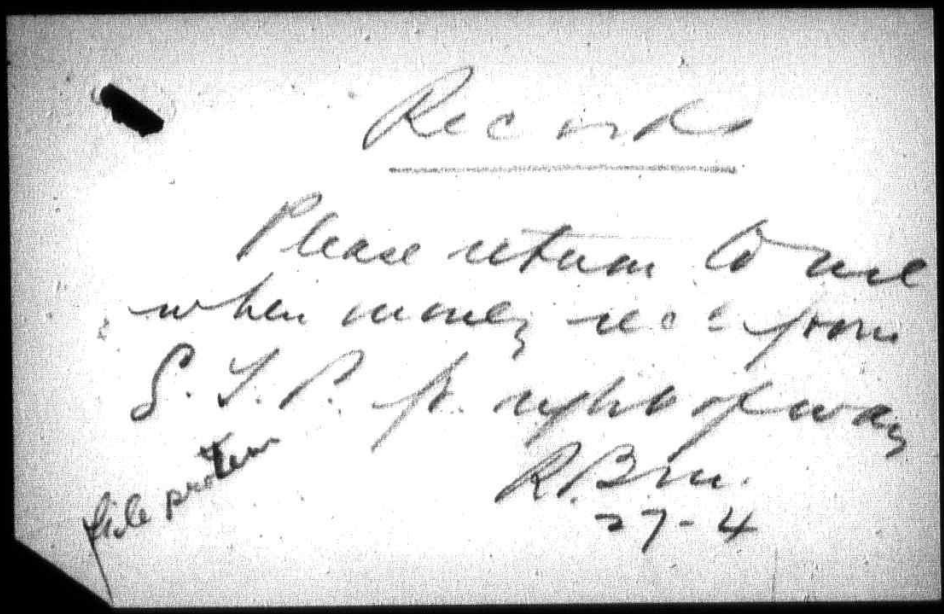
in proportion to the value of the land. I beg to recommend its payment.

J. Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA


Remarks

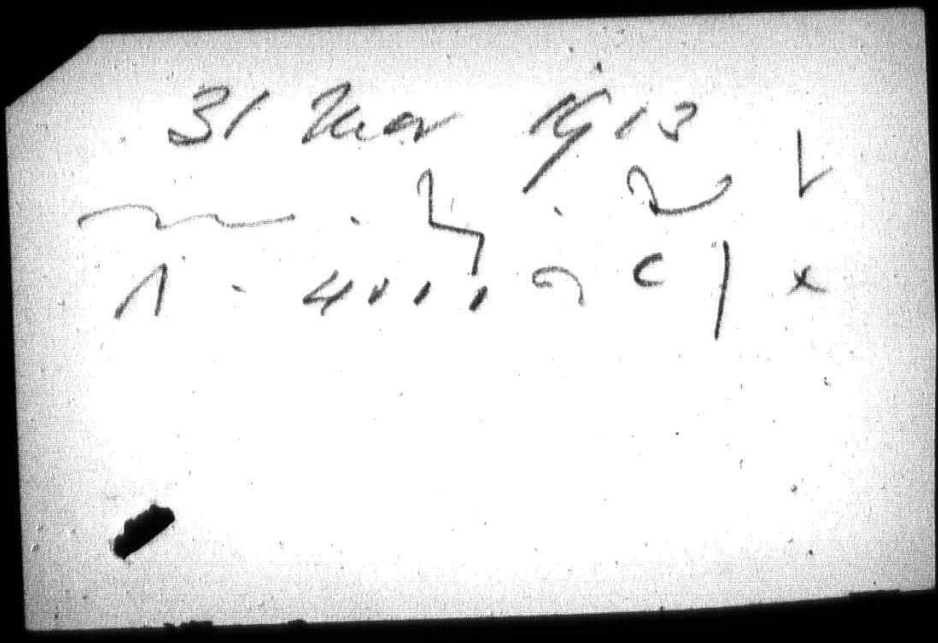
Please return to me when money received from S.T.P. right of way

File papers

R. Brn.
27-4

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444200

GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

W. H. [redacted]GGAR, K.C.
[redacted]ZRAL COUNSEL
MONTREAL

H. H. HANSARD,
SOLICITOR
WINNIPEG

H. WISMAR,
ASSISTANT TO SOLICITOR
WINNIPEG

In your reply
please quote
file
B.C. 317

WINNIPEG, MAN. 16th April, 1914.

APR 27 1914
SURVEYS

460127

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

The Right of Way Agent has advised me that he has arranged with you for the purchase of right of way through the Squinlixstat Indian Reserve No.2 extending to 3.41 acres at the price of $54.56, also that he has arranged to pay you $155.00 for damages to improvements and buildings.

Please advise me if on receipt of these sums you will be prepared to issue patent in name of the Railway Company.

Yours truly,

H H Hansard

Solicitor.

W.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200.

Ex'l

Ottawa, April 30, 1914.

Sir,

In reply to your letter of the 16th instant, No. B.C.317, I beg to inform you that the sum of $209.56, being the compensation to be paid for the right of way and damages of the Grand Trunk Pacific Railway through the Squinlixtat Indian Reserve No. 2 of the Kitwangar Band, should be forwarded to this Department before any entry is made on the reserve. On its receipt an Order in Council will be applied for authorizing the sale of the land to your company but the patent will not issue until final action has been taken in connection with this matter by the Provincial Government.

S. B.

Your obedient servant,

Sgd J. D. McLean

Assistant Deputy and Secretary.

H. H. Hansard, Esq.,
Solicitor, Grand Trunk Pacific Rwy. Co.,
WINNIPEG, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
WINNIPEG, MAN.

H. E. BISSELL.
RIGHT OF WAY AND CLAIMS AGENT

1014/

45-5-689

9th May, 1914.

DEPARTMENT OF INDIAN AFFAIRS
MAY 12 1914

461101

Sir:-

I shall be pleased to hear further from you relative to our right of way through the Chig-ni-kaht Indian Reserve, comprising 8.18, regarding which I heard from you on the 21st of February last, your file 455,689.

Your obedient servant,

H E Bissell

Right of Way Agent.

HP/F.

DEPT. OF INDIAN AFFAIRS
MAY 12 1914
SURVEYS

Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455,689.

Ottawa, May 12, 1914.

Sir,

With reference to your letter of the 9th instant, No. 1094, and previous correspondence, I beg to inform you that the right of way of the Grand Trunk Pacific Railway through the Chig-ni-kaht Indian Reserve has been valued by Mr. E. H. Hicks Beach, who was especially appointed for the purpose, at the sum of $163.60, being at the rate of $20.00 per acre. Kindly have the said sum forwarded to the Department.

Your obedient servant,

Sgd J. D. McLean

Assistant Deputy and Secretary.

H. E. Bissell, Esq.,
Right of Way Agent,
Grand Trunk Pacific Rwy. Co.,
WINNIPEG, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
WINNIPEG, MAN.

H. E. BISSELL,
RIGHT OF WAY AND CLAIMS AGENT

455-689

/914/ 16th May, 1914.

DEPARTMENT OF INDIAN AFFAIRS
MAY 19 1914

431616

Sir:-

I have to acknowledge receipt of your letter of the 12th instant, file 455,689, placing a valuation of $20.00 per acre on the right of way, comprising 8.18 acres through the Chig-ni-kaht Indian Reserve, situated at Mile 128, Prince Rupert East.

The Company will accept this valuation, and I have accordingly reported the settlement to our Legal Department, who will take same up with you and arrangement for the payment of the consideration money.

Thanking you for your attention to the matter, I am,

Your obedient servant,

DEPT. OF INDIAN AFFAIRS
MAY 19 1914
SURVEYS

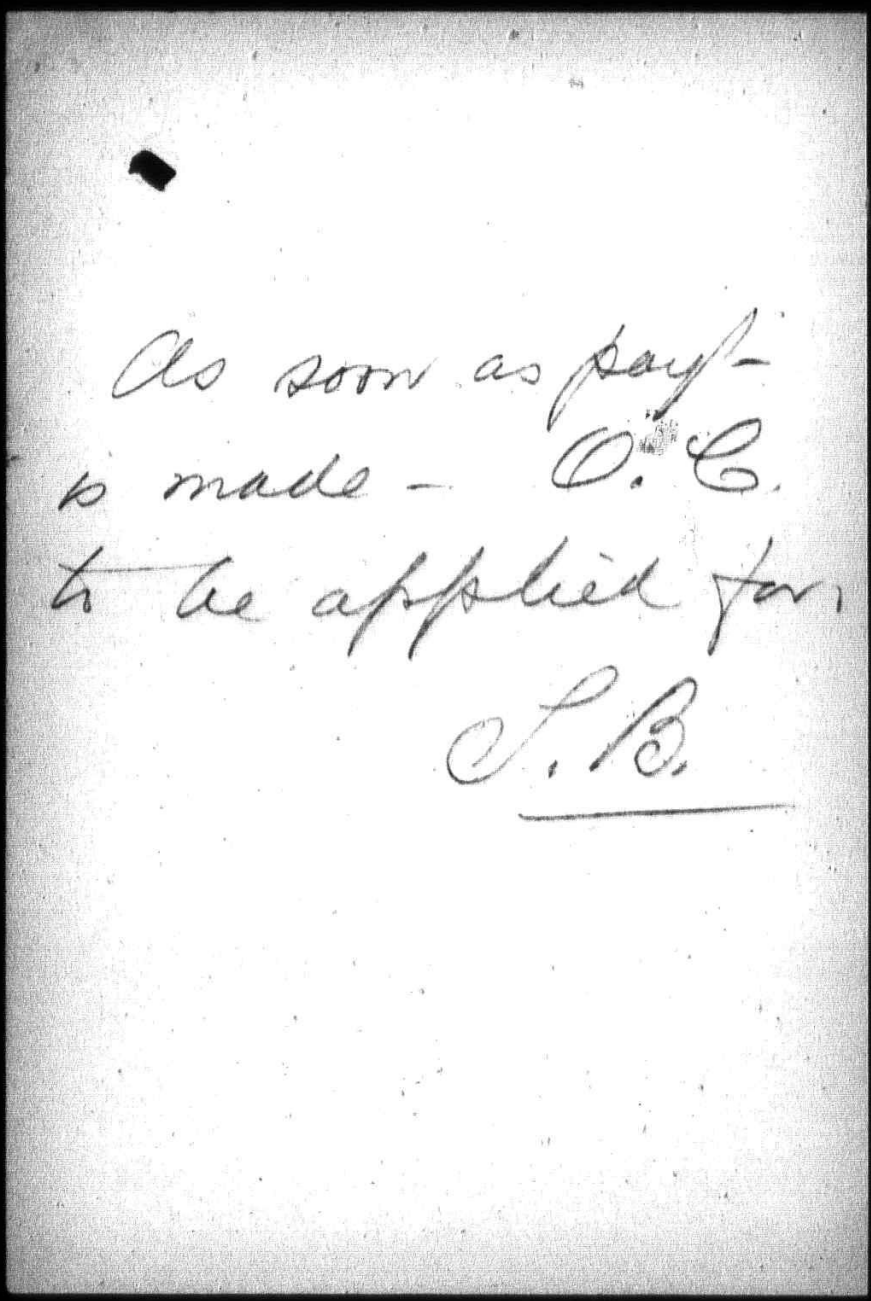
HP/F.

Right of Way Agent.

Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA


As soon as payment is made - O.C. to be applied for.

S.B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

W. H. BIGGAR, K.C.
GENERAL COUNSEL
MONTREAL

H. H. HANSARD,
SOLICITOR
WINNIPEG

455-689
402268

In your reply please quote file B.C.325

DEPARTMENT OF INDIAN AFFAIRS
JUN 1 1914

WINNIPEG, MAN. 26th May, 1914.

DEPT. OF INDIAN AFFAIRS
JUN 2 1914
SURVEYS

The Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

DearSir:-

Chig-ni-Kaht Indian Reserve.

The Right of Way Agent has advised me that he has arranged with you for the purchase of right of way through the above Reserve extending to 8.18 acres at the price of $163.60.

Please advise me if on receipt of this amount you will be prepared to issue patent in name of the Railway Company.

Yours truly,

H. H. Hansard

Solicitor.

W.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455,689.

Ottawa, June 2, 1914.

Sir,

In reply to your letter of the 26th ultimo, No. B.C.325, I beg to inform you that the sum of $163.60 for the Indian interest in the land comprising the right of way of the Grand Trunk Pacific Railway through the Chignikaht Indian Reserve, should be forwarded to the Department, without delay, by your company, but the patent will not be issued until final action has been taken in connection with the reserve itself by the Provincial Government.

Your obedient servant,

Sgd D. McLean

Assistant Deputy and Secretary.

H. H. Hansard, Esq.,

Solicitor, Grand Trunk Pacific Rwy. Co.,

WINNIPEG, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200.

Ottawa, June 25, 1914.

Sir,

I beg to draw your attention to letter to you of April 30, last, and to request that payment be made of the sum of $209.56, being the compensation for the right of way and damages of the Grand Trunk Pacific Railway through the Squin-lix-stat Indian Reserve No. 2 of the Kitwangar Band, B.C.

Your obedient servant,

Sgd J. McLean

Assistant Deputy and Secretary.

H. H. Hansard, Esq.,
Solicitor, Grand Trunk Pacific Railway Co.,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455,689.

P.M.

Ottawa, July 7, 1914.

Sir,

Please refer to letter of 2nd ultimo, your No. B.C. 325, and forward the sum therein requested of $163.60 for the Indian interest in the land comprising the right of way of the Grand Trunk Pacific Railway through the Chignikaht Indian Reserve, B.C.

Your obedient servant,

Sgd J. D. McLean.

Assistant Deputy and Secretary.

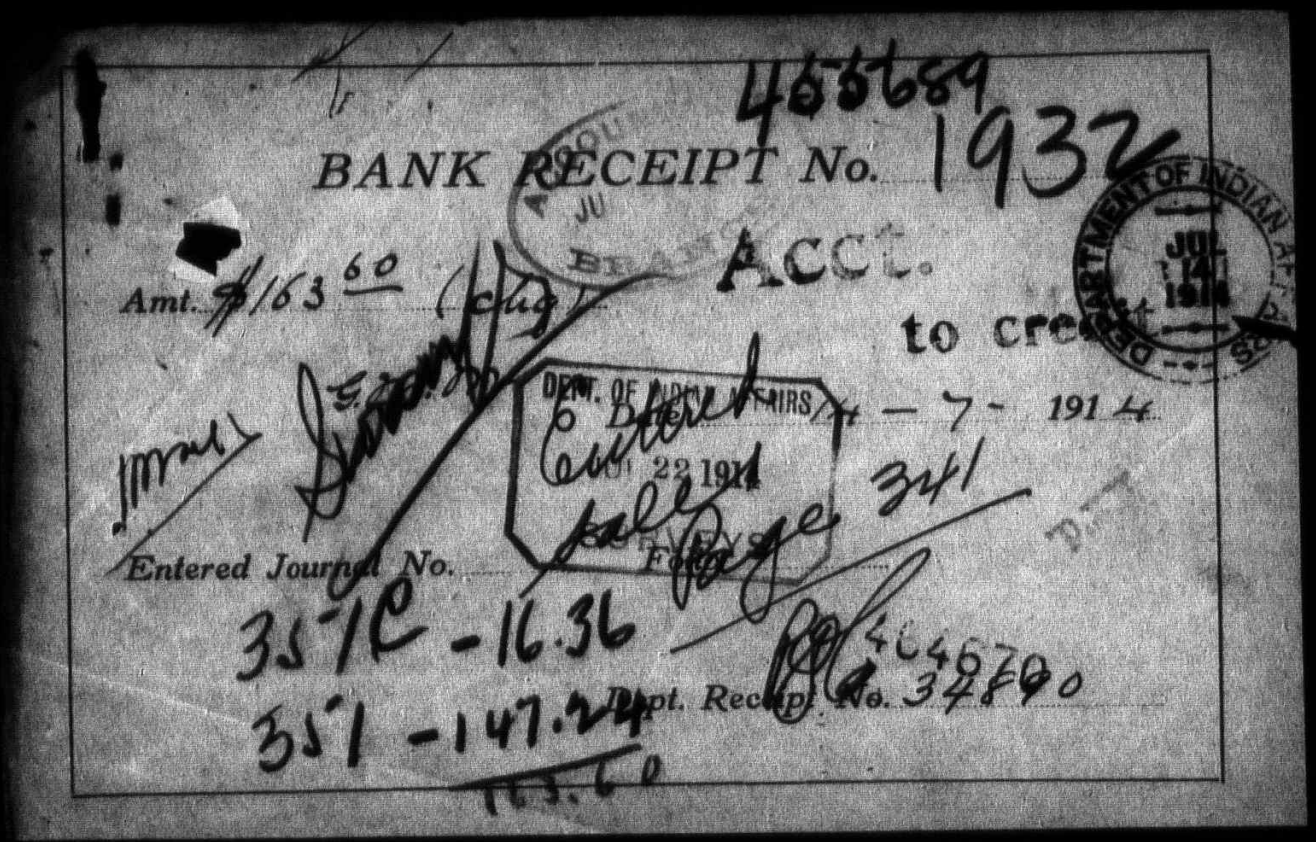
H. H. Hansard, Esq.,

Solicitor, Grand Trunk Pacific Rwy. Co.,

WINNIPEG, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA


BANK RECEIPT No. 1932

455689

Amt. $163.60 (sig)

ACCT.

to cre

DEPT. OF INDIAN AFFAIRS

JUL 14 1914

JUL 22 1914

— 7 — 1914

Entered Journal No.

35 IC - 16.36

351 - 147.24

163.60

341

Dept. Receipt No. 34890

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

W. H. EGAR, K.C.
GENERAL COUNSEL
MONTREAL

H. H. HANSARD,
SOLICITOR
WINNIPEG

In your reply please quote file
B.C.325

WINNIPEG, MAN. 10th July, 1914.

The Secretary,
Dept. of Indian Affairs.
Ottawa, Ont.

Your file 455,689

464670

Dear Sir:-

Chig-ni-Kaht Indian Reserve.

Referring to your letter of 2nd ult. I enclose herewith cheque for $163.60 in payment of the right of way the above Reserve along with receipt, which kindly sign and return to me.

I shall be glad to receive title in name of the Railway Company as early as possible.

Yours truly,

Solicitor.

Deal
Page 341

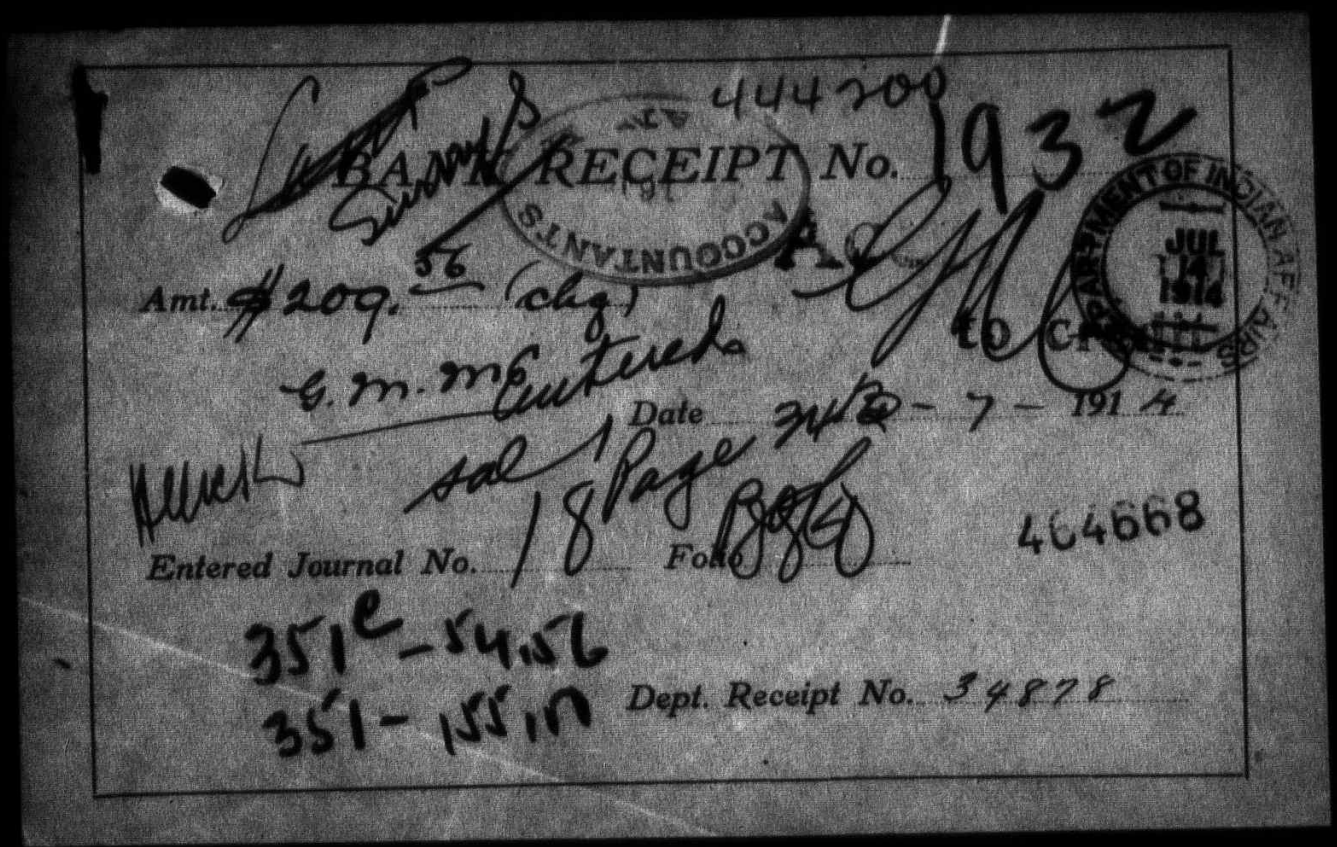
W.

Enclo:

Note on Auditor's remark re overpaying Fat 28th, 1914
Surrender

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA


BANK RECEIPT No. 1932

444209

ACCOUNTANT'S

DEPARTMENT OF INDIAN AFFAIRS

JUL 14 1914

Amt. $209.56 (chq)

G. M. McEuen

To CR

Date 30 - 7 - 1914

Entered Journal No. 18 Folio 86

464668

351e-54.56

351-155.10

Dept. Receipt No. 34878

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

W. H. BIGGAR, K.C.
GENERAL COUNSEL
MONTREAL

H. H. HANSARD,
SOLICITOR
WINNIPEG

In your reply please quote file B.C.317

464668

WINNIPEG, MAN.

10th July, 1914.

Your file 444,200

The Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

Referring to your letter of 25th ult., I enclose herewith cheque for $209.56 in payment of right of way through Squinlixstat Indian Reserve ~~No. 2~~ No. 3 and compensation for damages to improvements and buildings, along with receipt, which kindly sign and return to me.

I shall be glad to receive title in name of the Railway Company as early as possible.

Yours truly,

H. H. Hansard

Solicitor.

W.

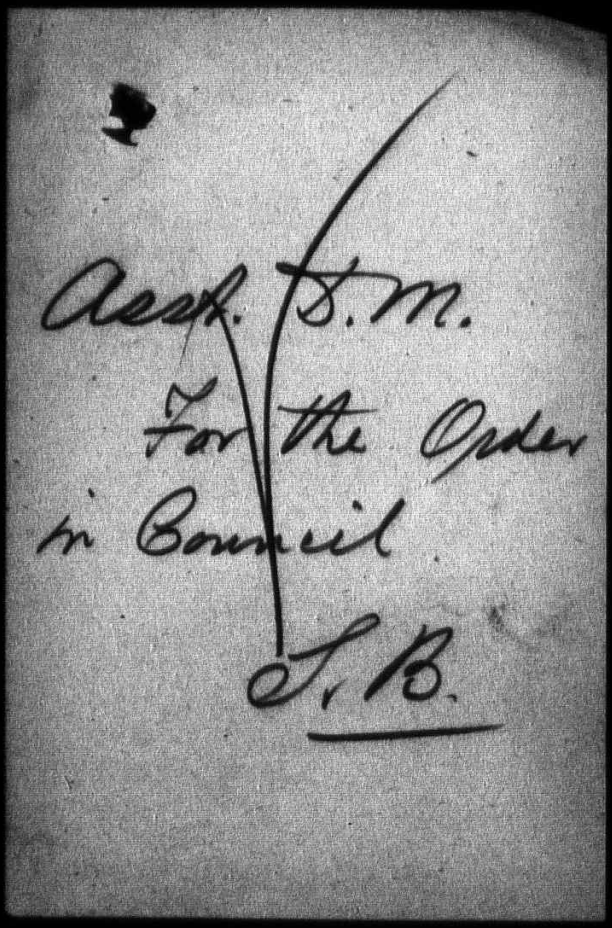
Enclo:

DEPT. OF INDIAN AFFAIRS
JUL 17 1914
SURVEYS

LANDS BRANCH
JUL 16 1914

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444200

Ottawa, July 21, 1914.

copy of minute
21/ RC attached

His Excellency
The Administrator in Council.

The undersigned has the honour to report that application has been made by the Grand Trunk PacificRailway Company for right of way through the Squin-lix-stat Indian reserve No. 3, of the Kitwangar band, in the Comox-Atlin district, in the Province of British Columbia, to consist of 3.41 acres, more or less, shown on a plan No. 1358 of record in the Department of Indian Affairs.

In this connection the undersighed would refer to the appointment by order of the Governor in Council in accordance with the terms of the agreement entered into on the 24th day of September, 1912, between the Dominion and the Province, by their respective representatives, of a joint commission for the adjustment of the acreage of Indian reserves in British Columbia. It is provided in the agreement inter alia that "If, during the period prior to the commissioners making their final report, it should be ascertained by either Government that any land, being part of

21 July
21 "
23 "
23 "

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY FILM

of an Indian reserve, is required for right of way or other railway purposes or for any Dominion, provincial or municipal public work or purpose, the matter should be referred to the Commissioners, who shall thereupon dispose of the question by an interim report and each Government shall thereupon do everything necessary to carry the recommendations of the commissioners into effect.

An interim report of the commissioners (No. 21), dated 30th January, 1914, addressed to His Royal Highness the Governor General in Council and to His Excellency the Lieutenant Governor of British Columbia in Council, deals with the above mentioned application of the Grand Trunk Pacific Railway Company, and recommends that, subject to compliance with the requirements of the law and due compensation being made, permission be given the said company to enter forthwith upon the said land and to acquire such parts thereof as have been applied for by such company for such purposes. The Grand Trunk Pacific Railway Company has paid to the Department of Indian Affairs the sum of $209.50 being the valuation placed upon the land and improvements by the Department.

The undersigned would recommend that under section 46 of the Indian Act, as amended by Section 1, Chap. 14, 1-2 Geo. V, authority be given for the sale of the Department of Indian Affairs of the above mentioned 3.41 acres, more or less, to the Grand Trunk Pacific Railway Company upon the consent of the Lieutenant Gover

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

of the Province of British Columbia being obtained for the disposal of the said right of way; a copy of the Minute of Council based upon this report to be transmitted to the Lieutenant Governor of the Province of British Columbia.

Superintendent General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

P.C.1909.

Certified copy of a Report of the Committee of the Privy Council, approved by His Excellency the Governor General on the 28th July, 1914.

PRIVY COUNCIL CANADA

The original of this Document has been removed for reasons of Land Registry.
465715
Signature
MAR 23 1972

The Committee of the Privy Council have had before them a report, dated 21st July 1914, from the Acting Superintendent General of Indian Affairs, submitting that application has been made by the Grand Trunk Pacific Railway Company for right-of-way through the Squin-lix-stat Indian reserve No.3, of the Kitwanger band, in the Comox-Atlin district, in the Province of British Columbia, to consist of 3.41 acres, more or less, shown on a plan No.1355 of record in the Department of Indian Affairs.

The Minister refers, in this connection, to the appointment by Order of the Governor in Council in accordance with the terms of the agreement entered into on the 24th day of September, 1912, between the Dominion and the Province, by their respective representatives, of a joint commission for the adjustment of the acreage of Indian reserves in British Columbia. It is provided in the agreement inter alia that "If, during the period "prior to the Commissioners making their final report, "it should be ascertained by either Government that any "land, being part of an Indian reserve, is required for "right of way or other railway purposes or for any Do-"minion, provincial or municipal public work or purpose, "the matter should be referred to the Commissioners, who shall

The Honourable
The Superintendent General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

"shall thereupon dispose of the question by an interim "report and each Government shall thereupon do everything "necessary to carry the recommendations of the Commis- "sioners into effect".

The Minister observes that an interim report of the Commissioners (No.21), dated 30th January, 1914, addressed to His Royal Highness the Governor General in Council and to His Excellency the Lieutenant Governor of British Columbia in Council, deals with the above mentioned application of the Grand Trunk Pacific Railway Company, and recommends that, subject to compliance with the requirements of the law and due compensation being made, permission be given the said company to enter forthwith upon the said land and to acquire such parts thereof as have been applied for by such company for such purposes. The Grand Trunk Pacific Railway Company has paid to the Department of Indian Affairs the sum of $209.50 being the valuation placed upon the land and improvements by the Department of Indian Affairs.

The Minister recommends that, under section 46 of the Indian Act, as amended by Section 1, Chap. 14, 1-2 Geo. V, authority be given for the sale by the Department of Indian Affairs of the above mentioned 3.41 acres, more or less to the Grand Trunk Pacific Railway Company upon the consent of the Lieutenant Governor of the Province of British Columbia being obtained for the disposal of the said right of way.

The Committee further advise that a copy hereof be transmitted to the Lieutenant Governor of British Columbia.

The Committee submit the same for approval.

F M Bennett

Asst. Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

43-3-689

Department of Indian Affairs.

Ottawa, ... 19 ....

Memo Asst D.M.

An order-in-council is required permitting this department to sell to the Grand Trunk Pacific Railway company 8.18 acres more or less being right-of-way of that company through the Chig-ni-Kabi Indian Reserve. The plan has been certified by the board of Railway Commissioners. Payment has been made in full.

W Reserve

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

40559

Minute report attached

Ottawa, July 30, 1914.

His Excellency

The Administrator in Council.

The undersigned has the honour to report that application has been made by the Grand Trunk Pacific Railway Company for right of way through the Chig-in-kaht Indian reserve No. 8, of the Kitwangar tribe of the Babine and Upper Skeena Agency, in the Province of British Columbia, to consist of 8.18 acres, more or less, shown on a plan No. 1569 of record in the Department of Indian Affairs.

In this connection the undersigned would refer to the appointment by order of the Governor in Council in accordance with the terms of the agreement entered into on the 24th day of September, 1912, between the Dominion and the Province, by their respective representatives, of a joint commission for the adjustment of the acreage of Indian reserves in British Columbia. It is provided in the agreement inter alia that "If, during the period prior to the commissioners making their final report, it should be ascertained by either Government that any land, being part of

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

of an Indian reserve, is required for right of way or other railway purposes or for any Dominion, provincial or municipal public work or purpose, the matter should be referred to the Commissioners, who shall thereupon dispose of the question by an interim report and each Government shall thereupon do everything necessary to carry the recommendations of the Commissioners into effect."

An interim report of the commissioners (No. 27) dated 17th day of March, 1914, addressed to His Royal Highness the Governor General in Council and to His Excellency the Lieutenant Governor of British Columbia in Council, deals with the above mentioned application of the Grand Trunk Pacific Railway Company, and recommends that, subject to compliance with the requirements of the law and to due compensation being made, permission be given the said company to enter forthwith upon the said land and to acquire such parts thereof as have been applied for by such company for such purposes. The Grand Trunk Pacific Railway Company has paid to the Department of Indian Affairs the sum of $163.60 being the valuation placed upon the land by a competent valuator appointed by the Department.

The undersigned would recommend that under section 46 of the Indian Act, as amended by Section 1, Chap. 14, 1-2 Geo. V, authority be given for the sale by the Department of Indian Affairs of the above mentioned 8.18 acres, more or less, to the Grand Trunk Pacific Railway Company upon

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

upon the consent of the Lieutenant Governor of the Province of British Columbia being obtained for the disposal of the said right of way; a copy of the Minute of Council based upon this report to be transmitted to the Lieutenant Governor of the Province of British Columbia.

Actg Superintendent General
of Indian Affairs.

Dft. 30 July
Min 30 " 1 Aug.
HB
PC.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

4M P. C. 2017.

Certified copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 5th August, 1914.

PRIVY COUNCIL CANADA.

DEPT. OF INDIAN AFFAIRS
******* 1914 *******
SURVEYS

The Committee of the Privy Council have had before them a Report, dated 30th. July, 1914, from the Acting Superintendent General of Indian Affairs, submitting that application has been made by the Grand Trunk Pacific Railway Company for right-of-way through the Chig-in-kant Indian reserve No 8, of the Kitwanger tribe of the Babine and Upper Skeena Agency, in the Province of British Columbia, to consist of 8.18 acres, more or less, shown on a plan No 1369 of record in the Department of Indian Affairs.

Original of this Document has been removed for retention in the Records of the Indian Land Registry.

The Minister refers, in this connection to the appointment by an Order in Council in accordance with the terms of the agreement entered into on the 24th. day of September, 1912, between the Dominion and the Province, by their respective representatives, of a joint commission for the adjustment of the acreage of Indian reserves in British Columbia. It is provided in the agreement inter alia that "If, during the period prior to the commissioners making their final report, it should be ascertained by either Government that any land, being part of an Indian reserve, is required for right-of-way or other railway purposes or for any Dominion, provincial or municipal public work or purpose, the matter should be referred to the Commissioners, who shall thereupon dispose of the question by an interim report and each Government shall thereupon do everything necessary to carry the recommendations of the Commissioners into effect."

The

The Honourable
The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Minister observes that an interim report of the Commissioners (No 27) dated 17th. day of March, 1914, addressed to His Royal Highness the Governor General in Council and to His Excellency the Lieutenant Governor of British Columbia in Council, deals with the above mentioned application of the Grand Trunk Pacific Railway Company, and recommends that, subject to compliance with the requirements of the law and to due compensation being made, permission be given the said Company to enter forthwith upon the said land and to acquire such parts thereof as have been applied for by such Company for such purposes. The Grand Trunk Pacific Railway Company has paid to the Department of Indian Affairs the sum of $163.60 being the valuation placed upon the land by a competent Valuator appointed by the Department of Indian Affairs.

The Minister recommends that under Section 46 of the Indian Act, as amended by Section 1, Chapter 14, 1-2 GEORGE V, authority be given for the sale by the Department of Indian Affairs of the above mentioned 8.18 acres, more or less, to the Grand Trunk Pacific Railway Company, upon the consent of the Lieutenant Governor of the Province of British Columbia being obtained for the disposal of the said right-of-way.

The Minister further recommends that a copy hereof be transmitted to the Lieutenant Governor of the Province of British Columbia.

The Committee concur in the foregoing and submit the same for approval.

Geo. P. Lindsay

Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA

455689

Ottawa, Aug. 18, 1914.

Memorandum for the Accountant.

Please forward for payment to Edwin Brown, in accordance with the memorandum of April 21, last, approved by the Deputy Minister, $147.24, due him for his interest in the land taken in the Chignikaht Indian Reserve No. 8 of the Kitwangar Band and credit the balance of $16.36 to the funds of the said band.

Your obedient servant,

Assistant Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Gitwangak B.C.
Aug 30/15

R. E. Loring
Indian Agent
Hazelton B.C.

Dear Sir

As I have not heard any more about the money the G.T.P.R. was to pay for my garden at Kyenlikskat and which you had been down to see. I thought I would write you, and ask you again to try and get some for me. I have 4 children to feed and clothe, and I find it hard to get along so would appreciate you help in this matter.

I also wish to thank you for your kind help during last Winter and Spring

Trusting I'll hear from you at an early date

I remain your servant

Ruth Wilson

Per J.H.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444,200

Babine and Upper Skeena River Agency

DEPARTMENT OF INDIAN AFFAIRS
SEP 17 1915

Hazelton, B. C., September 4th, 1915.

SEP 18 1915 ACCOUNTANT

No. 444,200 463236

Sir,-

In connection with Departmental letter of the 3rd March, 1914, and mine of the 21st of that month and year, I have the honour herewith to state that frequently it had been requested of me to assist in procuring payment for Mrs. Ruth Wilson (Indian) the former occupant of that part of the Squinlixtat Indian reserve No. 3 of the Kitwanga band, as regards 3/4 of an acre of land with improvements thereupon, and same amounting to $75.00 and $80.00, collectively = $155.00; and since the compensation to that effect purely comprises individual ownership of improvements thereupon with severance of same for the Grand Trunk Pacific Railway, I can recommend such procedure proper in the premises, especially since Mrs. Ruth Wilson is a very deserving and sensible woman and has still the maintenance of four children involving upon her.

A letter, dated the 30th ultimo and addressed to me on the subject, as sample, I beg to enclose herewith.

I here respectfully would make mention that as regards the 50 pro cent., which is all that can be paid under the provisions of the Indian Act, in connection with the 3.41 acres at the rate of $16.00 per acre due the Kitwanga band, I scarcely deem it judicious since in division among those entitled thereto it can prove of no material consequence, individually, in that respect.

I have the honour to be,

Sir,

Your obedient servant,

Indian Agent.

The Assistant Deputy and Secretary,
Department of Indian Affairs,

OTTAWA.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA.

Memorandum

E.Y.D.

Mr. Scott:-

Mrs. Ruth Wilson (Indian) of Squinlixstat Reserve, B.C. requests the payment to her of $155.00 value of improvements owned by her and included in the right of way through the reserve by the Grand Trunk Pacific Railway. This amount has been paid to the Department by the Company and as Agent Loring reports Mrs. Wilson as a careful person who will use the money wisely, I would recommend that the money be paid over to her.

Approved &c.

F.H. Paget

Accountant.

Ottawa, 21st September, 1915.
444200

a/c 35-1 Int.
Due-Sept.-23/15-

3116

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444200

original on file 327496-2

Copy

Ottawa, 11th December 1916.

Sir,-

With reference to your letter of the 20th ultimo I may say there are three reserves belonging to the Kitwangar band of Indians through which the right of way of the Grand Trunk Pacific Railway Company passes.

1. Kitwangar I.R. No.1 in which the railway takes 99.30 acres, for which they have paid $15.00 per acre, ($1489.50), in addition they have paid the following amounts for damages and improvements,-

Walter Bright, ½ acre	$25.00
Mrs. Gilbert ½ acre	5.00
Fred Willitsque, smoke house	20.00
Wm.Turley, ½ acre, garden	50.00
Charlie Williams small garden	10.00
14 graves or bodies	1540.00
Kiknits fishing ground	75.00
Edwin Brown, grave	110.00
	1855.00

Cheques for all these improvements have been sent to the persons named.

Recommended Spare file 327496

2. Squinlaxtat I.R. No.3, Area taken by the railway, 3.41 acres at $16.00 per acre, ($54.56).

Improvements of Ruth Wilson, which have been paid $155.00.

3. Chignikaht I.R.No.8. Area taken by railway, 8.18 acres at $20.00 per acre ($163.60). As this was improved land in the nature of located lands, the occupant, Edwin Brown, was paid 90% of the money received for the right of way, that is $147.24. The remainder, $16.36, was credited to the band.

It will

R.E.Loring Esq.,
Indian Agent,
Hazelton, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

It will be seen from this that the following improvements have been placed to the credit of the Kitwangar band out of money paid for rights of way.

Kitwangar No.	$1489.50
Squinlaxtat No.3	54.56
Chignikaht No.8	16.36
Total	1560.42

Fifty per cent of this sum will be available for distribution among the members of the Kitwangar band after they have passed a resolution of Council asking for it.

Blue print copies of these three rights of way are enclosed herewith.

Your obedient servant,

Sent on file 327496 2

Asst. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

original on file
327496-2

455689

Copy

Ottawa, 11th December 1916.

Sir,-

With reference to your letter of the 20th ultimo I may say there are three reserves belonging to the Kitwangar band of Indians through which the right of way of the Grand Trunk Pacific Railway Company passes.

1. Kitwangar I.R. No.1 in which the railway takes 99.30 acres, for which they have paid $15.00 per acre, ($1489.50), in addition they have paid the following amounts for damages and improvements,-

Walter Bright,	½ acre	$25.00
Mrs. Gilbert	¼ acre	5.00
Fred Williteque,	smoke house	20.00
Wm.Turley,	½ acre, garden	50.00
Charlie Williams	small garden	10.00
14 graves or bodies		1540.00
Kiknits fishing ground		75.00
Edwin Brown,	grave	110.00

Recommended & paid File 46589

Cheques for all these improvements have been sent to the persons named.

2. Equinlaxtat I.R. No.3, Area taken by the railway, 3.41 acres at $16.00 per acre, ($54.56).

Improvements of Ruth Wilson, which have been paid $155.00.

3. Chigniksht I.R.No.8. Area taken by railway, 8.18 acres at $20.00 per acre ($163.60). As this was improved land in the nature of located lands, the occupant, Edwin Brown, was paid 90% of the money received for the right of way, that is $147.24. The remainder, $16.36, was credited to the band.

It will

R.E.Loring Esq.,
Indian Agent,
Hazelton, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

It will be seen from this that the following improvements have been placed to the credit of the Kitwangar band out of money paid for rights of way.

Kitwangar No.1	$1489.50
Squinlaxtat No.3	54.56
Chignikaht No.8	16.36
Total	$1560.42

Fifty per cent of this sum will be available for distribution among the members of the Kitwangar band after they have passed a resolution of Council asking for it,

Blue print copies of these three rights of way are enclosed.herewith.

Your obedient servant,

sent on file 327496[2]

Asst. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

STUART HENDERSON
BARRISTER AND SOLICITOR

Victoria B.C.
4th Aug 1919

DEPT. OF INDIAN AFFAIRS
AUG 13 1919
RECORDS

526130

D.C. Scott Esq.
Ottawa

My dear Sir

While in Hazelton in connection with the Gunanoot murder cases recently the Chief and two sub-chiefs of the Kitwancyak Indian Reserve 24 miles south of Hazelton came to see me and claim that they have had to date no satisfaction in regard to the right of way taken from them by the Grand Trunk Pacific for the Timber cut on their Reserve No 2 or for the Gravel taken from Reserve No 1. The Railway I believe also runs through their Reserve No 2.

The Chiefs further claim that the Indians Agent Mr. Loring had given an Indian named Wm Jerry some money. but they do not know how much nor what for have Jerry reported to them nor had Jerry any authority from any one to receive. The Indians are quite at sea as to the position nor could Mr Loring give me any assistance in explaining it to them.

Kindly let me hear from you as to the exact position of these matters. I will be in Hazelton in September or October immediately after the trials referred

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2.

STUART HENDERSON
BARRISTER AND SOLICITOR

Ry Lands

to grow and will further discuss matters with the Indians when I then see them.

In addition to the general claims of all the Indians The Chief Simudeaks (?) claims that the Railway took land that he personally cleared and paid for out of his own individual money and no settlement made therefor And further that a Sub chief [illegible] owned a cleared acre from him for which no personal compensation has been made. Mr. Loring is unable to furnish me any information on these matters.

Awaiting your reply.

I am
yours truly
Stuart Henderson
P.O. Drawer 638
Victoria
B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496 24 ~~402677~~

Department of Indian Affairs

File No. .....

Canada

Lands and Timber Branch

Ottawa, IIth August, I9I9- 191

Memo.

Mr. Scott.

In reference to the attached letter it appears that the Grand Trunk Pacific Railway paid compensation for Right of Way across of Kitwangar Reserve, to the following amounts,

Personal improvements of individual Indians, ~~$240.00~~ 230

Compensation for Liknits Fishing Ground, $ 75.00

To compensation for sundry graves, (I4) $I540.00 2.

Payment for land for Right of Way, 99.30 Acs. $I489.50

The amount of $I489.50 was credited to the Capital Funds of the Band, in I9I2, and in I9I6, the Indian Agent was advised that if the Band would forward a Resolution asking for 5o % distribution to be made to them, the money would be sent to them.

There does not appear to have been any further action taken in the matter, nor does the official correspondence reveal that any steps were taken with regard to compensation for timber or gravel taken in connection with the construction of the Right of Way.

A. J. Bury

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Minister of Railways and Canals

GRAND TRUNK PACIFIC RAILWAY Receiver

LEGAL DEPARTMENT

455-689

W. H. BIGGAR, K.C.
VICE-PRESIDENT AND GENERAL COUNSEL
MONTREAL

H. H. HANSARD
SOLICITOR
WINNIPEG

B. C. 325.

DEPT. OF INDIAN AFFAIRS
AUG 14 1919
RECORDS

WINNIPEG, MAN.

August 11th, 1919.

526154

DEPT. OF INDIAN AFFAIRS
AUG 14 1919
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa. Ont.

Dear Sir;- Your file 455.689.

Referring to my letter to you of 10th July 1914 with regard to our right-of-way through Chig-ni-kaht Indian Reserve, can you now let me have title to this right-of-way.

Yours truly,

H. H. Hansard

Solicitor.

GMH/EC.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Minister of Railways and Canals

GRAND TRUNK PACIFIC RAILWAY Receiver
LEGAL DEPARTMENT

444200

DEPT. OF INDIAN AFFAIRS
AUG 14 1919
RECORDS

W. H. BIGGAR, K.C.
VICE-PRESIDENT AND GENERAL COUNSEL
MONTREAL

H. H. HANSARD
SOLICITOR
WINNIPEG

B. C. 317.

WINNIPEG, MAN.

August 9th, 1919.

526160

DEPT. OF INDIAN AFFAIRS
14 1919
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa. Ont.

Dear Sir:- Your file 444.200.

Referring to my letter to you of 10th July 1914 with regard to our right-of-way through Squin-lix-stat Indian Reserve No. 2, can you now let me have title to this right-of-way.

Yours truly,

Solicitor.

GMH/EC.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44200

RXD.

Ottawa, 15th August 1919.

Sir,-

In reply to your letter of the 9th instant I regret to have to inform you that the issue of a patent for the right of way of the Grand Trunk Pacific Railway through the Squinlixstat Indian reserve No.2 will require to be delayed until the report of the Royal Commission on Indian reserves in British Columbia, which is under consideration, has been confirmed by the two Governments.

Your obedient servant,

A. McKenzie

for Assistant Deputy and Secretary.

H.H.Hansard Esq.,
Solicitor,
Grand Trunk Pacific Rwy.,
Winnipeg, Man.

L.B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455669

Ottawa, 16th August 1919.

Sir,-

In reply to your letter of the 11th instant I regret to have to inform you that the issue of a patent for the right of way of the Grand Trunk Pacific Railway through the Chigni-kaht Indian reserve will require to be delayed until the report of the Royal Commission on Indian reserves in British Columbia, which is under consideration, has been confirmed by the two Governments.

Your obedient servant,

A. F. Mackenzie

For Assistant Deputy and Secretary.

H.H.Hansard Esq.,
Solicitor,
Grand Trunk Pacific Railway,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Interest Account. Dr.

graves				
Nov. 14/10	Paid Solomon Harris	graves	$110.00	
	" Sunadeeks	"	110.00	
	" J.W.Lachmeets	"	110.00	
	" Moses Tant	"	110.00	
	" James Frig	"	110.00	
	" Joseph and Alwyn Williams	"	110.00	
	" Luke Regan	"	110.00	
	" Daniel Wells	"	110.00	
	" Angus Williams	"	110.00	
	" Sunadeeks and Gumilakyelh	"	110.00	
	" Mrs. Albert Williams	"	110.00	1210.00

Improvements.

Dec. 10/10	Walter Bright	25.00	improvements	
	Mrs. Gilbert	25.00	"	
	Fred Willelsque	20.00	"	
	W. Finley	50.00	"	
	Charlie Williams	10.00	"	130.00
Aug. 7/13	H. DuVernet ½ cost of fence			112.92
Aug. 14/14	Edwin Brown for improvements			147.24
Sept. 22/15	Ruth Wilson "			155.00
May 19/17	Sampson Bros. Relief			9.50
" 15/18	Ruddy & MacKay "			5.00
Sept. 12	H. DuVernet share of fencing			72.00
Apr. & Mar/19	Estimate of fencing			20.00
May 12/19	Expenses Indane Indian			4.00
	" " "			7.75
	" " "			2.00
			✓	$1875.41

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA

Statement of Kitwangar Reserve Capital account.

June 22/10	By Grand Trunk Pacific Railway right of way	1489.50
April 1/14	" " " " " " "	70.92
		1560.42
April 25/14	To paid E.H.Hicks valuation of land	58.03
April 1/19	Balance at credit of capital	$1502.39

Statement of Kitwangar Reserve Interest Account. Cr.

June 20/10	By Grand Trunk Pacific Railway for graves	1540.00
	" for improvements	130.00
		1670.00
April 1/14	" " for improvements	155.00
	" " "	147.24
	" interest from 1911 to 1918	548.40
		$2520.64
	Dr. Interest Account. as per statement attached	1875.41
	Balance at credit August 1/19	$645.23

Cheques were issued in favour of Indians for the removal of graves and the cheques were mailed to Agent Loring November 14, 1910.

Payment for improvements was made also by cheque in favour of the five individual Indians (see attached statement) and forwarded to Agent Loring December 12th, 1910. The other payments charged to the account were made by cheque on the dates shown in statement. All the amounts named for improvements were paid, and a balance of $330.00 remains unpaid out of amount received for moving graves.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327,496-2A

August 22, 1919.

Dear Sir,-

I have to acknowledge the receipt of your favour of the 4th of August, with reference to several matters on the Kitwangar reserve, B.C.

In reply I beg to say that I have looked into the matters to which you refer, and have had a made, statement, showing the amount at the credit of the Kitwangar Indians, both in capital and interest accounts, also a statement showing the amounts paid for improvements, and on account of graves and to whom. I am in- Encl. closing herewith copies of these statements.

We were prepared to distribute 50% of the amount to the credit of the Capital account, but, as the Indians had not passed a resolution to do so, we have not taken that action.

Yours very truly,

Deputy Superintendent General.

Stuart Henderson, Esq.,
Barrister, Solicitor, &c.,
P. O. Drawer 638,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Kyle
327496-2A
[redacted]-49 & IRA

STUART HENDERSON
BARRISTER AND SOLICITOR

Victoria BC
29 aug 1919

Duncan C. Scott Esq-
Ottawa

file

526855

DEPT. OF INDIAN AFFAIRS
SEP 4 1919
RECORDS

Dear Sir I have yours of 22nd inst enclosing Statement and note contents. I have current cases to Indian when I meet them etc Stay 2 or 3 days next month and let you know the result of the conference

Yours truly
Stuart Henderson
P.O. Drawer 658
Victoria
BC

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

List of those present

1 Chief Simmerdeeks
2 Chief Lachneets
3 Henry Wellesque
4 Charlie Derrick
5 Charles Smith
6 Louis Derrick
7 Paul Benson
8 J.W. Lachneets
9 A. Fowler
10 Alfred Sinclair
11 Robert Harris
12 Mathias Bright.
13 George Holland
14 Solomon Harris
15 Edwin Brown
16 Silas Brown
17 Henry Jail
18 Edward Jail
19 Jonney Harris
20 Moses Jail
21 Wm Turley
22 Stephen Fowler
23 Dick Fowler

In the village but sick.
24 Luke Ryan, 25 Alexander Fowler 26 John Fowler
Runs a store with Bridge and could not get away.
27 James Ryan.

Away Trapping —
28 Jo Morgan 29 Jo Williams. 30 Fred Wellesque 31 Joshua Wellesque

Away working on Railway or other places
at Terrace
32 Solomon Bryan 33 David Welsh.
at Cedarvale.
34 James Fowler 35 Frank Harris.
at Omineca Rupert 36 George Moore
at Hazelton 37 Isaac Benson
at Kispiox 38 Thomas Turley.

These include so far as at present ascertained all the members of this Band of Kitwancool Indians February 5th & 6th 1920.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Kitwanga S. R. B. C.
Smart Henderson Lawyer. Feb. 7th /20.
Kazelton. B.C.

Dear Sir,

I am sorry to tell, that I got missed your this morning so I enclosed a copy which you gavest me last night to be signed by the four men, those who not attend in our meeting.

Good bye.

Yours truly
Alfred, A. Sinclair.

Poor Copy

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Kelowana February 6th 1920

We were not present at the meeting but have heard what took place and we members of the Kelowana Reserve also hereby agree to the following resolution

"That the Department of Indian Affairs at
"Ottawa do send to Chief Smeerdeeks and
"Chief Lachmeets for distribution amongst
"the Indians of this Reserve the sum of
"780.21 and for this purpose their share
"be given authority"

This document has been read over to us and translated to us before we

Signed Same —

Jas Ryan
Luke Ryan
Alexander Fowler X
" John? Fowler " X

Poor Copy

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 CP

Dominion of Canada
Province of British Columbia
To wit

In the Matter of the Indian Act
and in the matter of the Kelwauqa
Reserve and a meeting of Indians
held on said Reserve.

We Chief Simmerdeaks, Chief George Stolland
Chief Jim Louchneels of the Kelwauqa Reserve
severally make oath and say:-

1. That we are Chiefs of the Band of Indians of the Kelwauqa (BC) Reserve. Skeena and Babine Agency.
2. That the papers attached are minutes of the meeting - List of those present list of those absent from meeting and why absent
3. That it was unanimously passed at said meeting the Resolution in the Minutes set out.

Simmerdeaks - his X mark
Geo Stolland his X mark
Jim Louchneels his X mark

Severally appeared before me and sworn at the Town of Hazelton in the County of Atlin this 7th day of February AD 1919 the said Chiefs after the same had been read over to them and they appeared to understand the same

R Draycott J.P.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Minutes of Meetings of Indians of Kitwanga B.C. held in their meeting house on their Reserve February 5th and 6th 1910.

Hearing that Stuart Henderson Lawyer of Victoria was at Hazelton - we asked him to come to our Village and discuss matters with us with reference to the payment of Right of Way by the Grand Trunk Pacific and other matters -

The meeting was called for this purpose and a list of those present, at the meeting a list of those sick and a list of those away and where is attached to these Minutes -

The Meeting discussed the Letters and accounts Sent Mr Henderson from Ottawa touching the moneys paid and expended on the Right of way -

It was then unanimously resolved

That the Department of Indian Affairs at Ottawa do send to Chief Simendeeks and Chief Lachneets for distribution amongst the Indians of this Reserve the sum of $780.21 and for this purpose this shall be the Authority -

That we did not ask the Indian Agent to be present as he never does come when asked and has not been here for years Except at the request of the Railway he came once some years ago

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

No Indian was present at the meeting of Council unless he habitually resides on or near and is interested in this reserve

his
Jas Meredeeks X mark
his
Geo Holland X mark
his
Jno Lachneeli X mark

Wotherspoon
Stuart Henderson

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496-2A.

327496-2A.

STUART HENDERSON
BARRISTER AND SOLICITOR

Victoria BC
13 March 1920.

Duncan C Scott Esq.
Deputy Supt General Indian Affairs
Ottawa Ont.

DEPT. OF INDIAN AFFAIRS
MAR 19 1920
RECORDS
534248

My dear Sir

Recurring to your letter to me August 22/19-
While last in Hazelton at the request of Chiefs Semaulaks Skeehneets and George Holland. I made a trip to their reserve at Kitawanga to discuss some of their affairs with them including the prohibition on Catching Beaver and their Claims against the Grand Trunk Pacific -

Enclosed you will please find the Minutes of the meeting with the Grand Trunk Question - which are self explanatory and you will oblige them by forwarding the Cheques to them as requested - and in the manner requested as many phases of the question was discussed by them -

I charged them $30.00 in full of Costs and Charges for the Min - but with this you have nothing to do - You send the full amount to them -

Yours Truly
Stuart Henderson
po drawer 638
Victoria
B.C.

DEPT. OF INDIAN AFFAIRS
MAR 19 1920
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496-2A

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 22nd March 1920.

Memorandum

Deputy Minister,-

In connection with the letter hereunder from Mr. Stuart Henderson of the 13th instant, I beg to refer you to your letter to that gentleman of the 22nd August last.

The resolution of the Indians that they be paid $780.21, being 50% of the sum received for right of way through the Kitwangar reserve, has not been endorsed by the Indian Agent. I think this is not necessary and would recommend that the said sum be sent to the Indian Agent with instructions to distribute it per capita in the usual manner.

O. Bray
Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

527496-2A

22151-16 CP

Ottawa, March 24th, 1920.

With cheque.

Sir:-

I beg to transmit herewith cheque No. 8315 for $780.21 being 50% of amount received by the Department from the Grand Trunk Pacific Railway Company for right of way through the Kitwangar Reserve. The amount in question should be distributed at an even per capita rate to members of the Band. Blank pay-lists in which to account for the distribution are being sent to you under separate cover. The original and duplicate pay-lists should be forwarded to the Department and a third copy should be kept in your office for reference. If there is any money remaining in your hands after the distribution has been made, it should be forwarded to the Department, together with a statement of the amount received, the amount paid, and the amount refunded. You should observe the printed instructions in the front of the pay-list book when making distribution.

I may add that each head of a family should be paid not only for himself and his wife but for all minor children of his family, and each head of family should be shown on the pay-list by a number.

Your obedient servant,

O.C. Perry Esq.,
Indian Agent,
Prince Rupert, B.C.

Asst. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

STUART HENDERSON
BARRISTER AND SOLICITOR

Victoria B.C.
8th April 1920

J. D. McLean Esq.
Secretary Dept Indian Affairs
Ottawa

DEPT. OF INDIAN AFFAIRS
APR 10 1920
RECORDS

No 529505

535337

Sir

When acknowledging my letter of 13th inst enclosures you only mention the matter of the Estate of W.R. Fowler.

At the same time I wrote you about the Kitwanga Indian Reserve claim against the Grand Trunk Pacific for which you have funds on deposit. Let me know if this matter has been attended to.

Yours truly
Stuart Henderson
218 Pemberton Block
Victoria
B.C.

DEPT. OF INDIAN AFFAIRS
APR 10 1920
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496-2A

Ottawa, 12th April 1920.

Sir,-

In reply to your letter of the 4th instant I have to inform you that a cheque for $760.21 was sent to Mr.C.C.Perry,Indian Agent,Prince Rupert,with instructions to distribute it at an even per capita rate to the members of the Kitwanga band. The said sum is fifty per cent of the amount received by the Department from the Grand Trunk Pacific Railway for right of way through the Kitwanga reserve, the balance remains here to the credit of the band in accordance with the provisions of the Indian Act.

Your obedient servant,

J. D. McLean

Assistant Deputy and Secretary.

S.B.

Stuart Henderson Esq.,
Barrister etc.,
[illegible] Pemberton Block,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

455689

GRAND TRUNK PACIFIC RAILWAY

INNER-DEPARTMENT CORRESPONDENCE

Minister of Railways and Canals
Receiver

FILE B.C.525.

DEPT. OF INDIAN AFFAIRS
AUG 21 1920
RECORDS

DEPT. OF INDIAN AFFAIRS
AUG 20 1920
SURVEYS

541696

Winnipeg, Man. August 17th ,1920.

Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

Re: Chig - ka - Kaht Indian Reserve.

I refer you to your letter of 16th August, 1919, your file 455689, with regard to the right-of-way through this reserve, payment of which was made to your Department in 1914. Can you now advise if Crown Grant can now issue?

Yours truly,

Asst. Solicitor.

Stand pending report of Royal Commr. See letter of 30/8/20. File 413,568

GMH/O

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

327496 2

BANK RECEIPT No. 83'40

A.nt. $1.17 p.mo.

DEC 2 1920 BRANCH

545683

DEPT. OF INDIAN AFFAIRS RECORDS

Date DEC 7 1920 191

Entered Journal No. 21 Folio 118

acct 1920 35'c

Dept. Receipt No.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPT. OF INDIAN AFFAIRS
DEC 8 1920
RECORDS

INDIAN AGENT'S OFFICE

Babine Agency,

Hazelton, B.C., November 29th, 1920.

IN YOUR REPLY REFER TO
No. 527496-2 A
AND
March 24, 20
TO DATE OF THIS LETTER

545683

Sir,—

In conformity with Departmental letter, dated the 24th of March, last, and having received herewith Cheque No. 8315 for $780.21, being 50% of amount received by the Department from the Grand Trunk Pacific Railway Company for right of way through the Kitwanga Reserve, and directing that the amount in question should be distributed at an even per capita rate of the members of the Band, I have the honour to state that, owing at the time of receipt of those instructions the Indians concerned still having been on their trapping grounds, then came straggling in, and, thereafter, in a like manner hastily made off to the coast, and did not come together till recently, delayed me from carrying out this purpose till the 23rd instant.

Relative thereto, I beg to forward herewith, under seperate cover (registered) two pay- lists (with annexed declaration) upon which will be shown the amounts thus disposed of to 144 Indians, at a per capita rate of $5.41, total = $779.04, leaving an indivisible balance of $1.17, which latter amount, I beg to enclose herewith, in refund, by a Post Money Order.

I have the honour to be,

Sir,

Your obedient servant,

Indian Agent.

The Assiatant Deputy and Secretary,
Department of Indian Affairs,

OTTAWA.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151 16 G.T.P.

327426-2A

Ottawa, 10th December, 1920

Sir:-

I enclose herewith the pay-lists of the distribution to the Indians of the Kitwanga Reserve of 50% of the amount received from the Grand Trunk Pacific Railway Company for right of way through their reserve. These pay-lists should be completed. You omitted to show the addition on each page and carry forward the totals. Kindly amend the pay-lists books, as indicated, fill in the recapitulation and sign the declaration.

In future when you make a distribution of Indian money, you should make payment at a per capita amount which will be a multiple of five. By following this course there will be no difficulty in accounting for the money sent you, and you will readily make change for the Indians.

Your obedient servant,

J.D.McLean
Asst. Deputy and Secretary.

C.C.Perry Esq.,
Indian Agent,
Prince Rupert, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-1-16 97P

INDIAN AGENT'S OFFICE

Babine Agency,

IN YOUR REPLY REFER TO
No. 327496-2 A
Dec. 10,'20
ALSO
TO DATE OF THIS LETTER

Hazelton, B.C., December 31st, 1920.

547048

DEPT. OF INDIAN AFFAIRS
JAN 14 1921
RECORDS

Sir,—

I have the honour to acknowledge herewith the receipt of the two (2) pay-lists of distribution to the Indians of the Kitwanga Reserve of 50% of the amount received from the Grand Trunk Pacific Railway Company for right of way through their reserve, for amendment, and noted the directions set forth for further occasions perhaps to arise.

With reference to the declaration, I originally did not ~~not~~ notice it on being on about the last page of the books, and, therefore, in lieu then procured one such form locally. But, at any rate, I beg to return herewith these books (2) in fully amended form as so kindly directed them to be.

ACCOUNTANTS
JAN 15 1921
BRANCH

2 pay lists

I have the honour to be,

Sir,

Your obedient servant,

H. E. Perry

Indian Agent.

The Assistant Deputy and Secretary,

Department of Indian Affairs

OTTAWA.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

444200

GRAND TRUNK PACIFIC RAILWAY

FILE B.C. 517

INTER-DEPARTMENT CORRESPONDENCE

DEPT. OF INDIAN AFFAIRS
AUG 24 1920
SURVEYS

DEPT. OF INDIAN AFFAIRS
AUG 21 1920
RECORDS

Winnipeg, Man. 17th August, 1920.

541700

Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

Re: Squiniixetat Indian Reserve No. 2.

I refer you to your letter of 15th August, 1919, your file 444200, with regard to the Right-of-way through this reserve, payment of which was made to your Department in 1914. Can you now advise if Crown Grant can now issue?

Stand-pending report of Royal Commission
See letter of 30/8/20
File 41355-68

Yours truly.

Asst. Solicitor.

GMH/O

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

45-5689

DEPT. OF INDIAN AFFAIRS
MAR 8 1921
RECORDS

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT

THE GRAND TRUNK PACIFIC RAILWAY COMPANY

GERARD RUEL,
COUNSEL,
TORONTO

R. H. M. TEMPLE,
GENERAL SOLICITOR,
WINNIPEG

D. O. OWENS,
ASST. SOLICITOR,
WINNIPEG

WINNIPEG, MAN., 3rd March, 1921.

REFER TO FILE NO. B.C. 325

549386

Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:- Your file 455689.
Re: Chig - ni- Kaht Indian Reserve.

With further reference to my letter of 17th August last, with regard to the right-of-way through this reserve, can you now advise if Grant is now ready.

Yours truly,

Asst. Solicitor.

GMH/O

confirmed Apl 5-1916

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151/16

444200

DEPT. OF INDIAN AFFAIRS
MAR 8 1921
RECORDS

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT

THE GRAND TRUNK PACIFIC RAILWAY COMPANY

GERARD RUEL,
COUNSEL,
TORONTO

R. H. M. TEMPLE,
GENERAL SOLICITOR,
WINNIPEG

D. O. OWENS,
ASST. SOLICITOR,
WINNIPEG

WINNIPEG, MAN., 3rd March, 1921.

REFER TO FILE NO. B.C. 317

DEPT. OF INDIAN AFFAIRS
MAR 10 1921
SURVEYS

549388

Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

Re Squinlixstat Indian Reserve No. 2.

With further reference to your letter of 15th August 1919, your file 444200, and my letter of 17th August last, regarding the Right-of-way through this reserve, can you advise if Grant is now ready.

Yours truly,

Asst. Solicitor.

GMH/O

LANDS BRANCH
MAR 11 1921

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22,151/16.

Ottawa, March 11, 1921.

Sir,-

In reply to your letter of the 3rd instant, in regard to right of way through the Squinlixstat Indian Reserve No. 2, I beg to say that the Department is not in a position yet to consider the question of issuing a Crown Grant.

Your obedient Servant,

WND

W. A. Orr.

(W. A. Orr)
In Charge lands & Timber Branch.

G. M Hair, Esq.,
Assistant Solicitor,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

45 455689 22151/16

CANADIAN NATIONAL RAILWAYS
GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

R. H. M[redacted]E,
GENERAL SOLICITOR.

G. M. HAIR, D. O. OWENS,
G. M. RUSSELL, J. R. BLACK,
ASST. SOLICITORS.

DEPT. OF INDIAN AFFAIRS
NOV 8 1921
RECORDS

WINNIPEG MAN., Novr. 4th, 1921.

REFER TO FILE NO. BC. 525

DEPT. OF INDIAN AFFAIRS
NOV 10 1921
SURVEYS

559504

Secretary
Department of Indian Affairs,
Ottawa,
Ont.

Dear Sir:-

Your file 455689.
Re Chig-ni-Kaht Indian Reserve.

Referring to my letter of 3rd March last with regard to right-of-way through this reserve, can you now advise if Grant is now ready.

Yours truly,

Asst. Solicitor.

GMH/F.

Confirmed by R. C., H.S.

was advised 16 Aug 1919. Rather hereunder.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16G.T.P.

Ottawa, November 14, 1921.

Sir:-

In reply to your letter of the 4th instant NoSC-325, dealing with right-of-way through Chig-ni-kaht Indian Reserve, I have to advise that the Department is not in a position to consider the question of issuing a Crown Grant.

Your obedient servant,

J. D. McLean

Assistant Deputy & Secretary.

G. M. Hair, Esq.,
Assistant Solicitor,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-1-16

CANADIAN NATIONAL RAILWAYS
GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

R. H. [redacted]PLE,
[redacted]AL SOLICITOR.
G. M. HAIR, D. O. OWENS,
G. M. RUSSELL, J. R. BLACK,
ASST. SOLICITORS.

WINNIPEG, MAN., Novr.30th, 1921.

REFER TO FILE NO. B.C. 317

560431

DEPT. OF INDIAN AFFAIRS
DEC 3 1921
RECORDS

The Secretary,
Department of Indian Affairs
OTTAWA,
Ont.

DEPT. OF INDIAN AFFAIRS
DEC 5 1921
SURVEYS

563203 Yr file 22,151/16.

Dear Sir:-

For some time past we have been corresponding with your Department with regard to the right-of-way through certain Indian Reserves in British Columbia, and in your communications you advised that the matter of issue of patent for the right-of-way would require to be delayed until the report of the Royal Commission on Indian reserves in British Columbia had been confirmed by the two Governments.

Would you kindly advise if any decision has been handed down, by the Commission, and if so, what are the terms of the finding?

Yours truly,

Asst.Solicitor.

GMH/F.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 7th December 1921

Description for patent
See (O.C. 25th July 1914)

All that parcel of land in the Squinlixstat Indian reserve Number Three, in the District of Prince Rupert, Province of British Columbia and Dominion of Canada, containing three acres and forty-one hundredths of an acre more or less and being composed of the right of way of the Grand Trunk Pacific Railway through the said reserve. The said right of way is shown on a plan of survey signed by B.B. Kelliher, Chief Engineer, dated 19th July 1913 and recorded in the Land Registry Office at Prince Rupert under Number 1059, a copy of which is recorded in the Surveys Branch of the Department of Indian Affairs under Number R.R.1358. Provided and it is hereby expressly declared that this patent is issued and accepted without recourse against the Dominion Government, in the event of the establishment of any claim on the part of or under the Province of British Columbia to the said land or any interest therein.

NOTE
This reserve cut off by Ryl Com. Report.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, 7th December 1921

Description for patent

See (O.C.28th July 1914)

All that parcel of land in the Squinlixstat Indian reserve Number Three, in the District of Prince Rupert, Province of British Columbia and Dominion of Canada, containing three acres and forty-one hundredths of an acre more or less and being composed of the right of way of the Grand Trunk Pacific Railway through the said reserve. The said right of way is shown on a plan of survey signed by B.B.Kelliher, Chief Engineer, dated 19th July 1913 and recorded in the Land Registry Office at Prince Rupert under Number 1059, a copy of which is recorded in the Surveys Branch of the Department of Indian Affairs under Number R.R.1358. Provided and it is hereby expressly declared that this patent is issued and accepted without recourse against the Dominion Government, in the event of the establishment of any claim on the part of or under the Province of British Columbia to the said land or any interest therein.

Cut off by this reserve
Pyl. Comm. Report

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 7th December 1921

Description for patent
see (O.C. 5th August 1914)

All those parcels of land situate in the Chig-ik-kaht Indian reserve Number Eight, in the District of Prince Rupert, Province of British Columbia and Dominion of Canada, containing together eight acres and eighteen hundredths of an acre more or less and being composed of the right of way of the Grand Trunk Pacific Railway thro' the said reserve. The said parcels are shown on a plan of survey made by A.R.Barrow, British Columbia Land Surveyor, dated 5th November 1913 and recorded in the Land Registry Office at Prince Rupert under Number 1070, a copy of which is recorded in the Surveys Branch of the Department of Indian Affairs under Number RR 1369. Provided and it is hereby expressly declared that this patent is issued and accepted without recourse against the Dominion Government, in the event of the establishment of any claim on the part of or under the Province of British Columbia to the said land or any interest therein.

WRW

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, 7th December 1921

Description for patent
(O.C. 5th August 1914)

see

All those parcels of land situate in the Chig-in-kaht Indian reserve Number Eight, in the District of Prince Rupert, Province of British Columbia and Dominion of Canada, containing together eight acres and eighteen hundredths of an acre more or less and being composed of the right of way of the Grand Trunk Pacific Railway through the said reserve. The said parcels are shown on a plan of survey made by A.R. Farrow, British Columbia Land Surveyor, dated 5th November 1913 and recorded in the Land Registry Office at Prince Rupert under Number 1070, a copy of which is recorded in the Surveys Branch of the Department of Indian Affairs under Number RR 1369. Provided and it is hereby expressly declared that this patent is issued and accepted without recourse against the Dominion Government, in the event of the establishment of any claim on the part of or under the Province of British Columbia to the said land or any interest therein.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 9th December 1921

Sir,- Your files Nos.B.C.317 & B.C.325.

With reference to previous correspondence in connection with the issue of patents for the right of way of the Grand Trunk Pacific railway through the Squinlixstat Indian reserve No.3 and the Chig-in-kaht Indian reserve No.8,I have to inform you that this Department is now prepared to transfer these lands to your Company according to the descriptions enclosed, as soon as information is received from you that these descriptions are satisfactory to your Company.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

G.M.Hair Esq.,

Assistant Solicitor,
Canadian National Railways,

Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

SCHEDULE ATTACHED:

GISH-NI-KAHT Reserve.-

ALL that portion of Indian Reserve No.8 (Gish-ni-Kaht) in the District of Prince Rupert in the Province of British Columbia and being in Range Five (5) Coast District, taken for right-of-way of the Grand Trunk Pacific Railway Company as said right-of-way is shewn on a plan thereof and of other right-of-way deposited in the Land Registry Office at Prince Rupert in the Province of British Columbia as Plan No. 1149, the area hereby conveyed containing 8.91 acres more or less.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

SCHEDULE ATTACHED:

-Squinlixstatt Indian Reserve.-

ALL that portion of Indian Reserve No.3. (Squinlixstatt in the District of Prince Rupert in the Province of British Columbia and being in the Cassiar District, taken for right-of-way of The Grand Trunk Pacific Railway Company, as the said right-of-way is shewn on a plan thereof and of other right-of-way deposited in the Land Registry Office at Prince Rupert in the Province of British Columbia as plan No. 1156, the area hereby conveyed containing 3.80 acres more or less.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

CANADIAN NATIONAL RAILWAYS
GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

DEPT. OF INDIAN AFFAIRS
DEC 20 1921
RECORDS

R. [redacted] TEMPLE,
GENERAL SOLICITOR.

G. H. HAIR, D. C. OWENS.
G. M. RUSSELL, J. R. BLACK,
ASST. SOLICITORS.

WINNIPEG, MAN., Decr.16th, 1921.

REFER TO FILE NO. B.C. 517- B.C. 525

The Secretary,
Department of Indian Affairs
O t t a w a.
Ont.

561138

Dear Sir:-

- re Squiniixetatt Indian Reserve & Cigh-ni-Kaht Indian Reserve.
Your file 22151-16.

Referring to yours of 9th inst., I annex hereto description of the right-of-way through these two Reserves according to which we are required to take title. I shall be glad to receive Crown Grant at your convenience.

Yours truly,

Asst. Solicitor.

GMH/F.

DEPT. OF INDIAN AFFAIRS
DEC 20 1921
SURVEYS

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 21st December 1921

Sir,- Your file No.B.C.317 - B.C.325

With reference to your letter of the 16th instant enclosing copies of descriptions which your Company will accept as being satisfactory for insertion in the patent, it is noted that you have omitted the last sentence of those descriptions forwarded to you by this Department and I have to inform you that the Department is not in a position to issue patent at the present time without the insertion of this clause, but it is hoped that during the coming year final adjustment will be made in connection with the report of the Royal Commission, and in that event the insertion of this clause will not be necessary

It is also noted that the plans referred to as deposited in the Land Registry Office are not the same as those filed by your Company with this Department and that the areas have been increased. In view of this will you be good enough to have forwarded to this Department a cheque covering the following payments for the extra right of way,-

.39 acres in Squinliketat I.R. at $16.00.....$ 6.24

.73 acres in Chig-ni-kaht I.R. at $20.00..... ..... 14.60

Total.....$20.84

It will be also necessary to have deposited in this Department copies of your amended plans of right of way, in so far as they affect these two reserves, with the Registrar's certificate endorsed thereon stating them to be true copies of plans or parts of plans recorded in his office and stating his record number.

Your obedient servant,

J D McLean

(J.D.McLean)

Assistant Deputy and Secretary

C.M.Hair Esq.,
Assistant Solicitor,
Canadian National Rwys.,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-161

CANADIAN NATIONAL RAILWAYS
GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

DEPT. OF INDIAN AFFAIRS
JUN 17 1922
RECORDS

R. H. M. T[redacted] E.
GEN[redacted] LICITOR.
G. M. [redacted] D. O. OWENS.
G. M. RUS[redacted] L. J. R. BLACK.
ASST. SOLICITORS

WINNIPEG, MAN., June 14, 1922.

REFER TO FILE NO. B.C. 325 317 299

DEPT. OF INDIAN AFFAIRS
JUN 19 1922.
SURVEYS

Yr files 22151-16- 444-200
415.566

Secretary
Department of Indian Affairs,
OTTAWA ONT.

568217

Dear Sir:-

re Chig-mi-Kahj- Indian Reserve.-
" Squinlixstat " "
" Salaquo " "

Referring to previous correspondence with regard to the right-of-way through these Reserves, can you now advise whether the Royal Commission has issued its finding.?

Yours truly,

Asst.Solicitor.

GMH/F

8

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 19th June 1922

Sir,- Your files B.C. 325 317 299

In reply to your letter of the 14th instant, I have to inform you that the final report of the Royal Commission has not as yet been confirmed.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

G.M.Hair Esq.,
Assistant Solicitor,
Legal Department,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

CANADIAN NATIONAL RAILWAYS
GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

569478

R. H. [illegible]MPLE.
GE[illegible]AL SOLICITOR.

G. H. HAIR, D. C. OWENS.
G. M. RUSSELL, J. R. BLACK.
ASST. SOLICITORS

WINNIPEG, MAN.,

REFER TO FILE NO. B.C.317
B.C.325

DEPT. OF INDIAN AFFAIRS
JUL 17 1922
SURVEYS

July 12th, 1922.

RECORDS
JUL 17 1922
INDIAN AFFAIRS

J. D. McLean, Esq.,
Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir -

8.91 ac RR 1369A
- Chig-ni-Kaht Indian Reserve
and
Squinlixstate Indian Reserve — RR 1358A 3.50 ac

Referring to your letter to me of December 21st, 1921, I now enclose herewith certified blue print showing the Company's right of way through the above named reserves.

Yours truly,

RHMT/M
Encl.

These plans were forwarded to you under registered cover on July 10th.

6

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 18th July 1922

Sir,- Your files Nos. B.C.317 - B.C.325

I have to acknowledge the receipt of certified copies of the plan of your right of way through the Chignikaht and Squinlixetat Indian reserves as forwarded under cover of your letter of the 12th instant. Your attention is directed to Departmental letter dated the 21st December last, in which it was pointed out that there is still a sum of $20.84 to be paid by your Company in connection with this right of way and I would request that you be good enough to have a cheque for this amount forwarded at an early date.

Your obedient servant,

A F Mackenzie

(A.F.MacKenzie)
for Assistant Deputy and Secretary.

R.H.M.Temple Esq.,
Barrister,
Legal Department,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 GTP

Ottawa, 18th October 1922

Sir,-

I beg to refer you to our letter of the 15th July last, your Files BC 317 and BC 325, regarding the balance due for the right of way through the Chignikaht and Squinlixatat Indian reserves. I shall be pleased to receive your cheque at an early date.

Your obedient servant,

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

R.H.M.Temple Esq.,
Barrister,
Legal Department,
Canadian National Railways,
Winnipeg, Man.

4

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 G.T.R.

CANADIAN NATIONAL RAILWAYS
GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

DEPT. OF INDIAN AFFAIRS
OCT 27 1922
RECORDS

R. H. M. [illegible] PLE,
GENERAL SOLICITOR.

G. M. HAIR, D. O. OWENS,
G. M. RUSSELL, J. R. BLACK,
ASST. SOLICITORS

WINNIPEG, MAN., Octr.24, 1922.

REFER TO FILE NO. B.C.525 B0.517

DEPT. OF INDIAN AFFAIRS
OCT 30 1922.
SURVEYS

The Secretary
Department of Indian Affairs,
OTTAWA,
Ont.

573992

Dear Sir:-

- Squilixstet Indian Reserve
Chig-ni-kaht Indian Reserve -
Your file 22151.16

Answering yours of 18th, I have passed voucher for the $20.84 required to settle this outstanding. I may say that the delay in settling this matter is due to the dispute between the Provincial and Dominion Governments regarding the status of the B.C.Reserves, a dispute which I believe is the subject of a Royal Commission the result of which has not yet been announced. We are, however, vouchering this small balance as the bulk of the price has been paid and it will be subject to reclaim if it turns out that the Indian Department cannot give title.-

Yours truly,

Asst.Solicitor.

GMH/F.

3

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1 - 22151-16

BANK RECEIPT No. 7342

NOV 11 1922

20 84 Chq. 57441

Date 7 Nov. 1922

C

Entered Journal No. 22 Folio 100 pt

Dept. Receipt No. C43155

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADIAN NATIONAL RAILWAYS
GRAND TRUNK PACIFIC RAILWAY
LEGAL DEPARTMENT

DEPT. OF INDIAN AFFAIRS
NOV 8 1922
RECORDS

R. H. [redacted] SOLICITOR.
G. M. HA[redacted] D. O. OWENS.
G. M. RUSSELL. J. R. BLACK.
ASST. SOLICITORS

WINNIPEG, MAN., Nov4. 3rd, 1922.

REFER TO FILE NO. B.C. 325- B.C. 317

DEPT. OF INDIAN AFFAIRS
NOV 14 1922.
SURVEYS

574411

The Secretary,
Department of Indian Affairs,
Ottawa,
Ont.

Dear Sir:-

- Squinlixstat Indian Reserve.-
- Chig-na-kaht " " -

Yr file 22151.16.

Referring to my letter of 24th ulto.,I now enclose voucher and cheque in your favor for $20.84. Kindly sign receipt appended to the voucher and return to me.

It is understood that this payment and the previous payments will be recoverable by the Railway Company, in the event of it transpiring that the title to these reserves is not in the Department of Indian Affairs.

Squin-lix-stat #6.24
Chig-na-kaht. #14.60
Exhibit Sale
Page 341

Yours truly,
Asst.Solicitor.

GMH/F.
Encl.

2

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

820 84
Superintendent
Re Letter Secretary 21 Dec 1912

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 cn.

CANADIAN NATIONAL RAILWAYS

OFFICE OF THE RIGHT OF WAY AND PROPERTY AGENT

DEPUTY OF INDIAN AFFAIRS
NOV 13 1922
RECORDS

IN YOUR REPLY REFER TO
FILE NO. 1014/-

Surveys

WINNIPEG, MAN. NOV. 9, 1922.

574663

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Dep rtment of Indian Affairs,
Ottawa, Ont.

Re: G.T.P. Rly. Right of Way in Squin-lix-stat Indian Reserve No. 3.

Dear Sir:

As requested in your letter of the 16th ulto. file 22151-2 G.T.P., I enclose blueprint of Registered Plan showing the Right of Way through the above mentioned Indian Reserve, giving particulars of the original area shown on the location Plan and corrected area as shown by final survey on Registered Plan.

Original Area Acres.	Corrected Area as per Reg'd. Plan. Acres.	Reg'd. Plan.
3.41	3.80	Cassiar Dist. B.C. No. 1156

Yours truly,

E. Brodrick

Right of Way &
Property Agent.

HEB/O.

B

Company paid for 3.80 ac
ck. 14/7/14 for 155 sq ft @ 3.456 sq ft = 3.41 ac
ck. 7/11/22 for balance @ 62¢ per .39 ac
3.80

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 C.N.

CANADIAN NATIONAL RAILWAYS

OFFICE OF THE RIGHT OF WAY AND PROPERTY AGENT

DEPT. OF INDIAN AFFAIRS
NOV 13 1922
RECORDS

IN REPLY REFER TO
FILE NO. 1014/-

WINNIPEG, MAN. Nov. 9, 1922.

574661

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Re: G.T.P. Rly. Right of Way in Chig-ni-kaht Indian Reserve No. 8.

Dear Sir:

As requested in your letter of the 16th ulto. file 22151-2 G.T.P., I enclose blueprint of Registered Plan showing the Right of Way through the above mentioned Indian Reserve, giving particulars of the original area shown on the location Plan and corrected area as shown by final survey on Registered Plan.

Original Area Acres.	Corrected Area as per Reg'd. Plan. Acres.	Reg'd. Plan.
8.18	8.91	Rge. 5 Coast Dist. B.C. No. 1149

Yours truly,

comp. sat for E. Brodrick
Right of Way & Property Agent.

HEB/O.

8.91 ac.
wg - ck. 14/2/14 for 163.60 for 8.18 ac
ck. 7/11/22 inspdn 14.60 for .73 ac
178.20 8.91 ac

No. improvements
W.R.W.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

CANADIAN NATIONAL RAILWAYS

OFFICE OF THE RIGHT OF WAY AND PROPERTY AGENT

DEPT. OF INDIAN AFFAIRS NOV 18 1922 RECORDS

IN YOUR REPLY PLEASE REFER TO FILE NO. 2014/-

Survey

WINNIPEG, MAN. NOV. 9, 1922.

DEPT. OF INDIAN AFFAIRS NOV 13 1922 SURVEYS

574645

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Re: G.T.P. Rly. Right of Way in Kit-wan-gar Indian Reserve No. 1.

Dear Sir:

As requested in your letter of the 16th ulto. file 22151-2 G.T.P., I enclose blueprint of Registered Plan showing the Right of Way through the above mentioned Indian Reserve, giving particulars of the original area shown on the location Plan and corrected area as shown by final survey on Registered Plan.

Original Area Acres.	Corrected Area as per Reg'd. Plan. Acres.	Reg'd. Plan.
99.30	97.43	Cassiar Dist. B.C. No. 1156

Yours truly,

E. Brodrick

Right of Way & Property Agent.

HEB/O.

Ref-16285 Page 596

99.30
97.43
1.87 @ 15.00 an ac $28.05

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Name of Reserve.		Original Area Acres.	Corrected Area as per Regd. Plan Acres.	Reg'd. Plans.
Kyl-O-Clough	No. 6	5.95	4.66	Rge.5 Coast Dist.B.C. No.1167
Ne-um-law	24	1.18	0.68	" " " " " " " "
Kh-yex	8	2.55	2.15	" " " " " " " 1170
Sim-a-gord	3	3.05	3.01	" " " " " " " 1174
Kit-gum-kay-lum	1	32.94	30.20	" " " " " " " "
Kah-ish	4	68.95	65.70	" " " " " " " 1176
Kit-se-las	1	29.42	27.71	" " " " " " " "
Chig-ni-kahk	8	8.18	8.91	" " " " " " " 1169
Squin-lix-stet	3	3.41	3.80	Cassiar Dist.B.C.No.1156.
Kit-wan-gaw	1	99.30	97.45	" " " " " "
Kit-se-gues-la	1	103.99	120.16	" " " " " 1159
Kit-se-gues-la	2	23.60	23.57	" " " " " "
Gar-y-tse-gum	2	39.54	39.70	" " " " " 162
Keen-ta	6	15.42	15.66	Rge.5 Coast Dist.B.C.No.1150
Se-la-quo	4	23.03	22.88	Cariboo Dist.B.C.No.A-99
		485.53	466.46	

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 9 1/2

COPY
ORIGINAL ON
File 22168 1/

DEPT. OF INDIAN AFFAIRS
JAN 25 1923
RECORDS

CANADIAN NATIONAL RAILWAYS.
Office of the Right of Way and Property Agent.

Winnipeg, Man. Nov.9, 1922.

File No.1014/ Your File: 22151-2 G.T.P.

Mr. J.D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Re: G.T.P. Railway Right of Way through Indian Reserves in British Columbia.

Dear Sir:

I am in receipt of your letter of the 16th. ulto. and in accordance with your request in the last paragraph thereof I enclose memorandum of the several Indian Reserves in British Columbia from which Right of Way has been taken by the Grand Trunk Railway giving particulars of the area as shown on the original location Plan and the corrected area as per final Plan and the Number of Registered Plan and District. To accomodate your filing system I am also sending you separate letters covering each Reserve, giving the same information.

Yours truly,

(Sgd.) S. Broderick.

Right of Way &
Property Agent.

HHB/O

Enc.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Name of Reserve.		Original Area Acres.	Corrected Area as per Regd. Plan Acres.	Reg'd. Plan.
Kyl-O-Clough No.	6	3.93	4.64	Rge.5 Coast Dist.B.C. No.1167
Ke-am-law	24	1.18	0.82	" " " " " " " "
Kh-yex	8	2.53	2.15	" " " " " " " 1170
Xim-s-cord	3	3.05	3.01	" " " " " " " 1174
Kit-eam-kay-lum	1	32.94	30.30	" " " " " " " "
Kah-ish	4	65.95	65.70	" " " " " " " 1176
Kit-se-las	1	29.42	27.71	" " " " " " " "
Chig-ni-kaht	8	8.18	8.91	" " " " " " " 1149
Squin-lix-stat	3	3.41	3.80	Cassiar Dist.B.C.No.1156.
Kit-wam-gar	1	99.30	97.43	" " " " " "
Kit-se-guec-la	1	103.99	120.16	" " " " " 1159
Kit-se-guec-la	2	23.60	23.57	" " " " " "
Gar-ya-tsa-gum	2	39.54	39.70	" " " " " 162
Keem-ta	6	15.48	15.66	Rge.5 Coast Dist.B.C.No.1180
Se-la-que	4	23.03	22.88	Cariboo Dist.B.C.No.A-99
		455.53	466.46	

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY
ORIGINAL ON
File 22168-1

22151-16 G.T.P.

DEPT. OF INDIAN AFFAIRS
JAN 15 1923
RECORDS

CANADIAN NATIONAL RAILWAYS.
Office of the Right of Way and Property Agent.

Winnipeg, Man. Nov.9, 1922.

File No.1014/ Your File: 22151-2 G.T.P.

Mr. J.D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Re: G.T.P. Railway Right of Way through
Indian Reserves in British Columbia.

Dear Sir:

I am in receipt of your letter of the 16th. ulto. and in accordance with your request in the last paragraph thereof I enclose memorandum of the several Indian Reserves in British Columbia from which Right of Way has been taken by the Grand Trunk Railway giving particulars of the area as shown on the original location Plan and the corrected area as per final Plan and the Number of Registered Plan and District. To accomodate your filing system I am also sending you separate letters covering each Reserve, giving the same information.

Yours truly,

(Sgd.) E. Broderick.

Right of Way &
Property Agent.

EEB/O

Enc.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Name of Reserve.		Original Area Acres.	Corrected Area as per Regd. Plan Acres.	Reg'd. Plans
Wyl-O-Clough No.	6	3.93	4.66	Rge.5 Coast Dist.B.C. No.1167
Ne-am-law	24	1.18	0.82	" " " " " " " "
Kh-yex	8	2.85	2.15	" " " " " " " 1170
Xim-s-eord	3	3.05	3.01	" " " " " " " 1174
Kit-sum-kay-lum	1	32.94	30.30	" " " " " " " "
Kah-ish	4	65.95	65.70	" " " " " " " 1176
Kit-se-las	1	29.42	27.71	" " " " " " " "
Chig-ni-kahh	8	8.18	8.91 ✓	" " " " " " " 1149
Squim-lix-stat	3	5.41	5.80 ✓	Cassiar Dist.B.C.No.1156.
Kit-wan-kay	1	99.30	97.43 ✓	" " " " " "
Kit-se-gues-la	1	103.99	120.16	" " " " " 1159
Kit-se-gues-la	2	23.60	23.57	" " " " " "
Gar-ye-tse-gun	2	39.54	39.70	" " " " " 162
Keen-ta	6	15.48	15.66	Rge.5 Coast Dist.B.C.No.1180
Se-la-que	4	23.05	22.88	Cariboo Dist.B.C.No.A-99
		435.33	466.46	

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY
ORIGINAL ON
File 22168-1

22151-16

DEPT. OF INDIAN AFFAIRS
JAN
RECORDS

CANADIAN NATIONAL RAILWAYS.
Office of the Right of Way and Property Agent.

Winnipeg, Man. Nov.9, 1922.

File No.1014/ Your File: 22151-2 G.T.P.

Mr. J.D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Re: G.T.P. Railway Right of Way through
Indian Reserves in British Columbia.

Dear Sir:

I am in receipt of your letter of the 16th. ultc. and in accordance with your request in the last paragraph thereof I enclose memorandum of the several Indian Reserves in British Columbia from which Right of Way has been taken by the Grand Trunk Railway giving particulars of the area as shown on the original location Plan and the corrected area as per final Plan and the Number of Registered Plan and District. To accomodate your filing system I am also sending you separate letters covering each Reserve, giving the same information.

Yours truly,

(Sgd.) E. Broderick.

Right of Way &
Property Agent.

HRB/O

Enc.

22152
4278 6

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 G.T.P.

CANADIAN NATIONAL RAILWAYS
OFFICE OF THE RIGHT OF WAY AND PROPERTY AGENT

DEPT. OF INDIAN AFFAIRS
JAN 23 1923
RECORDS

IN YOUR REPLY REFER TO
FILE NO. L.114 Gen.

WINNIPEG, MAN. Jan. 17th, 1923.

DEPT. OF INDIAN AFFAIRS
MAR 1 1923
SURVEYS

578065

Mr. J. D. McLean,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Re: Kit-wan-gar Indian Reserve No. 1,
Mile 154, East of Prince Rupert, G.T.P.

Dear Sir:

Agreeable to your letter of the 11th instant, your file 22168-1, I give below particulars of the above mentioned Indian Reserve for which Patent has issued for the Right of Way in accordance with the location plan which has since been slightly altered by the Registration of a B.C. Land Surveyor's plan showing actual area taken for Right of Way and Station Grounds.

Area per loc. plan Acres.	Amount paid Land	Improvets.	Area per Reg. plan Acres.	Amount payable Land	Improvets.
99.30	$1,489.50	$1,670.00	97.43	$1,461.45	$1,670.00

Over-payment $28.05

Yours truly,

E. Brodrick

Right of Way &
Property Agent.

HEB/O.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Distribution of Moneys received from Grand Trunk Pacific Railway on account of Rights of Way and Improvements through the following reserves

Reserve	Final Area	Rate per acre	Compensation Right of Way	Improvements	Total
Villamlough #5	4.66	50.00	233.00	--	233.00
Wenlaw #4	.82	50.00	40.00	--	40.00
Khyex #8	2.15	75.00	161.25	40.00	201.25
Zimacord #3	3.01	45.00	135.45	35.00	170.45
Kelish	65.70	15.00	985.50	50.00	1035.50
Kitwangar #1	97.43	15.00	1461.45	1855.00	3316.45
Kitsequecla #1	120.16	12.00	1441.92	220.00	1661.92
Kitsequecla #2	23.57	12.00	282.84	--	282.84
Kitsumkaylum #1	30.30	45.00	1363.50	2295.00	3658.50
(Gravel pit)			40.00	--	40.00
Kitselas #	27.71	2.50	69.27	1790.00	1859.27
Chimdemash	3.46	10.00	34.60	--	34.60
Andimaul	73.71	(not determined) (held on account)	361.27	1192.00	1553.27
			6651.05	7477.00	14138.05

Received from Grand Trunk Pacific Rwy.

8th May 1909	1100.00
13th Aug 1909	1900.00
18th Nov 1909	1470.00
21st Jun 1910	5000.00
5th Jul.1910	220.00
13th Dec 1910	23.05
19th Apr 1911	40.00
7th Dec.1911	4000.00
9th Apr 1912	110.00
28th Jun 1912	75.00
10th July 1914	200.00
	14138.05

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 9th June 1923

Sir,-

In reply to your letter of the 9th November last, your file No.1014, regarding the right of way of the Grand Trunk Pacific railway through the Kitwangar Indian reserve No.1, it is noted that the area of the right of way as finally determined is 97.45 acres, which at the valuation of $15.00 per acre, and improvements valued at $1855.00, amounts to $3316.45 and has been paid for in full as per our statement submitted concurrently.

It will be necessary for you to file a certified copy on tracing linen of your registered plan for permenent record in this Department.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

E.Brodrick Esq.,
Right of Way and Property Agent,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

CANADIAN NATIONAL RAILWAYS
WESTERN REGION

DEPT. OF INDIAN AFFAIRS
SEP 7 1923
RECORDS

E. BRODERICK.
REGIONAL RIGHT OF WAY AGENT

WINNIPEG, MAN., Sept. 1st, 1923.

IN YOUR REPLY REFER TO FILE NO. 1014/154

file

R

Your file 22151-16.

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

Re - Kitwangar Indian Reserve No. 1.

I am in receipt of your letter of June 9th, 1923, advising that you have adjusted your records to show payment in full for the right of way on this Reserve.

I have requested our Chief Engineer to supply me with certified copy of plan, on tracing linen, deposited with the Registrar with respect to this Reserve, which I will send you as soon as received.

Yours truly,

E. Broderick

Regional Right of Way Agent.

HEB/W.

B

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22168-1

Ottawa, 13th October 1923

Sir,-

I beg to acknowledge the receipt of your letter of the 9th instant, your file 1014 Gen. and 1014-100, with accompanying plan of right of way of the Grand Trunk Pacific Railway through the Chignikaht Indian reserve No.8.

I would suggest that in addition to the information you have shown that the title might be changed to read somewhat as follows,-

Grand Trunk Pacific Railway Company
Plan of Right of Way through
Chignikaht Indian reserve No.8
Range 5, Coast District, B.C.
Dated (date of approval by the proper officer of your Company)
Scale --------
Followed by the note which you have made on this blueprint.
Certified by the Board of Railway Commissioners (date)

The plan should bear certificate somewhat as follows,- I hereby certify that the within instrument is a copy of a portion of a plan received and filed in the Land Registry Office at Prince Rupert (date), recorded under No.---, signed by the Registrar or the Deputy Registrar.

The plan should also be signed by the Chief Engineer of your railway company. One plan on tracing cloth and two blueprints should be filed, on each of which the lands proposed to be acquired should be coloured in a light pink, so that further prints may be made from the plan.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

E.Broderick Esq.,
Regional Right of Way Agent,
Canadian National Rwys.,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

O. H. M. S.

Department of Indian Affairs,

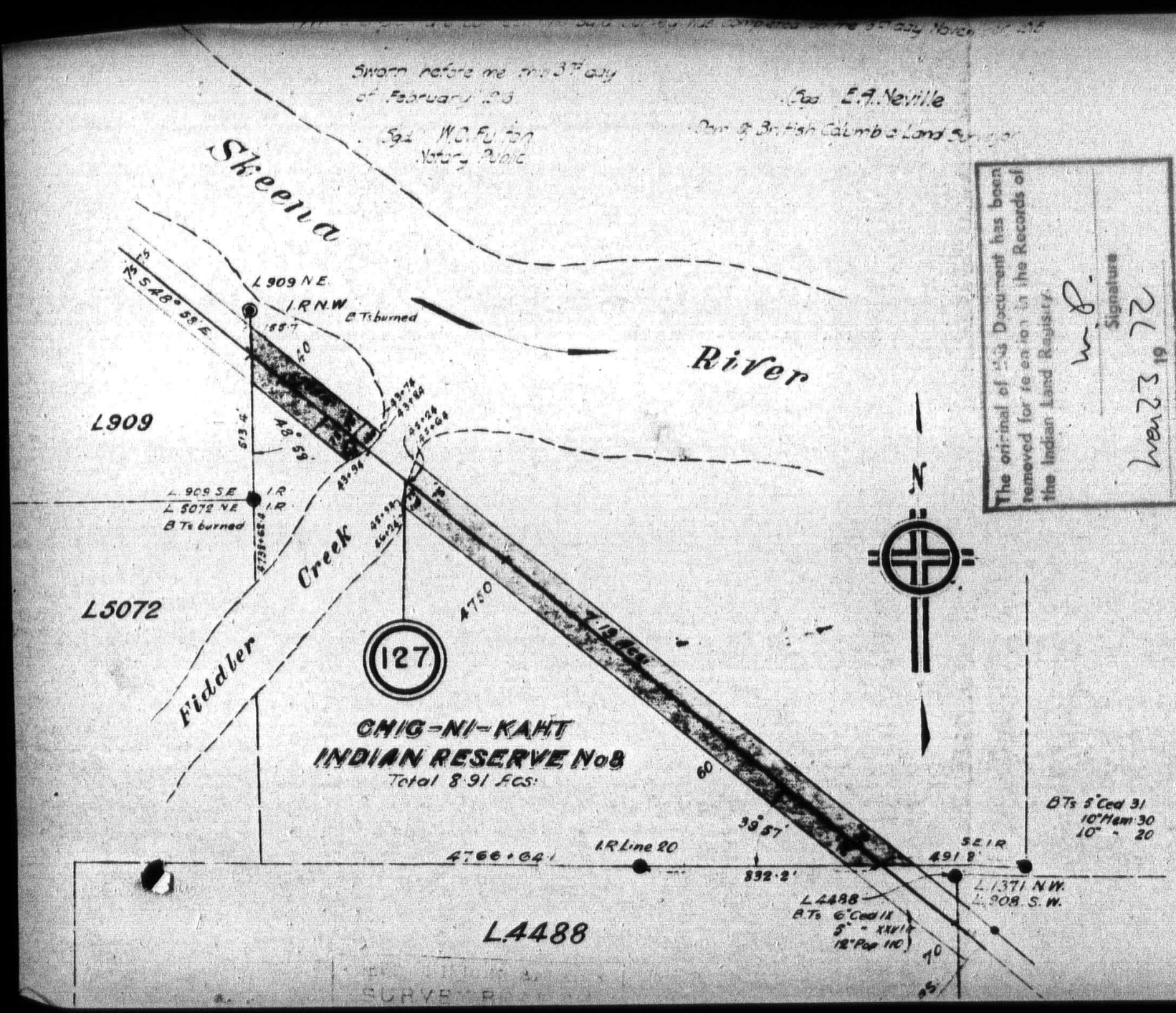
Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Sworn before me this 3rd day
of February 1913

Sgd W.C. Fulton
Notary Public

Sgd E.A. Neville
Dom. & Br. Brish Columbia Land Surveyor



The original of this Document has been removed for re-entry in the Records of the Indian Land Registry.

Signature

Mar 23 1922

GRAND TRUNK PACIFIC RAILWAY Co

PLAN OF RIGHT OF WAY
through

Chig-ni-kaht
Indian Reserve No 8
Range 5 - Coast District - British Columbia

Scale 400 - 1"

Note - Constructed alignment
Chainage 0-00 - South boundary of lot 873, Coast Dist:
Bearings are astronomical, derived from solar observati
are referred to the meridian passing through the N.W.
of lot 2500, R5 Coast District.
Wooden posts found shown thus:- ●
Iron posts, marked G.T.P planted, shown thus -●
All iron posts are planted on boundary of Right of Way, exc

I hereby certify that the within instrument is a copy of a portion of
received and deposited in the Land Registry Office at Prince Rup
on 27th February 1913 as No 1129

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

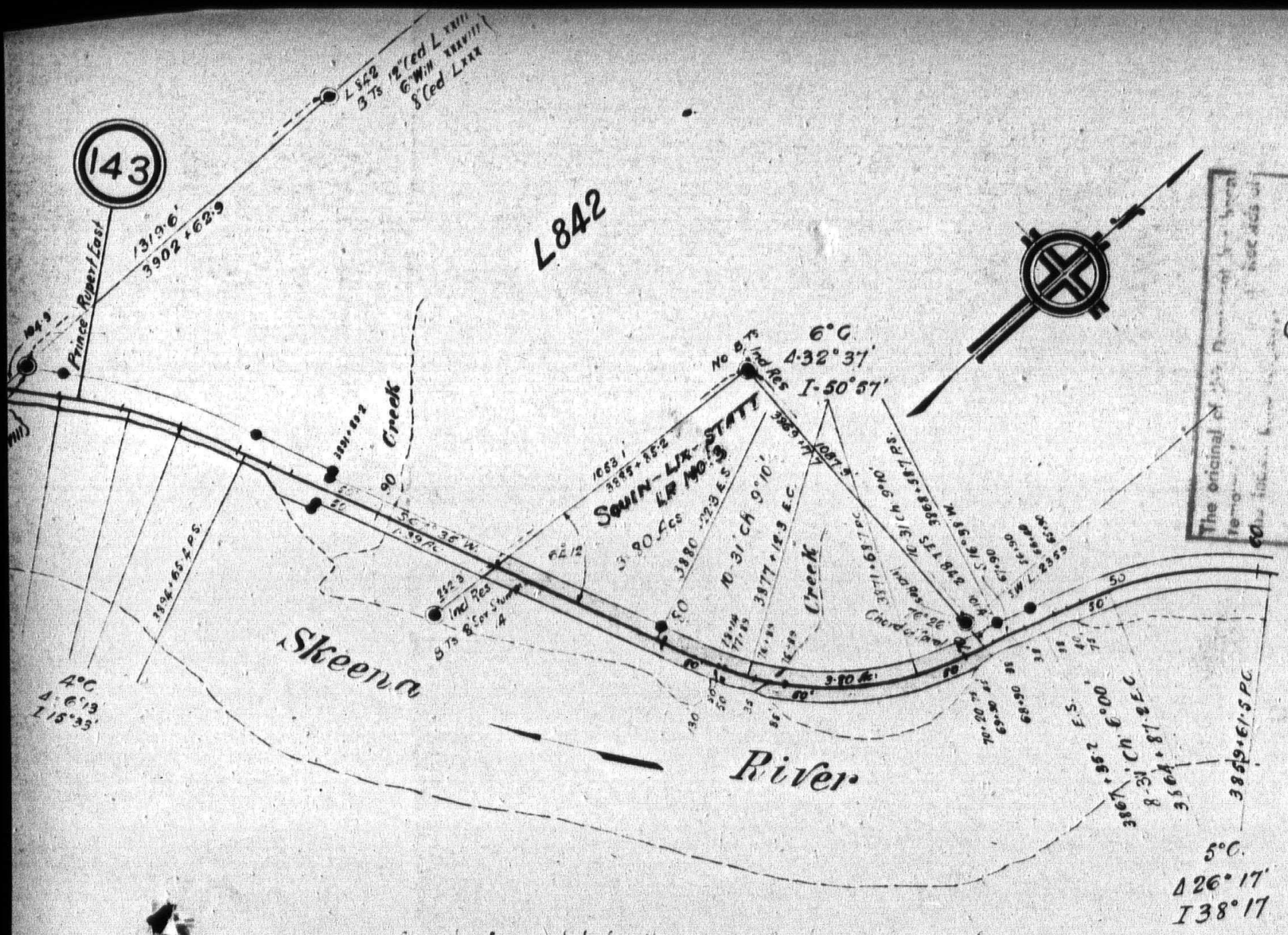
Sworn before me this 29th d
of December 1915.

(Sg'd) W.E.Williams
A Notary Public for British Columbia.

GRAND TRUNK PAC

PLAN OF RIGH
through

Squin-lix
Indian Rese
Cassiar District –
Scale



Note- Constructed alignment
Chainage 0+00 - South boun
Bearings are astronomical,
are referred to the meridian
of Lot 700, Cassiar District.
Wooden posts found shown th
iron posts, marked G.T.P plan
All iron posts are planted on t

Copy of part of completed railway plan filed with the Board of Railway Commissioners for Canada on the 28th day of May 1925, under Section 175 of the Railway Act.

I hereby certify that the within
received and deposited in the
on the 30th day of March 1917.

R.R. 1358^A
Sept. 4th 1926
22151-16

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22168-1e.m

CANADIAN NATIONAL RAILWAYS

WESTERN REGION

E. BROOKS
REGIONAL RIGHT OF WAY AGENT

R

DEPT. OF INDIAN AFFAIRS
SEP 8 1926
RECORDS

WINNIPEG, MAN., Sept. 4th, 1926.

IN YOUR REPLY REFER TO NO. 1014 Gen.
1014/100.

Your file 22168-I

DEPT. OF INDIAN AFFAIRS
SEP 8 1926
SURVEYS

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

Referring to your letter of Oct. 13th, 1925, with reference to information you require to be shown on plans of right of way through the various Indian Reserves crossed by the Grand Trunk Pacific Railway Company.

I enclose herewith one tracing and two linen white prints of right of way of the Grand Trunk Pacific Railway Company through Chignikaht Indian Reserve at mileage 127 Prince Rupert East. You will note that the tracing has been certified as a true copy of plan No. 1149 by the District Registrar Prince Rupert Land Registry Office. I trust you will now be in a position to issue patent to the Grand Trunk Pacific Railway Company for this right of way, and I shall be glad to receive same as early as possible.

Please acknowledge.

Yours truly,

E. Brookes

Regional Right of Way Agent.

Encls.
HRB/W.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22168-C.N.R.

CANADIAN NATIONAL RAILWAYS
WESTERN REGION

R

E. BRO... RIGHT OF WAY AGENT

WINNIPEG, MAN., Sept. 4th, 1926.
IN YOUR REPLY REFER TO NO. 1014/Gen.
1014/100
Your file 22168-1

DEPT. OF INDIAN AFFAIRS
SEP 8 1926
RECORDS

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

SEP 8 1926
SURVEYS

Dear Sir:-

Referring to your letter of Oct. 13th, 1923, with reference to information you require to be shown on plans of right of way through the various Indian Reserves crossed by the Grand Trunk Pacific Railway Company.

I enclose herewith one tracing and two linen white prints of right of way of the Grand Trunk Pacific Railway Company through Squin-lix-statt Indian Reserve No. 3, at mileage 143 Prince Rupert East. You will note that the tracing has been certified as a true copy of plan No. 1149 by the District Registrar Prince Rupert Land Registry Office. I trust you will now be in a position to issue patent to the Grand Trunk Pacific Railway Company for this right of way, and I shall be glad to receive same as early as possible.

Entered as plan RR 1358

Please acknowledge.

Yours truly,

E. Brodrick

Regional Right of Way Agent.

Encls.
HRB/W.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, 16th September 1926

R

Memorandum

Mr. McInnes,-

An Order in Council is requested to permit the sale of the right of way of the Grand Trunk Pacific Railway Company through the Squinlikstat Indian reserve No.3 of the Kitwangar band, containing 3.80 acres to the Company.

The right of way has been paid for in full amounting to $60.80 in accordance with the valuation made by an officer of this Department. The reserve is outside of the railway belt and has been recommended to be cut off by the Royal Commission. The lands to be transferred may be described as all that parcel of land situate in the Squinlikstat Indian reserve number Three of the Kitwangar band in the Province of British Columbia, comprising the right of way of the Grand Trunk Pacific Railway Company through the said reserve as shown coloured pink on a plan of the said right of way, by E.A.Neville, B.C.L.S., dated the 23rd day of December 1915, of record in the Surveys Branch of the Department of Indian Affairs at Ottawa, under number RR 1358A, which plan is certified as a copy of a portion of a plan deposited in the Land Registry Office of Prince Rupert as No.1156.

page 3rd

for Chief Surveyor

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

R

DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa, 16th September 1926

Memorandum

Mr. Mernes,-

An Order in Council is requested to permit the sale of the right of way of the Grand Trunk Pacific Railway Company through the Chignikaht Indian reserve No.8 of the Kitwangar band, containing 8.91 acres to the Company. The right of way has been paid for in full, amounting to $178.20, in accordance with a valuation made by an officer of this Department.

The reserve is outside of the railway belt and has been recommended for confirmation by the Royal Commission.

The lands to be transferred may be described as,

All that parcel of land situate in the Chignikaht Indian reserve No.8 of the Kitwangar band, in the Province of British Columbia, comprising the right of way of the Grand Trunk Pacific Railway Company through the said reserve, containing 8.91 acres, more or less, as shown coloured in pink on a plan of the said right of way by E.A.Neville, B.C.L.S., dated the 3rd February 1916, which plan is of record in the Surveys Branch of the Department of Indian Affairs at Ottawa, under number RR 1369A, which plan is certified as a copy of a portion of a plan deposited in the Land Registry Office at Prince Rupert as No.1149.

Page 391

for Chief Surveyor

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22168-16

Ottawa, 16th September 1926

Sir,- Ref. your files Nos. 1014 Gen and 1014/100

I am in receipt of your letter of the 4th instant, with accompanying plans of the right of way of the Grand Trunk Pacific Railway Company through Squinlixstat Indian reserve No.3 and Chignikaht Indian reserve No.8 of the Kitwangar band.

These plans have been recorded in the Surveys Branch of the Department of Indian Affairs at Ottawa as Nos. 1358 A and 1369 A respectively. Orders in Council are being applied for authorizing patents to issue.

Your obedient servant,

(J. D. McLean)
Assistant Deputy and Secretary.

E. Broderick Esq.,
Regional Right of Way Agent,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

September 18, 1926.

Sir,-

I have to refer to previous correspondence respecting the right of way of the Grand Trunk Pacific Railway Company through the Squinlikstat Reserve No. 3 and the Chignikaht Reserve No. 8 of the Kitwangar band.

Please advise this Department as to the name in which you wish to have the patents issued. The Department is at a loss to know whether it should be in the name of the Grand Trunk Pacific Railway Company or the Canadian National Railways.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

E. Broderick, Esq.,
Regional Right of Way Agent,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 C.P.

CANADIAN NATIONAL RAILWAYS

WESTERN REGION

E. BROD[illegible]K,
[illegible] RIGHT OF WAY AGENT

WINNIPEG, MAN., Sept. 24th, 1926.

IN YOUR REPLY REFER TO FILE NO. 1014/Gen.
1014/100

Your Refer -22151-16.

Re - Squinlikstat Reserve No.3, and
Chignikaht Reserve No. 8, of the Kitwangar Band.

R
DEPT. OF INDIAN AFFAIRS
SEP 27 1926

Mr. J. D. McLean,
Asst. Deputy and Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

In reply to your letter of the 18th instant, will say that the Patents for the right of way through these Reserves should be issued to the Grand Trunk Pacific Railway Company.

Yours truly,

E. Brodrick

HEB/F

Regional Right of Way Agent.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, September 29, 1926.

His Excellency

The Governor General in Council.

The undersigned begs to report that the Grand Trunk Pacific Railway Company has applied to the Department of Indian Affairs for a Right of Way through the Ghignikaht Indian reserve, No. 8, of the Kitwangar band, containing 8.91 acres which may be described as follows:

"All that parcel of land situate in the Ghignikaht Indian reserve, number Eight of the Kitwangar band, in the Province of British Columbia, comprising the right of way of the Grand Trunk Pacific Railway Company through the said reserve, containing eight acres and ninety-one hundredths of an acre, more or less, as shown coloured in pink on a plan of the said right of way, by E.A. Neville, B.C.L.S., dated the 3rd day of February 1916 which plan is of record in the Surveys Branch of the Department of Indian Affairs at Ottawa, under number RR 1569A, which plan is certified as a copy of a portion of a plan deposited in the Land Registry Office at Prince Rupert as number 1149."

ocl

The said land has been paid for in full by the Railway Company, amounting to $178.20 in accordance with a valuation made by an officer of this Department.

The undersigned has the honour to recommend that the said land be herewith transferred to the Grand Trunk Pacific Railway Company, pursuant to the provisions of Section 46 of the Indian Act, as amended by Section 1 of Chap. 14, 1-2 George V.

H.McL

S. G. 1-10-26

P. C. 7-10-26

O. C. 12-10-26

Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Synopsis.-The Canadian National Railways require 8.91 acres of land in the Chignikaht reserve No.8, of the Kitwangar band, B.C. as a right of way. The land has been paid for in full, amounting to $178.20, in accordance with a valuation made by an officer of this Department. In accordance with a special request from the Winnipeg Office of the Canadian National Railways, the transfer of title and issuance of the patent is being made in the name of the Grand Trunk Pacific Railway Company.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, September 29, 1926.

His Excellency

The Governor General in Council.

The undersigned begs to report that the Grand Trunk Pacific Railway Company has applied to the Department of Indian Affairs for a right of way through the Squinlikatat Indian reserve, No. 3, of the Kitwangar band, containing 3.80 acres which may be described as follows:

"All that parcel of land situate in the Squinlikatat Indian reserve, number Three of the Kitwangar band, in the Province of British Columbia, comprising the right of way of the Grand Trunk Pacific Railway Company through the said reserve as shown coloured pink on a plan of the said right of way, by E.A. Neville, B.C.L.S., dated the 23rd day of December 1915, of record in the Surveys Branch of the Department of Indian Affairs at Ottawa, under number RR 1558A, which plan is certified as a copy of a portion of a plan deposited in the Land Registry Office of Prince Rupert as number 1156."

The said land has been paid for in full, amounting to $60.80 in accordance with the valuation made by an officer of this Department.

The undersigned has the honour to recommend that the said land be herewith transferred to the Grand Trunk Pacific Railway Company, pursuant to the provisions of Section 46 of the Indian Act, as amended by Section 1 of Chap. 14, 1-2 George V.

Superintendent General
of Indian Affairs.

S. G. 1-10-26
P. C. 7-10-26
O. C. 13-10-26

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Synopsis.-The Canadian National Railways require 5.80 acres of land in the Squinlikatat reserve No.8, of the Kitwanger band, B.C. as a right of way. The land has been paid for in full, amounting to $60.80 in accordance with a valuation made by an officer of this Department. In accordance with a special request from the Winnipeg Office of the Canadian National Railways, the transfer of title and issuance of the patent is being made in the name of the Grand Trunk Pacific Railway Company.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

P. C. 1590

22151-16 C.P

DEPT. OF INDIAN AFFAIRS
OCT 16 1926
SURVEYS

R

AT THE GOVERNMENT HOUSE AT OTTAWA

Tuesday the 12th day of October, 1926.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL.

WHEREAS the Grand Trunk Pacific Railway Company has applied to the Department of Indian Affairs for a Right of Way through the Chignikaht Indian reserve, No 8, of the Kitwangar band, containing 8.91 acres which may be described as follows:

Checked and plotted on plan 25 Oct 1926

"All that parcel of land situate in the Chignikaht Indian reserve, number Right of the Kitwangar band, in the Province of British Columbia, comprising the right of way of the Grand Trunk Pacific Railway Company through the said reserve, containing eight acres and ninety-one hundredths of an acre, more or less, as shown coloured in pink on a plan of the said right of way, by E.A.Neville, B.C.L.S., dated the 3rd day of February 1916 which plan is of record in the Surveys Branch of the Department of Indian Affairs at Ottawa, under number RR 1369A, which plan is certified as a copy of a portion of a plan deposited in the Land Registry Office at Prince Rupert as number 1149."

copied

AND WHEREAS the said land has been paid for in full by the Railway Company, amounting to $178.20 in accordance with a valuation made by an officer of the Department of Indian Affairs;

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Superintendent General of Indian Affairs and pursuant to the provisions of Section 46 of the Indian Act, as amended by Section 1 of Chapter 14, 1-2 George V, is pleased to order that the said land be and it is hereby transferred to the Grand Trunk Pacific Railway Company.

Entd Vol 1 Page 314

Clerk of the Privy Council

The Honourable
The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

orig. 22151-16

Copy placed on file 22163-1

Ottawa, 10th January 1926

Sir,-

The Regional Right of Way Agent of your Company is requesting the issue of patent for the Grand Trunk Pacific railway right of way through Squinlikatat Indian reserve No.5 and Chiginkaht Indian reserve No.6 of the Kitwangar band, but before any further action is taken towards the issue of these patents, it is considered advisable to await your reply to departmental letter of the 30th November last, which requested you to forward a statement of any ~~other similar~~ claims for refund on account of your having secured patents from the provincial government. This letter was written in connection with the correspondence relating to Burns Lake Indian reserve No.18, your file BC 315, and Sheraton Creek Indian reserve No.19, your file B.C.316.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

The Regional Counsel,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

G. M. [illegible]
REGIONAL COUNSEL
D. O. OWENS, G. M. RUSSELL,
J. R. BLACK.
SOLICITORS

WINNIPEG, MAN.,

REFER TO FILE NO.

The Secretary, Department of Indian Affairs /2

Stellaquo Indian Reserve No. 5 - $1520.50 consideration paid February 14, 1914, and Grant issued and held unregistered on my file.

Seaspunket Indian Reserve - $767.00 paid February 14, 1914 - Grant issued to the Railway Company and held unregistered on my file.

Fort George Indian Reserve No. 2 - $1105.50 consideration paid February 1, 1918 - Grant was issued and title has been obtained in the name of the Railway Company.

Coryatsaquo Indian Reserve - $1827.95 consideration paid June 6, 1912 - Grant was issued and title has been obtained in the name of the Company.

The reason that the two Grants first above mentioned were never registered was owing to the fact that the same contained a proviso that title was accepted without recourse against the Dominion Government in the event of the establishment of any claim on the part of the Province of British Columbia to the lands contained therein. If the differences between the Dominion and the Province of British Columbia already referred to have been settled we should now be entitled to an amended Grant without this proviso.

In so far as the latter two reserves are concerned, I have not the titles in my possession, and am unable to say whether or not a similar proviso was contained in the Grants from which these titles issued.

I will appreciate very much receiving a full report from you at the earliest possible date.

Yours truly,

Regional Counsel.

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

DEPT. OF INDIAN AFFAIRS
JAN 18 1927
RECORDS

G. M. [redacted], GENERAL COUNSEL
D. C. OWENS, G. M. RUSSELL,
J. R. BLACK,
SOLICITORS

WINNIPEG, MAN., Jan. 15, 1927.

REFER TO FILE NO. B.C. 317 & 325.

R

DEPT. OF INDIAN AFFAIRS
JAN 20 1927
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re Indian Reserves, B.C., Your File 27151-16.

Replying to yours of the 10th instant, I have made a check of the G. T. P. right of way through B. C. Indian Reserves, and would like to report as follows:

Burns Lake Indian Reserve No. 18 - The consideration amounting to $1933.00 was paid to your Department on the 21st November, 1914, but no Patent has as yet issued.

Sheraton Creek Indian Reserve No. 19 - $457.00 consideration paid to your Department June 30, 1915, for which no Patent has issued.

Squin Lix Stat Indian Reserve No. 3 - $209.56 consideration paid July 10, 1914, no Patent issued.

Chig-ni-Khat Indian Reserve No. 8 - $163.00 paid July 10, 1914 - No Patent issued.

Noonla Indian Reserve No. 6 - $854.00 consideration paid February 25, 1914 - No Patent issued.

Salaqua Indian Reserve No. 4 - $1496.95 consideration paid April 8, 1914 - No Patent issued.

In all of these cases the issuing of Grant has been withheld pending the finding of Royal Commission with respect to dispute between the Province of British Columbia and the Dominion Government as to their respective rights in Indian lands, and although an interim report was made some time ago I do not appear to have received any advice that the same was confirmed by the Dominion and the Province. If the question has been definitely settled there should be no question of refund by your Department and Patents should be granted forthwith.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 20th January 1927

Sir,- Your files Nos.B.C.517 & 325

The information contained in your letter of the 15th instant is not that to which reference was made in departmental letter of the 10th instant which referred to departmental letter of the 30th November last. Your files No.B.C.515 and 516 will show that application for refund was made to this Department on account of your Company having secured from the provincial government patents for the rights of way in Burns Lake I.R.No.18 and Sheraton Creek I.R.No.19. The information which was requested in the above mentioned letters was that the Department be informed of all similar cases, if such exist, where your Company has already secured patent or is securing patent from the Provincial Government for your right of way through Indian reserves in British Columbia.

As the Department is inclined to consider favourably your application for refund in the case of Burns Lake and Sheraton Creek reserves and as it is necessary to provide for money for this purpose by parliamentary vote, it is desirable that any other cases should be included with the two above mentioned. The estimates for the coming year are now being prepared and you will realize the importance of the Department obtaining the information at an early date.

Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

G.M.Hair Esq.,
Regional Counsel,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 G.T.P.

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

R

GENERAL COUNSEL
D. C. DEWEY. G. M. RUSSELL.
J. R. BLACK.
SOLICITORS

WINNIPEG, MAN., Jan. 28, 1927.

REFER TO FILE NO. B.C. 317.

DEPT. OF INDIAN AFFAIRS
JAN 29 1927
SURVEYS

DEPT. OF INDIAN AFFS.
JAN 31 1927
RECORDS

Mr. J. D. McLean,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re B. C. Indian Reserve - Your File 27151-16.

I have received yours of the 20th instant in which you state that the information contained in my letter of the 15th January is not what you require.

I do not know what further report I can provide you with, as I think you will find from a further perusal of my letter that practically all of the reserves mentioned therein are ones on which consideration was paid to your Department several years ago, and that in most cases no patents have ever been issued. The Grants were held in abeyance pending settlement of disputes between the Province of British Columbia and the Dominion Government as to their respective rights in Indian lands. If the Royal Commission appointed has given its decision in favor of the Dominion Government then we should look to you for patents covering the lands, and if the decision were given in favor of the Province then application will have to be made to the Province and a refund obtained from your Department. You did not advise me of the decision of the Royal Commission, and after further consideration of the points raised in my letter above referred to I shall be pleased if you will write me.

Yours truly,

Regional Counsel.

Examine enclosure & P.C. thereto before reply 2/2/27

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 C.N.

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

DEPT. OF INDIAN AFF
MAR 5 1927
RECORDS

G. M. HAY
REGIONAL COUNSEL
D. O. OWENS, G. M. RUSSELL,
J. R. BLACK,
SOLICITORS

WINNIPEG, MAN., Febr. 2, 1927.

REFER TO FILE NO. B.C. 317.

Mr. J. D. McLean,
Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re B.C. Indian Reserves, Your File 22151-16.

Referring further to my letter of the 28th January, if you have had an opportunity of considering this matter I shall be pleased to receive a full report from you.

Yours truly,

Regional Counsel.

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 9th March 1927

Sir,- Your file No.517

With further reference to your letter of the 15th January last, I have to inform you that the Department is reviewing separately the facts concerning the rights of way in each of the reserves mentioned in your letter and I expect to be in a position to advise you shortly as to the decision in each case.

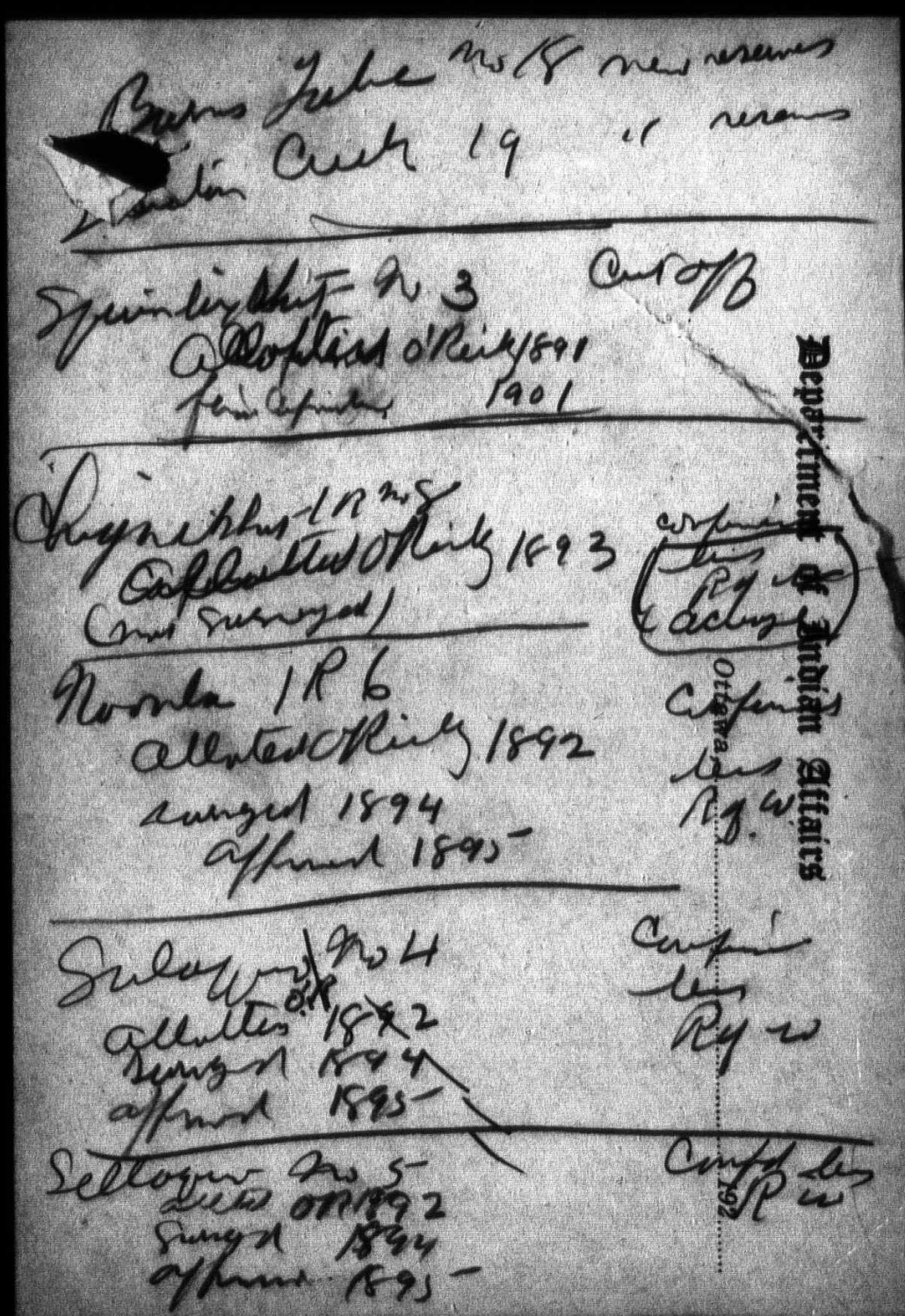
Your obedient servant,

(J.D.McLean)
Assistant Deputy and Secretary.

G.[illegible] Esq.,
Regional Counsel,
Canadian National Railways,
Winnipeg, Man.

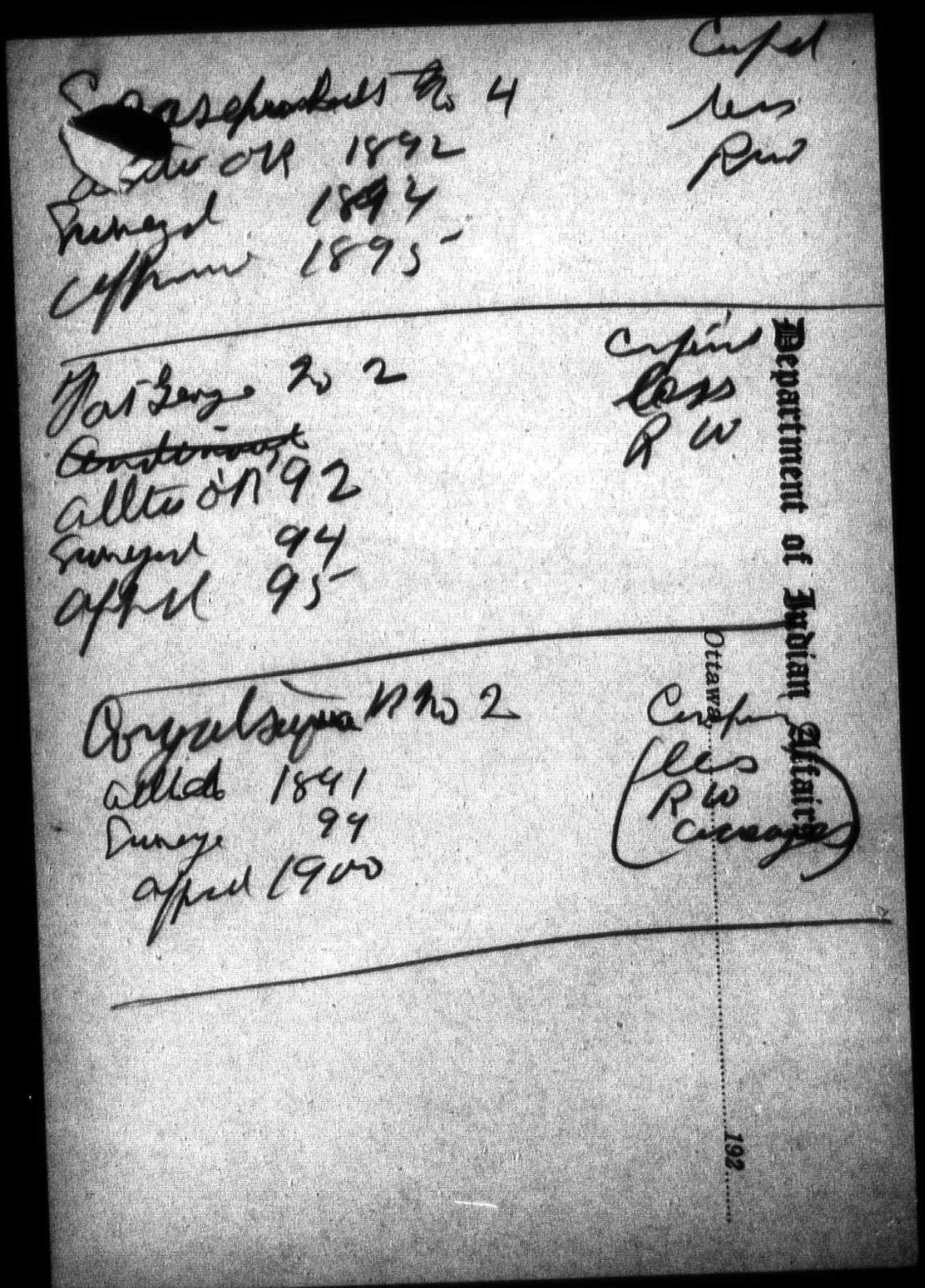
Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

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CANADA



Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA


Saskatchewan No 4
Treaty 1874
Signed 1874
Adhesion 1875

Copied
Sess
Rec'd

Fort Pelly No 2
Qu'Appelle
Treaty 1874
Adhesion 1876
Surveyed 74
Appd 75

Copied
Sess
R W

Qu'Appelle No 2
Treaty 1874
Adhesion 1876
Survey 74
Appd 75

Copied
Sess
R W

Department of Indian Affairs
Ottawa, ... 192

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

Ottawa, 27th April 1927

Sir,- Your ref.No.BC 317-325

With further reference to your letter of the 15th January last I have to say that, as you have been informed by departmental letter of the 25th instant, the Department is prepared to refund you money in connection with the right of way through Burns Lake Indian reserve No.18 and Sheraton Creek Indian reserve No.19. Preparation for patent for your right of way in the Squinlikstat Indian reserve No.3 and Chignihaht Indian reserve No.8 is now in hand.

On the 7th June 1923 the Department wrote Mr.E.Broderick, Right of Way Agent (his file No.1014/452) requesting that a certified copy of the registered plan of the right of way through the Salaquo Indian reserve No.4 be forwarded to the Department for record. This was again referred to on the 5th October of the same year. This plan has not yet been received.

On the same date Mr.Broderick (his file 1014/395) was requested to supply a similar plan of the right of way through the Noonla Indian reserve No.6 and his attention was again directed to the matter on the 22nd November of the same year. This plan has not yet been received.

If you will return to the Department the patents issued in connection with the Stellaquo Indian reserve No.5 and the Seaspunket Indian reserve, new grants will be prepared.

your obedient servant,

(A.F.MacKenzie)
For Assistant Deputy and Secretary.

G.M.Hair Esq.,
Regional Counsel,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 8th January 1927

Description for patent

All that parcel of land situate in the Chignikaht Indian reserve number Eight of the Kitwangar band, in the Province of British Columbia and Dominion of Canada, containing by admeasurement eight acres and ninety one hundredths more or less, comprising the right of way of the Grand Trunk Pacific ~~Branch of the Canadian National railways~~ Railway Company through the said reserve, containing eight acres and ninety-one hundredths of an acre, more or less, as shown coloured in pink on a plan of the said right of way by E.A.Neville, British Columbia Land Surveyor, dated the 3rd February 1916, which plan is of record in the Surveys Branch of the Department of Indian Affairs at Ottawa, under number RR 1369A, which plan is certified as a copy of a portion of a plan deposited in the Land Registry Office at Prince Rupert as number 1149.

BC Book
Folio 341
Sale 1
Ref. 20,984

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 8th January 1927

Description for patent Squinlipstat

All that parcel of land situate in the Squinlipstat Indian reserve number Three of the Kitwangar band in the Province of British Columbia, and Dominion of Canada, comprising the right of way of the Grand Trunk Pacific ~~Branch of the Canadian National Railways~~ Railway Company through the said reserve, containing by admeasurement three and eight tenths acres more or less as shown coloured pink on a plan of the said right of way, by E.A.Neville, British Columbia Land Surveyor, dated the 23rd day of December 1915, of record in the Surveys Branch of the Department of Indian Affairs at Ottawa, under number RR 1358A, which plan is certified as a copy of a portion of a plan deposited in the Land Registry Office of Prince Rupert as number 1156.

3.8

Roll 1
Folio 343
Ry. 20.983

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
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CANADA

D.L. 411

To Secretary

Department of Indian Affairs

Ottawa Ont

Via _____

_____

Give full route to destination.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

G. M. HAIR
REGIONAL COUNSEL
D. O. OWENS, G. M. RUSSELL,
J. R. BLACK,
SOLICITORS

DEPT. OF INDIAN AFFAIRS
[illegible] 1927
RECEIVED

WINNIPEG, MAN., May 10, 1927.

REFER TO FILE NO. B. C. 256.

Received this letter [illegible] 12/8/27

LANDS BRANCH
MAY 28 1927

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re Seaspunket Indian Reserve,
Your File 22151-16.

In accordance with your request of the 27th April, I am returning herewith Grant in favor of the Grand Trunk Pacific Railway Company covering 15.34 acres right of way in the above reserve. Will you please have amended Patent issued deleting proviso that title is accepted without recourse against the Dominion Government in the event of the establishment of any claim on the part of the Province of British Columbia.

I presume that the respective rights of the Dominion and Province with respect to Indian lands has now been definitely settled.

Yours truly,

G. M. Hair
Regional Counsel.

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 G.T.P.

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

G. M. [illegible]
REGIONAL COUNSEL.
D. C. OWENS. C. M. RUSSELL.
J. R. BLACK.
SOLICITORS

WINNIPEG, MAN., May 10, 1927.

REFER TO FILE NO. B.C. 272.

DEPT. OF INDIAN AFFAIRS
MAY 28 1927
LANDS BRANCH

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re Stellaquo Indian Reserve No. 5,
Your File 22151-16.

I have received yours of the 27th ultimo, and as requested am returning herewith Grant in favor of the Grand Trunk Pacific Railway Company covering 30.41 acres right of way through Stellaquo Indian Reserve containing a proviso that title is granted without recourse against the Dominion Government in the event of the establishment of any claim on the part of the Province of British Columbia to the lands contained therein. I shall be pleased to receive a corrected Patent at your earliest convenience.

Yours truly,

[signature]
Regional Counsel.

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

DEPARTMENT OF INDIAN AFFAIRS
JUL 30 1927
RECORDS

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

G. M. HAIR
REGIONAL COUNSEL
D. O. OWENS. G. M. RUSSELL.
J. H. BLACK.
SOLICITORS

WINNIPEG, MAN., July 27, 1927.

REFER TO FILE NO. B.C. 256.

R

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re Seaspunkat Indian Reserve No. 7,
Your File 22151-16.

Referring further to this matter, amended Grant in favor of the Grand Trunk Pacific Railway Company covering 15.54 acres right of way in this reserve has been submitted for registration. I am now advised by the Provincial Superintendent of Lands that no arrangement has been made between the Dominion and the Province which would enable the Company to obtain the consent of the Province to registration. Will you kindly look into this matter, as I take it from correspondence which we have had that the differences between the Province and the Dominion had now been settled.

Yours truly,

Regional Counsel.

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 e.3.

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

DEPT. OF INDIAN AFFAIRS
JUL 30 1927
RECORDS

G. M. HAIR
REGIONAL SOL.
D. O. OWENS. G. M. RUSSELL.
J. R. BLACK.
SOLICITORS

WINNIPEG, MAN., July 27, 1927.

REFER TO FILE NO. B.C. 272.

R

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re Stellaque Indian Reserve No. 5,
Your File 22151-16.

Referring further to this matter, amended Grant in favor of the Grand Trunk Pacific Railway Company covering 30.41 acres right of way in this reserve has been submitted for registration. I am now advised by the Provincial Superintendent of Lands that no arrangement has been made between the Dominion and the Province which would enable the Company to obtain the consent of the Province to registration. Will you kindly look into this matter, as I take it from correspondence which we have had that the differences between the Province and the Dominion had now been settled.

Yours truly,

Regional Counsel

DEPT. OF INDIAN AFFAIRS
AUG 2 1927
SURVEYS

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 CN

Your Ref. BC 272
BC 256

Ottawa, 11th August 1927

Sir:

In reply to your letters of the 27th ultimo I have to advise you that while the negotiations in connection with the settlement of the several points in dispute between the Dominion and the Provincial Government with regard to the registration of the patents are not as yet completed it is expected that a satisfactory arrangement will be made at an early date.

Your obedient servant,

(A. F. Mackenzie)
Acting Assistant Deputy and Secretary

G. M. Hair, Esq.,
Regional Counsel,
Canadian National Railways,
Winnipeg, Manitoba.

DR/KB

LANDS BRANCH
AUG 17 1927

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16C.N.

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

G. M. I[illegible], REGIONAL COUNSEL
D. C. OWEN G. M. RUSSELL
J. R. BLACK
SOLICITORS

DEPT. OF INDIAN AFFAIRS
AUG 19 1927
RECEIVED

WINNIPEG, MAN., Aug. 16, 1927.

REFER TO FILE NO. B.C. 256.

DEPT. OF INDIAN AFFAIRS
SEP 6° 1927
SURVEYS

R'D. EX'D.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re Seaspunket and Stellaquo Indian Reserves,
Your File 22151-16 CN.

I have for acknowledgment your letter of the 11th instant, and shall be pleased to receive your more definite advice at the earliest possible date that the several points in dispute between the Dominion and Provincial Governments have been adjusted.

Yours truly,

Regional Counsel

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16 c.n.

CANADIAN NATIONAL RAILWAYS

LEGAL DEPARTMENT—WESTERN REGION

G. M. HAI[illegible] REGIONAL COUNSEL
D. C. OWENS, K.C. G. H. RUSSELL.
J. R. [illegible]ACK.
SOLICITORS

WINNIPEG, MAN., Sept. 7, 1927.

REFER TO FILE NO. B.C. 325.

DEPT. OF INDIAN AFFAIRS
SEP 10 1927
R.M.C.O.R.B.S.

R

D.X.H

DEPT. OF INDIAN AFFAIRS
12
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re B. C. Indian Reserves,
Your File 22151-16.

Grants in favor of the Grand Trunk Pacific Railway Company which were received from your Department a short time ago have been submitted to the Attorney General's Department of the Province of British Columbia for approval prior to being registered in the Land Titles Office. I have now been advised that the outstanding questions between the Province and Dominion have not been settled, and under the circumstances the Dominion Grant is not in order. If you have any recent decision herein will you please let me know.

Yours truly,

G. McMain
Regional Counsel

JRB/B.

Our letter of 11th answered this, and was written after consultation with DMS. JR 13/9/27

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EXTRACT
ORIGINAL ON
22168-1

22151-16 J.T.P

DEPT. OF INDIAN AFFAIRS
DEC 28 1927
RECORDS

CANADIAN NATIONAL RAILWAYS
Legal Department.

Winnipeg, Man., Dec. 20, 1927.

Refer to File No. 22-500-243.

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Payment adjusted

RE B.C. Indian Reserves and G. T. P.

Referring to your general letter addressed to the Company's Right of Way Agent, Mr. E. Broderick, under date of 19th October, 1923, file 22168-1, as requested therein I have now procured and am forwarding you under separate cover one tracing and four linen prints each of plans of right of way of the Grand Trunk Pacific Railway Company through the following B. C. Indian reserves:

x x x

Kitwangar No. 1

x x x

DEPT. OF INDIAN AFFAIRS
DEC 30 1927
SURVEYS

Plan received

Will you please have these plans recorded in your Department, and return two of the linen prints to me after having certified the same as copies of the plans as filed, these being for our records. You might let me know what requisitions you have before Grants can issue to the Grand Trunk Pacific Railway Company.

Yours truly,

G. M. Hair.

Plan recorded under No. R.R. 932-A

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
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CANADA

22151-16 GTP

Ottawa, 2nd June 1928

Sir,- Your ref.No.22-500-245

With further reference to your letter of the 20th December last, I beg to say that the final plan of the right of way of the Grand Trunk Pacific Railway through Kitwangar Indian reserve No.1 has been recorded in this Department under No.952A. It is noted that it is certified a copy of a portion of plan of record in the Land Registry Office under No.1174. An Order in Council will be applied for to authorize patent to issue.

Your obedient servant,

(T.R.L.McInnes)
Acting Assistant Deputy and Secretary.

G.M.Hair Esq.,
Regional Counsel,
Canadian National Railways,
Winnipeg, Man.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
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COPY

COPY
ORIGINAL ON PRIVY COUNCIL
CANADA.
File 22151-1

DEPT. OF INDIAN AFFAIRS
JUN 26 1928
RECORDS

AT THE GOVERNMENT HOUSE AT OTTAWA
Wednesday, the 20th day of June, 1928.

PRESENT:

HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL: R

DEPT. OF INDIAN AFFAIRS
JUN 25 1928
SURVEYS

WHEREAS the Grand Trunk Pacific Railway has applied to the Department of Indian Affairs for parcels of land through the following Indian Reserves in the Province of British Columbia, for the purposes of the rights of way of the said Company, which may be described as follows:

Reserve	No.		Acres	As per plan.
Meanlew	24	containing	.82	RR2255
Willaclough	6	"	4.66	RR 672A
Zimacord	5	"	5.01	RR 685A
Khyok	6	"	2.15	RR 2256
Kitsumkalum	1	"	80.30	RR 685A
Kahish	4	"	65.70	RR 684B
Shimlegesh	8	"	5.71	RR 1267A
Kitselas	1	"	27.71	RR 1008B
Kitwanaxu	1	"	27.45	RR 952A
Kitsequecla	1	"	120.15	RR 953B
Salaqua	4	"	22.68	RR 1235A
New Kitsequecla	2	"	23.57	RR 951B

Ans P.596 11

Entered Schedule 10th Sept. 1928 PH

AND WHEREAS the Superintendent General of Indian Affairs reports that this land has been paid for in full at a valuation made by an officer of the Department of Indian Affairs:

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Superintendent General of Indian Affairs, is pleased to order that the said lands be and they are hereby transferred to the said Grand Trunk Pacific Railway Company, pursuant to the provisions of Section 48 of the Indian Act, Revised Statutes of Canada, 1927.

E. G. Kemar.

Asst. Clerk of the Privy Council.

The Honourable
The Superintendent General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22151-16

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 20th September 1928

All those parcels of land situate in the Kitwangar Indian reserve number One, in Cassiar District, Province of British Columbia and Dominion of Canada, containing by admeasurement ninety-seven acres and forty-three hundredths of an acre, more or less, being composed of and comprising the right of way of the Grand Trunk Pacific Railway Company through the said Indian reserve, as the said lands are shown coloured in pink on a plan of the said right of way by E.A. Neville, British Columbia Land Surveyor, dated 23rd December 1915, of record in the Surveys Branch of the Department of Indian Affairs at Ottawa under number RR 932A, which plan is certified a copy of a portion of a plan deposited in the Land Registry Office at Prince Rupert under number 1156.

Ref. 32424

A. 2 - P. 596

Pat for this stating area the 99.30 acres was issued 30th Mar. 1911 Ref-16285 - Folio 596.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
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CANADA

22151-16 C.3.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

...ment Agent.

Prince Rupert, B. C.,
November 14th., 1928.

DEPT. OF INDIAN AFFAIRS
NOV 26 1928
SURVEYS

The Department of Indian Affairs,
OTTAWA, Ontario.

Dear Sirs:

It is the understanding of this office that the Canadian National Railways purchased a right-of-way containing 99.3 acres of the Kitwanga Indian Reserve, from your Department, particulars of which sale were recorded by your Department as follows:

April 29,1911
Ledger No. 35
Folio S.184 - 185
Ref. No. 16285
Sale No. 1 - $3,159.50 ✓
Kitwanga Indian Reserve
- 99.3 acres.
File No. 62.

Would it be possible to obtain a copy of the Agreement of Sale?

Yours very truly,

Norman A. Watt.
Government Agent.

NAW/LP

see file 327496-2 closed
Nov 22163 3

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
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CANADA

22151-16 G. T. P.

Ottawa, November 29, 1928.

Sir,-

I beg to acknowledge receipt of your letter of the 14th instant with reference to the patent issued in April, 1911, in favour of the Grand Trunk Pacific Railway Company, covering 99.30 acres of the Kitwangar Indian Reserve, and to point out that the amount of purchase price as shown in your letter, viz. $3,189.50, covers the land and improvements as well as $1,540.00 for fourteen graves. This would leave the improvements to amount to $130.00.

The Department has recently requested Mr.G.M. Hare, Regional Counsel of the Canadian National Railway, to return the said patent to the Department, as a re-survey of the right of way has been made showing the area required to be 97.43 acres. The Department is desirous of cancelling patent No. 16285 and to re-issue grant in favour of the Company.

Your obedient servant,

J. C. Caldwell
In Charge Lands and Timber Branch.

Letter 29 Nov. 28. 7.2 3/68

Norman A. Watt, Esq.,
Government Agent,
Prince Rupert,
British Columbia.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPT. OF INDIAN AFFAIRS
DEC 4 1928
SURVEYS

22168-1.

Ottawa, November 29, 1928.

Sir,-

On the 3rd May, 1911, this Department issued patent in the name of the Grand Trunk Pacific Railway Company, covering 99.30 acres of Kitwangar Indian Reserve, in the Province of British Columbia, and it now appears from a recent survey that the area is 97.43 acres. As we have entered the new sale covering this last area I would ask you to have returned to us the original patent, No.16285, for cancellation, in order that the Department may be in a position to prepare a new grant in the name of your Company.

Your obedient servant,

J. D. Caldwell
In Charge Lands & Timber Branch.

The Regional Counsel,
Canadian National Railways,
Winnipeg, Man.

J. 22151/16 G.T.P.
Letter 29 Nov. 1928.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
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CANADA

22168-1

CANADIAN NATIONAL RAILWAYS
WESTERN REGION
LEGAL DEPARTMENT

DEPT. OF INDIAN AFF.
JAN 3 1929
RECEIVED

G. M. HAIR
REGIONAL COUNSEL
D. O. OWENS G. M. RUSSELL
J. R. BLACK
SOLICITORS

OUR FILE No. 845.

WINNIPEG, MAN. Dec. 31, 1928.

DEPT. OF INDIAN AFFAIRS
JAN 4 1929
SURVEYS

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:

Re Kitwanga Indian Reserve,
Your File 22168-1.

I have for acknowledgment your request under date of 29th November for the return of original Patent 16285, covering right of way and station grounds of the Grand Trunk Pacific Railway Company through Kitwanga Indian Reserve.

As you will recall, the question of the respective rights of the Dominion and the Province in these reserves have not to my knowledge been settled, and until they are I cannot see the necessity of having a new Patent issued. If there has been any decision given by the Royal Commission herein I shall be pleased to receive a full report.

Yours truly,

Regional Counsel.

JRB/B.

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)
PUBLIC ARCHIVES
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CANADA

FILE No. 22151-16 G.T.P. VOL. 1

ARTMENT OF INDIAN AFFAIRS

BABINE
RAILWAYS- KITWANGAI NO.1,
GINGINKAHT NO.8 - SQUIN-LIX-STAT
NO.3 RES.

FROM
30-9-09
TO
31-12-28

CENTRAL REGISTRY	REFERRED TO	DATE REC'D	INITIALS	CENTRAL REGISTRY	REFERRED TO	DATE REC'D	INITIALS

FILE No. 22151-16 G.T.P. VOL. 1

Indian Affairs. (RG 10, Volume 7670, File 22151-16 G.T.P.)

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CANADA

Indian Affairs
Headquarters Files

(RG 10, Volume 7670)

File 22131-3	(Grouard) - Lesser Slave Lake Agency - Right-of-way for the Edmonton, Dunvegan and British Columbia Railway Company through reserves in the Agency (plans). 1913 - 1964
File 22150	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. 1885 - 1912
File 22150-1	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. (Indian Land Sale - Grant) 1911 - 1933
File 22151-16 G.T.P.	Babine Agency - Right-of-way for the Grand Trunk Pacific Railway through various reserves in the Agency. 1909 - 1928
File 22152-21 E.&N.	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (map, plans, surveys). 1885 - 1899
File 22152-21 2	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (maps, plans). 1898 - 1913

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

No. 22152-21 E. & N.

INDIAN AFFAIRS BRANCH

DEPARTMENT OF MINES AND RESOURCES

COWICHAN

RE ESQUIMALT & NANAIMO RLY. CO.
RT. OF WAY THROUGH SONGHEES I.R.

R. 701

3904/10

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

MEMO.

MEMO.

No. 19,437

Department of Indian Affairs.

190

J. W. Powell
Victoria

Syl. Construction
beginning on Island
Ry necessary to arrange
right of way thro' Res.
Indians suspicious re-
specting this matter.
Please instruct me.

21
22152 E&N

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of

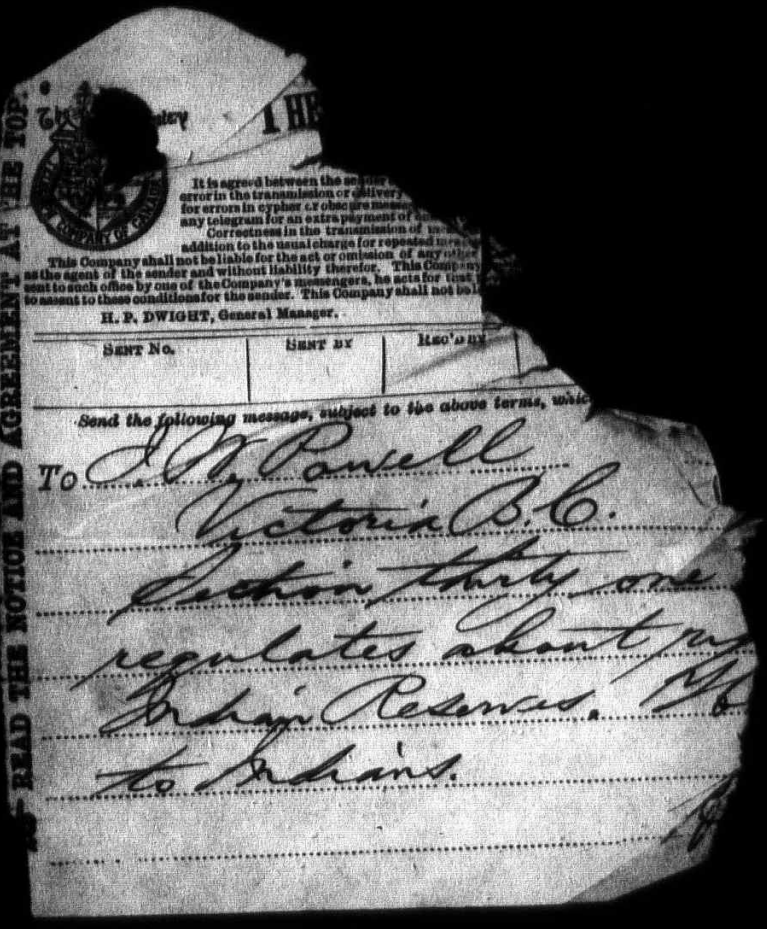
189

J. W. Powell

Victoria

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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THE READ THE NOTICE AND AGREEMENT AT THE TOP.

It is agreed between the sender of this [illegible] error in the transmission or delivery [illegible] for errors in cypher or obscure messages [illegible] any telegram for an extra payment of [illegible]. Correctness in the transmission of [illegible] addition to the usual charge for repeated messages. This Company shall not be liable for the act or omission of any other [illegible] as the agent of the sender and without liability therefor. This Company [illegible] sent to such office by one of the Company's messengers, he acts for that [illegible] to assent to these conditions for the sender. This Company shall not be [illegible]

H. P. DWIGHT, General Manager.

SENT No.	SENT BY	REC'D BY

Send the following message, subject to the above terms, which

To J. R. Powell

Victoria B.C.

Section thirty one

regulates about [illegible]

Indian Reserves [illegible]

to Indians.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

478. 13.

Sir;

The roadway for
railway has already
through two Indian Re
is about to go through an
Indians are applying to
know what compensation
paid them. I should be
if you will therefore instru
how to act, as at Chem
passes through an Indi
and I have not received
to treat with the party
settling the claims of t
farmers.

I have the
Le
Your ob
W. H.
Ind

(Sd)

I. W. Powell
Victoria.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

British Columbia

30/3/85

700. 11C.

Indian Office
Victoria Mar 14th 18

Copied for reference
20/5/98

Sir,

I have the honor to enclose herewith copy of a letter from Mr. Agent Lomas on the subject of the Manaimo and Esquimalt Railway Company having cut roads through several Indian Reserves at or near Chemainus.

In connection with the above, I am informed by Mr. Jackson and Helmcken, that Indian Reserves do not form part of the lands to be conveyed to Crown to the above named and by Section 3 of the Canadian Railway Act 1879 it is enacted Railway Company shall take possession of, use, or occupy any lands vested in Her Majesty without the consent of the Governor in Council.

I may also state for information

The Honorable
The Supt. General
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

information that the same
pany have cut a roadway thro
the Indian Reserve at Esquima
a distance of about 575 feet with
average of 100 feet in width com-
pletely denuding, that portion, of it
timber, and threatening to pull
down 2 Indian Houses.

I have the honor to be
Sir,
Your Obdt Servant.
I.W. Powell
Indian Superintendent

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451

J. A. Powell Esq.
Ind. Supt.
Victoria, B.C.

700 Ans

April 2nd 25.

Official Correspondence to return to
20/5798

Sir,

On the 25th ult. the Dep. was pleased you as follows:- beginning
"Construction of Island
"Railway. Necessary to
"arrange right of way
"through Reserves. Indians
"and to advise respecting the
"matter. Please instruct
"me". To which I
wired you the
following reply:-
"Section thirty one
"Indian Act regulates
"about right of way
"through Indian Reserves
"but this explained
"to Indians".

I have now to
ask the result of your
letter of the 17th ult.
respecting this matter
and to inform you
that upon hearing

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

the Sections of the Act
in any Telegram
with first prescribed
the manner in w
compensation is
be made for land
taken or damaged
in connection with the
passage of a Railway
through an Indian
Reserve. The same
is applicable to Br
Columbia and all
other parts of the
Dominion.

I have

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

19979

British Columbia

13. M. Indian Office
Victoria Apr 9th 1885.

Sir,

With reference to my letter No 700. M. of the 17th ultimo and to my subsequent Telegram of the 25th inst., on the subject of the right of way required by the Esquimalt & Nanaimo Railway through some Indian Reserves and to your reply by wire on the 26th ult, instructing me to have section 31 of the Indian Act explained to the Indians: I have the honor to state that this was done some time ago. What I desired, however, was your instruction to carry out the law and arrange with the Company for the amount to be paid to the Indians.

This course was followed by the Company in respect of White settlers, and the Indians cannot understand

The Honorable
The Supt. General
of Ind. Affairs.
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

understand the reason of delay in
arranging with them.

My object in telegraphing
was, if you concurred, to obtain your
instruction to carry out the law, and
get the compensation.

I have the honor to be
Sir,
Your Obdt. Servant.
I. Powell
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

THE GREAT NORTH WESTERN TELEGRAPH COMPANY OF CANADA.

OPERATING THE LINES OF THE MONTREAL, DOMINION AND MANITOBA TELEGRAPH COMPANIES.

This Company transmits and delivers messages only on conditions limiting its liability, which have been assented to by the sender of the following message.
Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of unrepeated messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.
This is an unrepeated message, and is delivered by request of the sender, under the conditions named above.

H. P. DWIGHT, General Manager.

KRASTUS WIMAN, President.

Money orders by telegraph between principal telegraph offices in Canada and the United States.

TELEGRAM.

To L Vankoughnet

Use this space for Continuation of Lengthy Addresses, OR INSTRUCTIONS TO MESSENGER.

File with Chapeau papers
Returned

No. Check

Coll 149
V 70 D.G.R.
Dumas

Rec'd No.	From	Sent by	Rec'd by	Time
5	M	J	H.	8.20

Ottawa, Apl 22 1885

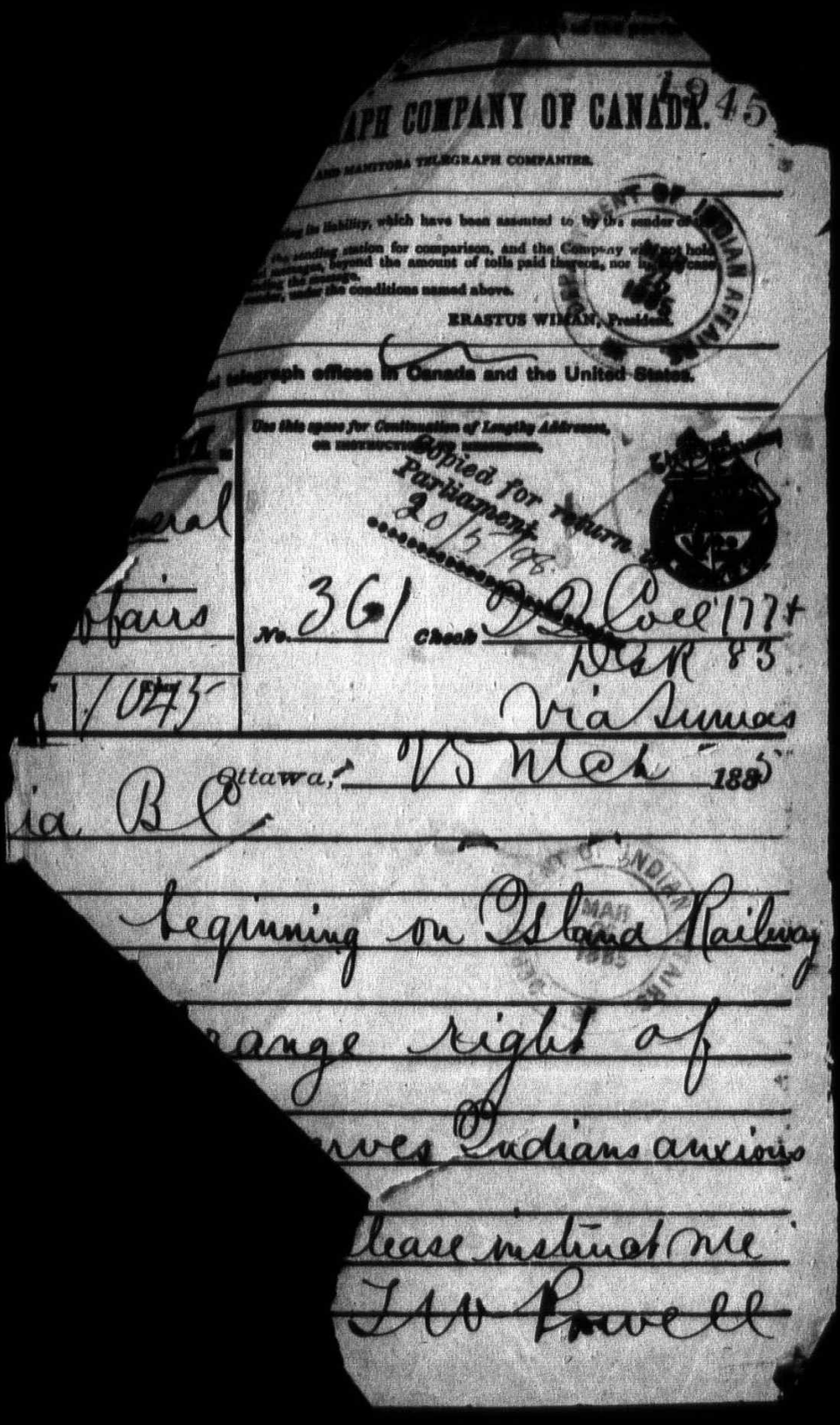
From Victoria BCr

See letter second inst re J.T. no objection telegraphed will appoint Tomas act and arbitrate when necessary for Indians

J.W. Powell

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA



Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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THE GREAT NORTH WESTERN TELEGRAPH COMP

OPERATING THE LINES OF THE MONTREAL, DOMINION AND MANITOBA TELEGRAPH COMPANIES

This Company transmits and delivers messages only on conditions limiting its liability, which have been assented to by the sender of the following message.
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This is an unrepeated message, and is delivered by request of the sender, under the condition named above.

H. P. DWIGHT, General Manager.

ERASTUS WIMAN, President.

Money orders by telegraph between principal telegraph offices in Canada and the United States.

TELEGRAM.

Use the space for Continuation of Lengthy Addresses, or INSTRUCTIONS TO MESSENGERS.

To L Vankoughnet
Indian dep

No. 334 Check 50 Coll
Sumas DGR

Rec'd No.	From	Sent by	Rec'd by	Time
156	R	W	BO	1110

Ottawa, Oct 24 1883

From Victoria BC

Copied for Department

Sorry Cannot Confer with O'Rell dangerously ill from bad accident Truck absent all lands along line except Indians now settled no difficulty Therefore Value acreage matter unimp except to allow contra

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

OTTAWA

THE GREAT NORTH WESTERN TELEGRAPH COMPA[illegible]

OPERATING THE LINES OF THE MONTREAL, DOMINION AND MANITOBA TELEGRAPH COMPANIES.

0123

This Company transmits and delivers messages only on conditions limiting its liability, which have been assented to by the sender of the following message.

Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of unrepeated messages, beyond the amount of tolls paid thereon; nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an unrepeated message, and is delivered by request of the sender, under the conditions named above.

H. P. DWIGHT, General Manager.

ERASTUS WIMAN, President.

Money orders by telegraph between principal telegraph offices in Canada and the United States.

TELEGRAM.

Use this space for Continuation of Lengthy Address, or INSTRUCTIONS TO MESSENGERS.

To 2

No. Check

Rec'd No.	From	Sent by	Rec'd by	Time

Ottawa, 188

From

proceed me Cannot expedite
them delay work awaiting
decision Hence may telegram
I leave for Kamloops next
week

J W Powell

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

READ THE NOTICE AND AGREEMENT AT THE TOP.

Copy

THE MONTREAL AND DOMINION TELEGRAPH COMPANY

OPERATED BY THE GREAT NORTH WESTERN TELEGRAPH COMPANY OF CANADA

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

It is agreed between the sender of the following message and this Company that said Company shall not be liable for damages arising from failure to transmit or deliver, or from any error in the transmission or delivery of an unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruption in the working of its lines, for errors in cypher or obscure messages, or for errors from illegible writing, beyond the amount received for sending the same. To guard against errors, the Company will repeat back any telegram for an extra payment of one-half the regular rate, and in that case it shall not be liable for damages beyond fifty times the amount received for sending and repeating.

Correctness in the transmission of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz:—One per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

This Company shall not be liable for the act or omission of any other Company, but will endeavor to forward the telegram by any other Telegraph Company necessary to reaching its destination, but only as the agent of the sender and without liability therefor. This Company shall not be responsible for messages until the same are presented and accepted at one of its transmitting offices; if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the sender's agent; if by telephone, the person receiving the message acts therein as agent of the sender, being authorized to assent to these conditions for the sender. This Company shall not be liable in any case for damages, unless the same be claimed, in writing, within sixty days after receipt of the telegram for transmission.

H. P. DWIGHT, General Manager. No employee of the Company shall vary the foregoing. ERASTUS WIMAN, President.

SENT No.	SENT BY	REC'D BY	TIME SENT.	TIME FILED.	CHECK.

Send the following message, subject to the above terms, which are hereby agreed to.

To E W Powell April 24th 1885

Indian Office Victoria B.C.

Shew Mr O'Reilly the telegrams and Your letter and Pencil memo for return to me and have passed Minute pulled off map through Roseaux. If he concurs in Your views Carry them out and forward finish Report from Mr

READ THE NOTICE AND AGREEMENT AT THE TOP.

THE MONTREAL AND DOMINION TELEGRAPH COMPANY

OPERATED BY THE GREAT NORTH WESTERN TELEGRAPH C

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE

It is agreed between the sender of the following message and this Company that said Company shall not be liable for damages arising from failure to transmit or deliver, or from any error in the transmission or delivery of an unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruption in the working of its lines, for errors in cypher or obscure messages, or for errors from illegible writing, beyond the amount received for sending the same. To guard against errors, the Company will repeat back any telegram for an extra payment of one-half the regular rate, and in that case it shall not be liable for damages beyond fifty times the amount received for sending and repeating.

Correctness in the transmission of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz:—One per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

This Company shall not be liable for the act or omission of any other Company, but will endeavor to forward the telegram by any other Telegraph Company necessary to reaching its destination, but only as the agent of the sender and without liability therefor. This Company shall not be responsible for messages until the same are presented and accepted at one of its transmitting offices; if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the sender's agent; if by telephone, the person receiving the message acts therein as agent of the sender, being authorized to assent to these conditions for the sender. This Company shall not be liable in any case for damages, unless the same be claimed, in writing, within sixty days after receipt of the telegram for transmission.

H. P. DWIGHT, General Manager. No employee of the Company shall vary the foregoing. ERASTUS WIMAN, President.

SENT No.	SENT BY	REC'D BY	TIME SENT.	TIME FILED.	CHECK.

Send the following message, subject to the above terms, which are hereby agreed to.

To 188

O'Reilly and Yourself giving full Details

K Vankoughnet

Chf Dept Affs
Indn

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

THE GREAT NORTH WESTERN TELEGRAPH COMPANY

OPERATING THE LINES OF THE MONTREAL, DOMINION AND MANITOBA TELEGRAPH COMPANIES.

This Company transmits and delivers messages only on conditions limiting its liability, which have been assented to by the sender of the following message.
Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of unrepeated messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.
This is an unrepeated message, and is delivered by request of the sender, under the conditions named above.

H. P. DWIGHT, General Manager. ERASTUS WIMAN, President.

Money orders by telegraph between principal telegraph offices in Canada and the United States.

TELEGRAM.

Use this space for Continuation of Lengthy Addresses, or memorandum for reference.

To L. Vankoughnet

Returned

No. 340 Class 1 Cols 109140

2 Cols Kuma

Via Kuma

Rec'd No.	From	Sent by	Rec'd by	Time
14	N Am	Tf		853

From Victoria B.C. Ottawa, Apl 23 188

Plans are at Ry office ready be forward important have matters settled mine contractos being now on ground Could send arbitrator value land & improvements & arrange settlement with the Coys valuator satisfactorily to indians & department without delay

J. W. Powell

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Jul 86 19,451

Mer

THE MONTREAL AND DOMINION TELEGRAPH COMPANIES' LINES,

FORM 25.

OPERATED BY THE GREAT NORTH WESTERN TELEGRAPH COMPANY OF CANADA

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

It is agreed between the sender of the following message and this Company that said Company shall not be liable for damages arising from failure to transmit or deliver, or from any error in the transmission or delivery of an unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruption in the working of its lines, for errors in cypher or obscure messages, or for errors from illegible writing, beyond the amount received for sending the same. To guard against errors, the Company will repeat back any telegram for an extra payment of one-half the regular rate, and in that case it shall not be liable for damages beyond fifty times the amount received for sending and repeating. Correctness in the transmission of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz:—one per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

This Company shall not be liable for the act or omission of any other Company, but will endeavor to forward the telegram by any other Telegraph Company necessary to reaching its destination, but only as the agent of the sender and without liability therefor. This Company shall not be responsible for messages until the same are presented and accepted at one of its transmitting offices; if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the sender's agent; if by telephone, the person receiving the message acts therein as agent of the sender, being authorized to assent to these conditions for the sender. This Company shall not be liable in any case for damages, unless the same be claimed, in writing, within sixty days after receipt of the telegram for transmission.

H. P. DWIGHT, General Manager.

No employee of the Company shall vary the foregoing.

ERASTUS WIMAN, President.

SENT No.	SENT BY	REC'D BY	TIME SENT	TIME FILED.	CHECK.

Send the following message, subject to the above terms, which are hereby agreed to.

To A. W. Powell Esq.

22 April 188

Indian Supt

Victoria B.C.

Telegram received. Department should have plans & descriptions from the Railway Co. of the land required & by competent valuators also valuation persons

Rec'd 24/4/88

Answered 24/4/88

READ THE NOTICE AND AGREEMENT AT THE TOP.

THE MONTREAL AND DOMINION TELEGRAPH COMPANIES' LINES,

OPERATED BY THE GREAT NORTH WESTERN TELEGRAPH COMPANY OF CANADA

ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

It is agreed between the sender of the following message and this Company that said Company shall not be liable for damages arising from failure to transmit or deliver, or from any error in the transmission or delivery of an unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruption in the working of its lines, for errors in cypher or obscure messages, or for errors from illegible writing, beyond the amount received for sending the same. To guard against errors, the Company will repeat back any telegram for an extra payment of one-half the regular rate, and in that case it shall not be liable for damages beyond fifty times the amount received for sending and repeating. Correctness in the transmission of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz:—one per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

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H. P. DWIGHT, General Manager.

No employee of the Company shall vary the foregoing.

ERASTUS WIMAN, President.

SENT No.	SENT BY	REC'D BY	TIME SENT	TIME FILED.	CHECK.

Send the following message, subject to the above terms, which are hereby agreed to.

To 188

person & report him personally on the same.

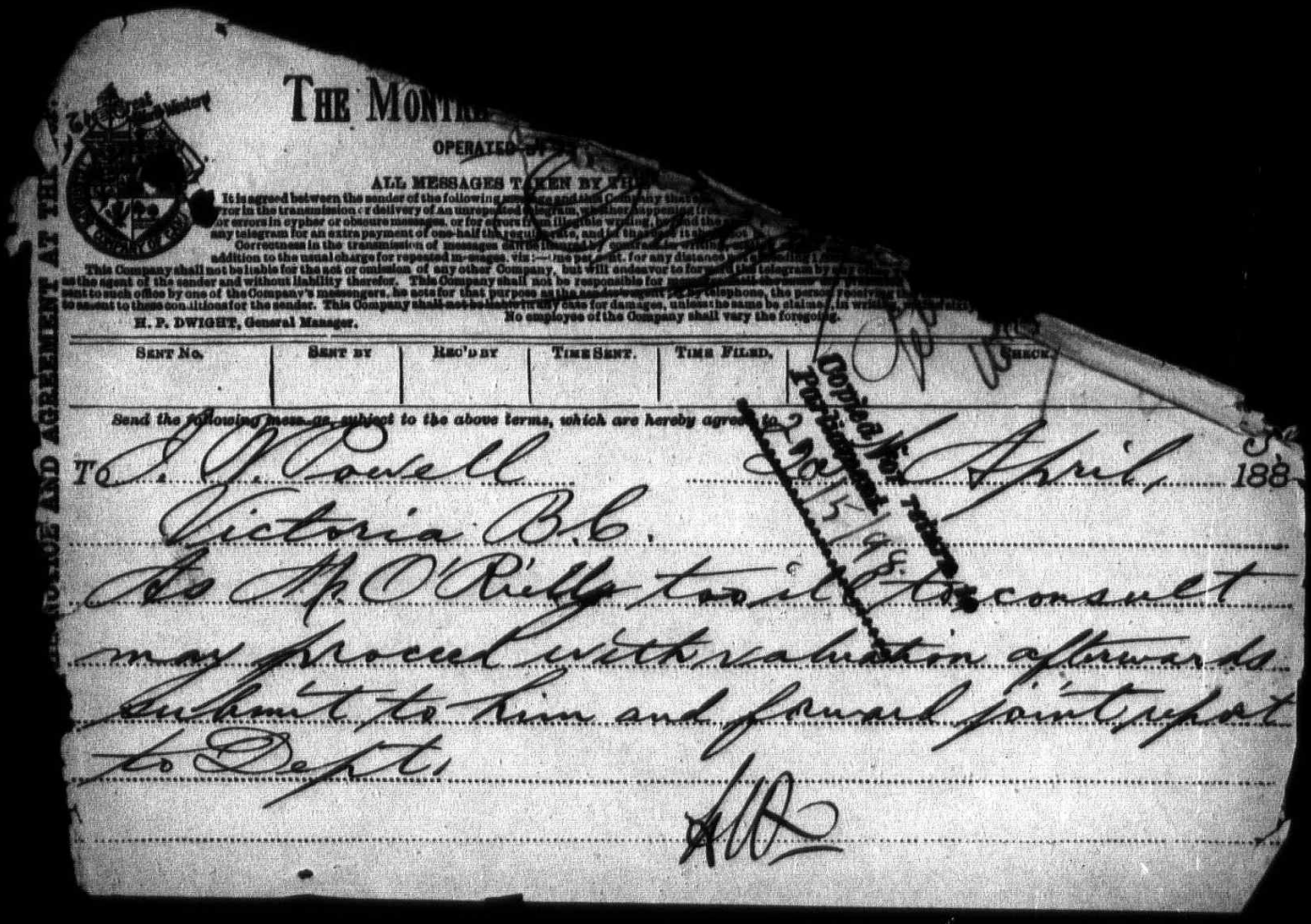
Chief Supt I.A.

Rec'd 25/4/88

Answered 25/4/88

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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THE MONTR...

OPERATED ...

ALL MESSAGES TAKEN BY TH...

It is agreed between the sender of the following message and this Company that the... error in the transmission or delivery of an unrepeated telegram, whether happening by... or errors in cypher or obscure messages, or for errors from illegible writing, beyond the... any telegram for an extra payment of one-half the regular rate, and for that sum it will...

Correctness in the transmission of messages cannot be guaranteed by the Company, but in addition to the usual charge for repeated messages, viz:—one per cent. for any distance...

This Company shall not be liable for the act or omission of any other Company, but will endeavor to forward the telegram by any... as the agent of the sender and without liability therefor. This Company shall not be responsible for mistakes or delays occurring after the message is sent to such office by one of the Company's messengers, he acts for that purpose as the sender's agent. In sending by telephone, the person receiving the message assents to these conditions for the sender. This Company shall not be liable in any case for damages, unless the same be claimed in writing...

H. P. DWIGHT, General Manager.

No employee of the Company shall vary the foregoing.

SENT No.	SENT BY	REC'D BY	TIME SENT.	TIME FILED.	CHECK.

Send the following message, subject to the above terms, which are hereby agreed to.

Copies for Parliament

To J. A. Lovell ... 20th April, 188...

Victoria B.C.

Re Mr O'Reilly trail. Reconsult may proceed with valuation afterwards submit to him and forward joint report to Dept.

A.W.

PAGE AND AGREEMENT AT THE

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

19457

✓

I.W. Powell Esq.
Ind. Supt.
Victoria, B.C.

13th

April 28 1897

Copied for return to Parliament.
20/5798

Sir,

I have the honor to acknowledge the rec't of your letter of the 9th inst. on the subject of the right of way required by the Esquimalt & Nanaimo Railway through some Indian Reserves, and am to enquire if the Railroad Comp'y have furnished the Dept with Plans and descriptions of the Indian land taken or proposed to be used by them as well as a valuation by some competent and reliable person or persons of the land in question, and a report from you on said valuations should be forwarded to the Dept therewith.

I.A.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

KODAK SAFETY

20456

British Columbia

DEPARTMENT OF INDIAN AFFAIRS
MAY 8 1885

Return

102. M.

Indian Office
Victoria Apr 28th 1885

Copied for return to Parliament
20/5/98.

Sir.

With reference to the correspondence and telegrams relating to damage to, or right of way through any Reserve by the Esquimalt and Nanaimo Railway, I have the honor to state that I have requested Mr. Agent Lomas, who, from being an old resident of Cowichan, appeared well qualified to act as valuator on behalf of the Department and to proceed in accordance with Section 31st of the Indian Act.

So far as I can learn, there are only two or three reserves which will be affected, and as the damage will be slight, the compensation involved is not of much moment; In fact, the reserves will be benefitted by the passage of the Railway rather than damaged.

The most important and valuable reserve, however, to be dealt with

The Honorable
The Supt. General
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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with on the line of railway, and with which I have not requested Mr. Lomas to deal, is that at Esquimalt, which the Company has selected as the terminal site, and which the President, Mr. Onsumuir, informed me to day, he had a previous agreement with the Dominion Government, through the Hon. Sir. Alexander Campbell, to take "en bloc" at a valuation.

I informed Mr. Onsumuir, that the matter would, still, have to be dealt with in accordance with the Act, and I venture to suggest for the consideration of the Department, if Mr. Onsumuir has informed me correctly, that there should be steps authorised to obtain the surrender of the reserve, before possession is taken by the Railway Company as Mr. Onsumuir intimated to me he intended.

I had hoped to have arranged for the removal of both the Esquimalt and Songhees Indians from their present reserves ere this, but the clause in your letter No. 13.886 of the 16th Oct. 1884. requiring that any place purchased for them should be not less than 20 miles from Victoria has prevented me from carrying out the proposal. Indians cannot be prevailed upon to go so far away, and the difficulty of getting their consent is increased by insisting upon a place so far removed from their old home to which they are

do.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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so much attached, indeed, I really think, that the only practical mode of removing them is to purchase, irrespective of distance from Victoria, a suitable place which is desirable in the judgement of those to whom the matter may be submitted, and then, if a sufficient advance is afforded for an acceptable douceur to the principal men of the tribe, their acquiescence may be brought about.

However, to return to the Esquimalt Reserve ~~which~~ upon enumerated by Mr. Cunningham which consists of 47 acres of very valuable land, fronting on the harbor, I think it should be first surrendered, and, if any agreement has been made to let the company have it, full valuation should be paid therefor and the sum obtained utilized in the purchase of a good position for the tribe elsewhere.

The Esquimalt Indians are very anxious respecting the intentions of the Railway Company and the matter should not be allowed to drift along until possession is taken of the reserve by actual construction. Mr. Cunningham informed me that the terminal buildings would be extensive and he would insist upon getting the whole reserve.

I should be glad to know if an agreement has been actually made with Mr. Cunningham as to the disposal

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disposal of the reserve to his Company and, if you concur, the consequent intentions of the Department toward the Indians.

I have the honor to be
Sir,
Your Ob'd't. Serv't.
I. W. Powell
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

19,051

Department of Indian Affairs

Ottawa 13th May 1885

Memorandum.

The undersigned begs to submit herewith a letter of the 28th ultimo from Mr. Superintendent Powell of Victoria B.C. relative to the right of way claimed by the Esquimalt and Nanaimo Railway through certain Indian Reserves in British Columbia among others and the most important the Reserve at Esquimalt which the Company, Dr. Powell states, has selected as the terminus of their road, and that he was informed by the President that he had a previous agreement with the Dominion Government through the Honorable Sir Alexander Campbell to take the Reserve &c

The Right Honorable
Sir John A. Macdonald, K.C.B.
Supt. General of Ind. Affs

Sir Alex. Campbell

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

for [illegible] at a valuation.

In connection with this matter the undersigned begs to state that there is nothing on record in this Department showing any such ground to have been made. The Reserve in question is occupied by a Band of Indians whom Dr. Powell states he has as far found it impossible to induce to remove therefrom. The Esquimalt Reserve consists of 47 acres, and until another Reserve has been provided for the Indians occupying it could not be properly sold, although a right of way through it for a Railroad is allowable under the provisions of the Indian Act.

Mr. Superintendent Powell states that the principal obstacle in the way of the Indians consenting to remove to another Reserve is the Department insisting upon any Reserve purchased for them being 20 miles at least from Victoria.

This

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This has considered advisable by Sir Alexander Campbell when acting as Superintendent General during the Minister's recent absence in Europe. It is highly desirable that these Indians as well as the Songhees Indians should when removed from the Reserves at present occupied by them be located at a considerable distance from the City of Victoria, as Experience has shown that the proximity of their Reserves to that Centre has been attended with very injurious effects to them morally and socially.

Instructions were sent by direction of Sir Alexander Campbell to both Superintendent Powell and Mr O'Reilly, Indian Reserve Comrs, to endeavour to secure the consent of the Songees and Esquimalt Indians to surrender their Reserves and to select sites for Reserves for them at a distance of at least 20 miles from Victoria; but, as already stated,

3

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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to attempt to prevail upon the Indians to remove have up to the present been unsuccessful.

Respectfully submitted

A. Vankoughnet

Deputy of the Supt Genl.
of Indian Affairs

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Copy 20527

Victoria. B. C.
2nd May 1885.

[illegible] for return to Registry 20/5/95. 4

I. W. Powell Esq.
Supt. Indian Affairs
Victoria British Columbia.

Sir,

I have the honor by direction of the Esquimalt and Nanaimo Railway Company to write you respecting the Songhish Indian Reserve in Victoria Harbor.

The President of the Company Mr. Dunsmuir during the visit of Sir Alexander Campbell to this Province in August 1883 after a long discussion on the subject of the acquisition by the Company of the Songhish Indian Reserve arranged with Sir Alexander Campbell that the Company should either be allowed to take the whole of the Reserve at $60.000 cy or the choice of half the Reserve for $20.000 cy.

I am instructed by the Company to state that they are prepared to carry out the arrangement of giving $60.000 cy for the whole of the Songhees Reserve or should the Department decline to part with the whole of the Reserve then to give $20.000 cy for the half to be chosen by the Company.

The

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

20527

The Company is prepared to give to the Indian Department on or before the 31st day of December next a piece of land containing 415 acres? or thereabouts situate at Cadboro Bay say 3½ miles from Victoria for the use of the Indians that may be removed from the Reserve at a valuation.

I have the honor to be
Sir,
Your obedient Servant.
Chas. E. Pooley.
Secretary Esquimalt &
Nanaimo Railway Company.

(Sd.)

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

Copy

RECEIVED 20827 MAY 13 1885 DEPARTMENT OF INDIAN AFFAIRS

Victoria B. C.
2nd May 1885

J. W. Powell Esquire
Supt. Indian Affairs
Victoria British Columbia

Copied for return to Parliament 20/5/85

Sir,

I have the honor by direction of the Esquimalt & Nanaimo Railway Company to address you on the subject of the Indian Reserve at Esquimalt.

The President of the Company Mr. Dunsmuir during the visit of the Honorable Sir Alexander Campbell to this Province in August 1883 when discussing the terms under which the Company would construct the Railway arranged with the Honorable Sir Alexander Campbell to have the Esquimalt Indian Reserve for the use of the Company for a terminus at a price to be fixed by valuation.

Now that construction is rapidly advancing and the occupation of the Reserve by the Company will shortly become necessary. I have the honor to request that you will bring this matter before the head of the Indian Department with a view to a speedy settlement.

I etc. etc.

(Sd.) Chas. E. Pooley
Secty. Esq. Nan. Rail. Way. Co.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

20527

British Columbia

DEPARTMENT OF INDIAN AFFAIRS
MAY 13 1885

20378.

134. M.

Indian Office
Victoria May 5th 1885

Sir,

With reference to my letter of the 28th ult No 102. M. I have the honor to enclose copies of two letters from R. Dunsmuir Esqr. President of the Esquimalt and Nanaimo Railway Company respecting the proposed purchase of the Songhees & Esquimalt reserves alluded to therein.

These letters have been received by me since writing you on the 28th ult.

I have the honor to be
Sir,
Your Obdt. Servant.
I. W. Powell
Indian Superintendent.

The Honorable
The Supt. General
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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DEPARTMENT OF INDIAN AFFAIRS CANADA.

Sir A. Campbell's memo returned to him as requested. 20 May 85.

May 28th/85

Dear Mr Hopkirk

In reply to yours of the 9th inst. asking to state whether Sir A. Campbell's memo about the Songhees Reserve was forwarded by me to Sir John Macdonald & Hon. Clipp on the date of its receipt and if it is still before Sir John.

I am directed to state that the memo was forwarded by this office to Sir John Macdonald on the 20th May 1885 and is still before him.

I am Sir Your obedient servant

L. Vankoughnet

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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My dear Pope -

The memo: spoken of was dated 20 May & was made under a misapprehension of the facts - it is about the sale of the Indian Reserve at Esquimalt & the Island Ry Co: Will you send it back & all the papers.

W. Ext

Dear Wedderburn & Senkler.

Will you tell me if Mr Johns has returned the within mentioned papers to you. I am unable to find it.

Yours Pope, 4 May

File 19451.
Sent to Minister
May 21st. 1901
Judge returned
Johnson & Wedderburn

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Copy

Quamichan
May 8th 1885

21007
DEPARTMENT OF INDIAN AFFAIRS
JUN 5 1885

Sir,

Having appraised the value of the lands required for Railway purposes over and through Indian Reserves at Chemainus. I herewith submit the price or amount of compensation that has been agreed upon: viz.

Removal and Rerecting of House	$ 35.00
1 1/10 acre Cultivated land at $80 pr ac	88.00
4 1/5 " wild land at " 1 "	4.20
9 85/100 " " " " 5 "	49.25
	$ 176.45

Annexed hereto are plans shewing the location of line through the said Lands.

I have the honor to be
Sir,
Your obedient Servant.
(Sd) W. H. Lomas.
Indian Agent and Valuator.

I hereby agree to the above Valuation
(Sd) Reginald Nuttall
Arbitrator & Valuator
for E & N. Ry Co.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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Copy

504. B.

Indian Office 21007
Quamichan. May 18th 1885.

Sir,

With regard to the compensation paid by the Esquimalt and Nanaimo Railway Co. for right of way through the Chemainus Indian Reserves, I have respectfully to suggest that in this and all cases where the said Railway passes through buildings or other improvements, the compensation agreed upon ought to be paid directly to the particular Indian or Indians interested, to enable them to remove buildings, or to clear more land as the case may be;

Of course in the case of unimproved lands the compensation might be expended for the benefit of the band interested in that particular Reserve, and I am convinced that this is the only arrangement which will be satisfactoly to the Indians.

I have the honor to report for your information that the 4 4/5 acres appraised at $1.00 per acre is a gravel ridge utterly worthless for farming purposes.

The 9 45/100 acres valued at $5.00 per acre was good land but heavily wooded and a higher price would have been asked had it not been

for

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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for the fact that this Reserve will be very much benefited by a ditch which the Railway contractors have to make, to throw the River into an old channel and thus prevent a great waste of land which has been going on for some time.

In the removal of the Indian House also I have to report that the contractors sent a gang of men to assist the Indians in moving the same to another location; the amount of $35.00 was estimated to compensate the Indian to buy nails to rebuild.

I annex a list of the names of Indians interested with suggestions as to how in my opinion the money ought to be expended.

I have the honor to be
Sir,
Your Obedient Servant.
(Sd) W.H. Lomas.
Indian Agent.

J. W. Powell Esq M.D.
Indian Supt.
Victoria.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Nelson (Chemainus) Reserve on the E & N. Railway

21007

Nelson (Chemainus) Reserve on the E & N. Railway

In favour of Musgrave Family
Surveyed land $88.00
Removal of House $35.00 — Cash
The above to be paid to the Indians in Cash

Nelson Band 45 acres at $1.00 per ac 45.00
" " 5 " " 4.20
" " 5 " " 4.25
$53.45

To be expended for the benefit of Nelson Band with the approval of Indian Superintendent.

9 85/100

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CANADA

Wm Ewart 21097

17/6/85

British Columbia

DEPARTMENT OF INDIAN AFFAIRS JUN 5 1885

207. W. Indian Office
Victoria May 26th 1885.

57

Sir,

I have the honor to enclose the statement of Wm Agent Lomas acting for this Department, and Wm R. Muttall valuator for the Esquimalt and Nanaimo Railway Co. shewing the value, as appraised by them, of Indian Reserve land at Chemainus required for Railway purposes.

A tracing from the plan shewing the lands referred to is enclosed as also the Bank receipt of deposit for the money, $176 45/100 paid in by the Company.

The sum of $123.00 ($35.00 + $88.00) should be handed at once to the Indians owning the improvements, as the house has already been removed and rerected with money advanced to them for that purpose and which they desire to repay as soon as the Cheque is returned by the Department.

The

The Honorable
The Supt. General
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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21007

The balance of $53.45 I think should be expended for the benefit of the Band.

I have the honor to be
Sir,
Your Obdt. Servant.
I. W. Powell
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

DUPLICATE FOR DEPARTMENT.

No. 1948 **BANK OF BRITISH COLUMBIA,** 21007

[redacted] 15/6/85 Victoria, 26th May 1885

Received from D. I. McPowell Supt

of Indians ~~~~ at Victoria B.C. the sum of

One hundred & seventy six Dollars forty five Cents,

to be placed to the Credit of the RECEIVER GENERAL OF CANADA, on account of

Ind. Lands required for Railway Revenue.

Chenlaunus

Signed in Triplicate.

Entered Geo. Cruickshank ACCOUNTANT. Chas Jones Agt. MANAGER.

DEPT OF INDIAN AFFAIRS JUN 1885

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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26

Enclosure
File on the purchase
in Fraser Valley 6/8/85

Mr Fiedhouse has visited this office

Copied for return to Parliament
20/5/98.

DEPARTMENT OF INDIAN AFFAIRS
JUN 12 1885

Ottawa June 12 1885

Sir,

Referring to the memorandum of the Minister of Justice to the Superintendent General of Indian Affairs dated 20th ultimo, I have the honour to enclose you a letter from the Secretary of the Department of Railways & Canals, under date 29th May, covering a letter from the agent of the Government of Canada in British Columbia, with respect to the Esquimault reserve and to state that in the opinion of the Minister of Justice steps should be taken to

I have &c &c &c

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

269

to enable the Esquimalt and Nanaimo Railway Company to acquire the reserve for Railway terminal purposes.

Copy for
Governor General

for Sir Wilfrid Laurier
Dec 7.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

1945-14

Geo. M. Burbidge, Esq.
Asst. Minister
of Justice,
Ottawa.

Confidential

June 15th/85.

Sir,

With reference to your letter of the 12th instant relative to a memorandum of the Minister of Justice to the Lieut. Gov. in C. of the 20th ultimo respecting the Esquimalt Rly. for which application was made by the Esquimalt & Nanaimo Ry. Co., - I beg to inform you that the letter from the Secy. of the Dept of Railways & Canals of date the 29th ultimo covering a letter from the Agent of the Government of Canada in N.S. which you state you believe did not sufficiently accompany your letter.

I have &c

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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MEMORANDUM.

From Indian Department,

Ottawa, 24th June 1885

To R. Sinclair Esq Actg Dept Indian Affairs

Enclosed please find No. 1948 $176.45 Bank of B.C. Victoria a/c Indian

ANSWER.

Triplicate receipt

D. McKay
for D.I.A.

DEPARTMENT OF INDIAN AFFAIRS
JUN 23 1885

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

KODAK SAFETY FILM

Copy.

X

Department of Indian Affairs.

Ottawa, 15 June 1885.

Copied for return to Parliament. 20/5/78.

Sir,

With reference to your letter of the 12th. instant relative to a Memorandum of the Minister of Justice to the Superintendent General of Indian Affairs of the 20th. ultimo respecting the Esquimalt Reserve for which application was made by the Esquimalt and Nanaimo Railway Company, - I beg to inform you that the letter from the Secretary of the Department of Railways and Canals of date the 29th. of May covering a letter from the Agent of the Government of Canada in British Columbia which you state you enclose

& desi

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

did not apparently accompany
your letter.

I have the honor to be
Sir.
Your obedient Servant
(Sgd.) H. Vankoughnet
Deputy of the Supt. Genl.
of Indian Affairs.

Geo. A. Burbidge Esq
D.M. Land Office

9

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Copy.

Copied for return to Parliament.
20/5/98.

21507

Office of the
Esquimalt & Nanaimo Railway Co.
Victoria B.C.,
9th May 1885.

Hon'ble J.W. Trutch
Dominion Govt Agent
Victoria.

Sir,

I have the honour to send you herewith a plan of the proposed terminal yard of the Esquimalt & Nanaimo Railway on the Indian Reserve at Esquimalt fifty acres of which by arrangement with Sir Alexander Campbell in your presence are on your valuation to be sold to this Company for terminal purposes.

The time has now arrived when the work of constructing

terminus

6.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

~~terminal purposes~~.

~~The time has now arrived when the work of constructing~~ terminal buildings must commence, and I have therefore to request that you will without delay take steps to have the arrangement above reprred to carried into effect.

I have the honor to be
Your obedient servant
(Sgd.) R. Dunsmuir
President.

1.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

copy.

X

Victoria, B.C.
11th May 1883.

Copied for return to Parliament.
20/5/98

Sir,

I have the honour to forward herewith for your consideration copy of a letter to me from Mr. Robt Dunsmuir President of the Esquimalt & Nanaimo Railway Company, with a plan appended thereto, relative to the proposed terminal station grounds of that Railway at Esquimalt.

Mr. Dunsmuir refers in his letter to an arrangement made between Sir Alex. Campbell and himself in my presence at Victoria for the sale of a portion of the Esquimalt Indian Reserve to the Esquimalt & Nanaimo Ry. Co. for the purposes of their terminal

1.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

terminal station grounds &
requests me to take steps to have
this arrangement carried into
effect.

The agreement referred
to by Mr Dunsmuir was as
appears from a memorandum
taken by me at the time - to the
effect that 50 acres of the reserve
in question (which was supposed
to contain 80 acres) should be
sold to Mr. Dunsmuir & his
associates, & the remaining
30 acres retained by the Govern-
ment & that the price of the
land should be assessed by
the Dominion Government agent
at the then present valuation
of the land, less the increased
value of the remainder of the land
in the Reserve which may be
Expected

2

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Expected to result from the con-
struction of the Esquimalt and
Nanaimo Ry. and Especially
from the location of the terminus
of the Railway on this Reserve.

Since this agreement
was come to it has been found
that the Reserve in question
contains less than 50 acres
the Exact acreage being as I
am informed 48 acres - the
whole of which Mr. Drummond
represents is required by the
Company for station grounds.

I have already written to
the Rt. Honorable the Superin-
tendent General of Indian
Affairs, as also to the Honorable
the Minister of Justice, my
views on this matter recommend-
ing the sale of the whole of this

3. Reserve

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

Reserve to the Esquimalt &
Nanaimo Railway Company
and have had an opportunity
of discussing with them whilst
I was at Ottawa the particulars
of the mode in which the ap-
praisement of the valuation of
this land in the spirit of the
arrangement made with Mr.
Dunsmuir might not be
carried into effect, and I have
concluded that as the settle-
ment of the terms on which the
lands in question are to be
acquired by the Esquimalt and
Nanaimo Ry. Co. is now as stated
in Mr. Dunsmuir's letter -
unreservedly called for, in order
that the Ry. works thereon may
be proceeded with - it is appro-
priate for me to communicate

4.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

communicate Mr Dawson's
application on this subject to
you in order that you may -
should you think fit to do so -
take steps towards securing
such settlement by moving the
Department of Indian Affairs
to take action in the matter.

I have the honor
to be Sir,
Your Obedient Servant
(Sgd) Joseph H. Trutch

The Hon'ble
J. C. Pope
Actg. Minr. of
Railways & Canals
Ottawa.

5

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Cy.

21507

Department of Railways & Canals

Ottawa May 29 1885

Copied for return to Parliament.
20/5/98.

DEPARTMENT OF INDIAN AFFAIRS
JUN 29 1885

Sir,

I have the honour by direction to forward herewith for your information a Copy of a communication received by this Office from the Agent of the Dominion Government in British Columbia in relation to the proposed acquisition on the part of the Esquimault and Nanaimo Railway Company of certain Indian Reserve land near Esquimalt required for the purposes of a Terminal Station ground. You will observe that the Agent refers to an understanding arrived at between himself and the Hon; the Minister of Justice

A

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

as to the valuation of the property in question, and the Government Chief Engineer having reported under date the 25th. instant that the Extent of the land proposed to be taken is reasonable for the purpose indicated, and that no other site is so well adapted. I am directed to request that you will be pleased to take such steps as you may consider necessary to enable the Company to acquire this reserve.

I have the honour to be, Sir,
Your obedient Servant
(Sgd.) A. P. Bradley
Secretary.

B.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

DEPARTMENT OF JUSTICE CANADA

D.G. 66185.

Returned

Copied for Parliament. 20/5/98 1507

Ottawa June 26th 1885

Copied for Parliament.

DEPARTMENT OF INDIAN AFFAIRS JUN 29 1885

Sir,

With further reference to correspondence relating to the acquisition by the Esquimault & Nanaimo Railway Co of Indian reserve lands, I have the honour to enclose herewith copies of the letter from the Secretary of the Department of Railways & Canals of 29th ultimo, covering one from the Agent of the Dominion Govt. which were accidentally omitted from my letter of 12th instant

I am Sir,

Your obedient Servant

A Burgess

Acting Minister of Justice

2 Encls

Dept Copy

The Deputy Superintendent of Indian Affairs

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,451 4

Department of Indian Affairs

Ottawa 30th June 1885

Memorandum

In connection with the Memorandum of the Minister of Justice addressed to the Superintendent General of Indian affairs on the 20th of May last,* the undersigned begs to submit herewith Correspondence which has since taken place between the Department of Justice and this Department in respect to the subject matter of said Memorandum namely the proposed acquisition by the Esquimalt and Nanaimo Railway of the Indian Reserve

To the Right Honorable
Sir John Macdonald, K.C.B.
Superintendent General of Indian Affs.

* forming part and still before the Minister

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

Received at Esquimalt, B.C.

A. Sanson Jnr

Deputy of the Sup.t Gen.l
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

21682

British Columbia

DEPARTMENT OF INDIAN AFFAIRS
JUL 2
1885

Read

305. M.

Indian Office
Victoria June 25th 1885

Form A.
File No. 19457.

Sir,

I have the honor to acknowledge the receipt of your communication of the 16th inst. covering cheques in favor Sparlsun $88.00 and Clarqueloc Son $35.00 for damage done to their property by the Esquimalt and Nanaimo Railway Co.

I have the honor to be
Sir
Your Obdt. Servant.
H. Moffatt.

The Honorable
The Supt. General
of Ind. affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

MEMORANDUM.

Department of Indian Affairs,

To Deputy Minister

Ottawa, 7 July 1885

I have examined the two Plans showing the Right of Way of the Esquimalt and Nanaimo Ry through two of the Indian Reserves in the Chemainus District of the Chemainus and Sickameen and Halalt Indians and find them to be correct.

The two plans are filed in this Office

Sam'l Bray
Jr. C. S. A.

Cont 20A
RS

(21)

MEMORANDUM.

Department of Indian Affairs,

To _____

_____ Ottawa, _____ 188

way in the interests of the Band to expend the money ($53.00) paid for the land taken by that R. R

Yours truly
D. C. L.

dont copy
RS

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

MEMORANDUM

7/7/85

Department of Indian Affairs,

To Accountant

Ottawa, July 7 1885

To prepare cheques (2) one in favor of Indian Agent W. R. Lomas in trust for Indians Sparlaeus & family for $88.00 the other in favor of the same in trust for Indian Clarke Lee & Son for $35.00 - both payments in compensation for improvements belonging to those Indians taken by the Esquimalt & Nanaimo R.R.

(2) Mr Mitchell to forwarding the cheques herein to Mr Supt Powell to ascertain & report what would be the best way

(4)

MEMORANDUM.

Department of Indian Affairs,

To

Ottawa, 188

way in the interests of the Band to expend the money ($53.00) paid for the land taken by that R.R.

W. Vankoughnet
Dep Sec

ARCHIVES PUBLIQUES
CANADA

19.451

I. N. Bwell Esq. Ind.
Indian Supt.
Victoria, B.C.

207 N. July 13 1885.

Sir,

With reference to the last paragraph of your letter of the 26 May last recommending that the balance ~~of~~ (being $63.45) remaining of the amount paid for land taken on the Chemainus Indn. Reserve for the Esquimalt and Nanaimo Railway be expended for the benefit of the Indians. I have to request that you will be good enough to ascertain & report what you would be the best way in the interests of the Band to expend the money.

I am &c.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Copied for return to Department.
1885

LES ROCHERS,
ST PATRICK,
RIVIÈRE DU LOUP.

August 8/1885

In behalf of the Songhees Reserve.

If a line of Railway is laid through this Reserve the Railway Co has proceeded according to Law. The Co can acquire the right of Way through the reserve but ~~it must~~ must pay for the same at a Valuation as provided by the Railway Act. Except for a right of Way the reserve cannot be expropriated except by Consent of Surrender of & by the Band.

To inform Dr Powell who should arrange with the Band Surrender

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

British Columbia 22470

Returns

437. N. Indian Office
Victoria July 31st 1885.

No. 19451

Sir,

With reference to your letter of the 13th inst on the subject of the balance of $53.45 received from the Railway Co. for right of way through the Chemainus Reserves, No. Agent Lomas, after consultation with the Band, would respectfully suggest that the amount be divided between the twelve Indians interested in the lands taken.

This would be a great help to the parties in question as they have just lost nearly all their crops and fences by bush fires.

I have the honor to be
Sir
Your Obdt. Servant.
I Powell
Indian Superintendent.

The Honorable
The Supt. General
of Ind. Affairs.

Rec'd Aug 4 85
Ans'd Aug 6 85
Copy of letter of Mr Lomas
Copy of Letter to Supt Gen'l Ind Affs
Copy of Letter to Mr Lomas

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

CORRESPONDENCE
AUG 18 1885
BRANCH

19. 457

L. W. Powell Esq
Indian Supt.
Victoria. B.C.

437/R

Sept. 14th 1885.

Sir,

In reply to your letter of the 3rd inst. I am directed to inform you that the Dept. approves of the suggestion therein made that the balance of $53.45 rec'd from the Railway Co. for right of way through the Chemainus Indian Reserve be divided among the twelve Indians entitled to the land taken.

I am &c.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451 Plan

Enclosed
12/5/55 Assistant
Please file &
return to Supt.

H. Powell Esq
Indian Supt
Victoria
V.I.

Copied for return to Parliament.
20/5/98

Ottawa 29 / 1855

Sir,

With reference to the proposed sale to the Esquimalt & Nanaimo Railway of the Indian Reserve at Esquimalt the Superintendent General of Indian Affairs directs me to inform you that in his opinion the Crown has no power to sell the Reserve of the Company & left under the provisions of the Indian Act 43 Vic Cap 28 Sec 36.

You should endeavour to induce the Band to agree to surrender the land on the understanding that it shall be valued & full value paid for it as in the case of private proprietors. The Band should be told that the purchase money will be applied first to purchase another tract to which the Band might remove.

T

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

The balance will be
funded by the Dept
& the interest paid
the Band as in the
case of ~~XXX~~ Indian
Bands in Ontario.
As you state that
the Indians residing
upon Reserves 6
a distance of 20 miles
from Esquimalt there is
no use in insisting
on that condition.
You should endeavour
to induce the Indians
to remove from suitable
places & at as great a
distance from the Town
as they will agree to.
The Railway Company
should not be allowed
to enter upon the Res.
until the matter has been
finally arranged. Should
it be impossible to obtain
a surrender from the
Indians you will nevertheless
consult with Mr O'Reilly
the Ind. Res. Comr
as to the a suitable site
for a new Reserve with
in contemplation of other
negotiations in respect to the
Esquimalt Res. being necessary
the arrangement
between

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

between Sir Alex. Campbell & Mr. Dunsmuir in regard to this Reserve has I presume subject to the powers conferred on the Govt by Statute. That arrangement was however entered into on a mutual mistake as to the quantity of land contained in the Res. It was supposed to contain 87 acres of which the Railway Co was to buy 50 acres, the remaining 37 acres to be retained by the Indians, whereas it appears that the whole tract only contains about 47 acres.

James R.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

SAFETY FILM

Immediate

14/8/85

Confidential
Memo for
Private Secy

L. N. Powell Esq.
Ind. Supt.
Victoria
B.C.

Copied for Return to Parliament
20/5/98

August 29/ 1885

Sir,

With reference to your letter of the 5th of May last and the correspondence from the R. Dunsmuir, President of the Esquimalt & Nanaimo Ry. Co. - Copies of which you enclosed - requiring the consent of the Songhees Res. & the Co. to run a line of Railway through this Res. The Ry. Co. has proceeded according to law, they can acquire the right of way through the Res. but must pay for the same at a valuation as provided by the Railway and Indian Acts. That Draft for a right of way no portion of the Reserve can be alienated unless by the consent of & surrender by the Band.

You will be good enough

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

enough to Indians to obtain a surrender from the Songhees Indians of the Res. in question; & as in the case of the Esquimalt Band, if the Songhees Indians will not consent however to receive a distance as was proposed, viz: 20 Miles from Victoria, you shewed endeavour to obtain for them a suitable tract of land as remote from the City as they will be willing however to

You will bear that in your previous instructions in respect to the proposed surrender by removal of the two Bands referred to you were directed to consult with Mr. O'Reilly the Indian Res. Comr. and these instructions still hold good.

Sam. Pe.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

23411

British Columbia

DEPARTMENT OF INDIAN AFFAIRS SEP 22 1885

595. N.

Indian Office
Victoria Sept 15th 1885.

Copied for return to Parliament.
20/5/98

No. 19.457.

Sir.

I have the honor to acknowledge the receipt of your letter of the 29th ult respecting the proposed purchase by the Esquimalt and Nanaimo Railway Company of the Songhees Indian Reserve, instructing me to obtain a surrender from the Songhees Indians of the Reserve in question if possible, with the view of removing them to a more suitable location, and requesting me to consult with the Indian Reserve Commissioner (Mr. O'Reilly) on the subject.

In reply, I have to inform you that the inability of Mr. O'Reilly to attend to any official business will prevent me from carrying out at present your instruction to consult with that Officer before selecting any

The Honorable
The Supt. General
of Ind. Affairs

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

any location for a new reserve to, which the Songhees Indians may remove. The matter will therefore have to remain in abeyance until Mr. O'Reilly has recovered sufficiently to enable me to confer with him.

I have the honor to be
Sir
Your Obt. Servant.
I. W. Powell
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

24708

Copy

DEPARTMENT OF INDIAN AFFAIRS
NOV 9 1885

Quamichan
Nov^{r} 2nd 1885.

Sir,

I have to inform you that the lands required by the Railway Co^{y} on the Cowichan Reserves have been valued, and we estimate the value as follows.

5.85 Acres Somenos at $5^{00} per acre (this is a portion of the allotments of Jean Baptiste and Quitquahtun)	29.25
Small portion of cultivated land Koksilah (owned by chief Celoose)	60.00
Small portion cultivated by Charley Sec.cut.sout. Koksilah	30.00
	$ 119.25

I would respectfully suggest that these amounts be paid in cash to the Indians named.

I have the honor to be
Sir,
Your obedient Servant
(Sd) W.H. Lomas
Indian Agent.

I.W. Powell Esqr. M.D.
Supt^{t} Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Re Reserve Land, Tsartlip Indian Reserve Saanich Agency, relative to the Land Question & Report

21708

British Columbia

DEPARTMENT OF INDIAN AFFAIRS NOV 19 1885

64. O. Indian Office
Victoria Nov^r 10^th 1885

Sir,

I have the honor to enclose for your consideration and approval copy of a letter from W^m Agent Lomas on the subject of remuneration to certain Indians for land taken from them by the Esquimalt and Nanaimo Railway C^o.

I have the honor to be
Sir,
Your Ob^dt Servant.
I W Powell
Indian Superintendent.

The Honorable
The Supt^n General
of Ind. Affairs

CORRESPONDENCE NOV 21 1885 BRANCH

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

19.451

J. W. Powell, Esq.
Surveyor
Victoria, B.C.

64.0

Nov. 25 1885.

Sir,

I have to ask, the
favor of your letter of
the 10th. inst. enclosing
copy of a letter from
Mr. Abel Lomas
on the subject of re-
muneration of certain
Indians for land taken
from them by the Esquimalt
and Nanaimo Railway
Co.; and in reply I
beg to inform You that
You should consult
with the Indian Reserve
Comr. relative to the
value of the land
and send a report
of the result to the
Department.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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Copy

Esquimalt & Nanaimo Railway Co.

Victoria 14th Dec 1885.

INDIAN AFFAIRS DEC 23 1885 SECRETARY

Lieut. Col. I. W. Powell
Supt. Indian Affairs
Victoria

Sir,

I have the honor to enclose herewith copy of joint award by W. St. Lucas, arbitrator appointed by you on behalf of the Indians, and Reginald Hall railway arbitrator, amounting to $119.25 for land taken for railway purposes through the Kokoilah and Soumenos Indian reserves, and also copy letter from Mr. Lucas to me of 16th Nov: last, accepting on behalf of Indian Jacob, the valuation, amounting to $100 of certain damages to his allotment on the Chemainus Indian reserve, arising from the railway works in connection with the diversion of the Chemainus River.

As the Indians are pressing for a settlement of these claims and as this Company is anxious to pay the amounts without delay I have to request that you will at once advise me to whom payment is to be made.

Etc. Etc.

(Sd.) Joseph Hunter
Chief Engineer.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Copy.
Crowbar

DEPARTMENT OF INDIAN AFFAIRS
DEC 23 1885

Quamichan
Nov. 2nd 1885

Sir,

We have the honor to inform you that the portion of the Somenos and Kakeilah Reserve required for the Right of way of the Esquimalt and Nanaimo Railway have been valued by us as follows.

Indians Quitquartin & Jean Baptiste (Allotments)	Somenos 5.85 acres @ $5.00	29.25
Chief Celoose	Kakeilah improvements	60.00
Charley, Te cut sorek		30.00
		$ 119.25

We have the honor to be
Sir
Your Obedient Servants
W.H. Lomas
Valuator for Indian Dept.

Approved by me in accordance with the above
Reginald Nuttall
Valuator
Prov. Esq. & Nan. Ry Co.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

Copy.

DEPARTMENT OF INDIAN AFFAIRS
DEC 23 1885

Quamichan B. C.
Nov. 16th 1885

Sir,

I have to acknowledge the receipt of your letter of the 13th inst. and inform you that I have seen the Indian Jacob and he will agree to sign a receipt for the one hundred dollars mentioned as compensation in full for all damage that has, or may occur on his allotment of the Cheemainus Indian Reserve;

With the money please send the form of receipt you would wish signed.

I have the honor to be
Sir
Your Obedient Servant
W. H. Lomas

Jos. Hunter Esq
Chief Engineer
E and N. Railway
Victoria.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

25476

British Columbia

DEPT. OF INDIAN AFFAIRS
DEC 23 1885

Ind. O. 23 Dec 1885

Indian Office
Victoria Dec 14th 1885.

CORRESPONDENCE
DEC 26 1885
BRANCH

No 19451

Sir

I have the honor to acknowledge the receipt of your letter of the 26th ult. in reply to mine of Nov. 10th last No 64. O. on the subject of remuneration to certain Indians for land taken from them by the Esquimalt and Nanaimo Railway Co., and informing me that I should consult with the Indian Reserve Commissioner relative to the value of the land taken and report the result to the Department.

In respect of this matter, I have to state that in April last the Railway Co. appointed Mr. Muttall arbitrator on the part of the Company and requested me to name some person on behalf of the Department. I ventured to suggest in my letter of the 28th April last Mr. Mr. Agent Lomas as being well qualified

The Honorable
The Supt. General
of Ind. Affairs

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

qualified from his long residence in Cowichan to act for the Hon the Supt. General. I supposed that this suggestion had been honored by your approval, particularly, as their first award had been duly settled with your concurrence, and the money paid over by the Company. see my letter 26th May 1885. 207. M. and your reply thereto of Aug 14th 19451.

I trust you will therefore pardon my inability to understand the reason for another arrangement now, and your request that I should confer with Mr. O'Reilly as to the value of the land. That gentleman being still very ill and unable to attend to business, I have been obliged to defer any consultation with him.

However, on Saturday, hearing that he felt better, I enclosed all the correspondence to him and have received the following Memorandum in return. "I have never been at Cowichan, and without visiting the land in question cannot express an opinion as to its value."

(Sd.) P. O'Reilly
I. R. C.

Unless there appears to you some serious objection, I think the award of Mr. Lomas for this Department and Mr. Nuttall for the Railway Co. for $119.25 as referred to in my letter No. 64. O. of the 16th Nov and

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

and the recommendation which I therein ventured to make should have approval, so that the money might be duly disposed of to the Individual Indians whose allotments have been damaged. In connection with this matter, I have to enclose copy of a letter which I have just received from the Chief Engineer of the Company who also enclosed copy of Mr. Agent Loma's letter.

The additional sum of $100.00, adverted to in Mr. Hunter's letter, is for damage to Indian Jacob's allotment, on account of the diversion of the Chemainus River for railway purposes, which the Company also desires to pay Jacob individually.

I have the honor to be
Sir,
Your Obdt. Servant.
I. W. Powell
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

19451

J. W. Powell Esq
Indian Dept
Victoria
B.C.

Dec 29 1885

Sir,

I have to ask the favor of your letter of the 14th inst and its enclosures on the subject of Remuneration to certain Indians for land taken up etc by the Esquimalt and Nanaimo Railway Co and in reply I have to inform you that assuming the Comrs' valuation in these instances to be correct the Dept approves of the same but in connection with all land matters it is preferable that Mr Indian Reserve Commr O'Reilly's opinion should be obtained if he be in a position to give it and you will be good enough to bear this in mind hereafter

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25772

Copied for return to Parliament.
20/5/98

DEPARTMENT OF INDIAN AFFAIRS JAN 8 1886

260. O.

CORRESPONDENCE JAN 9 1886 BRANCH

Indn Office
Victoria 30th Dec 1885

Sir

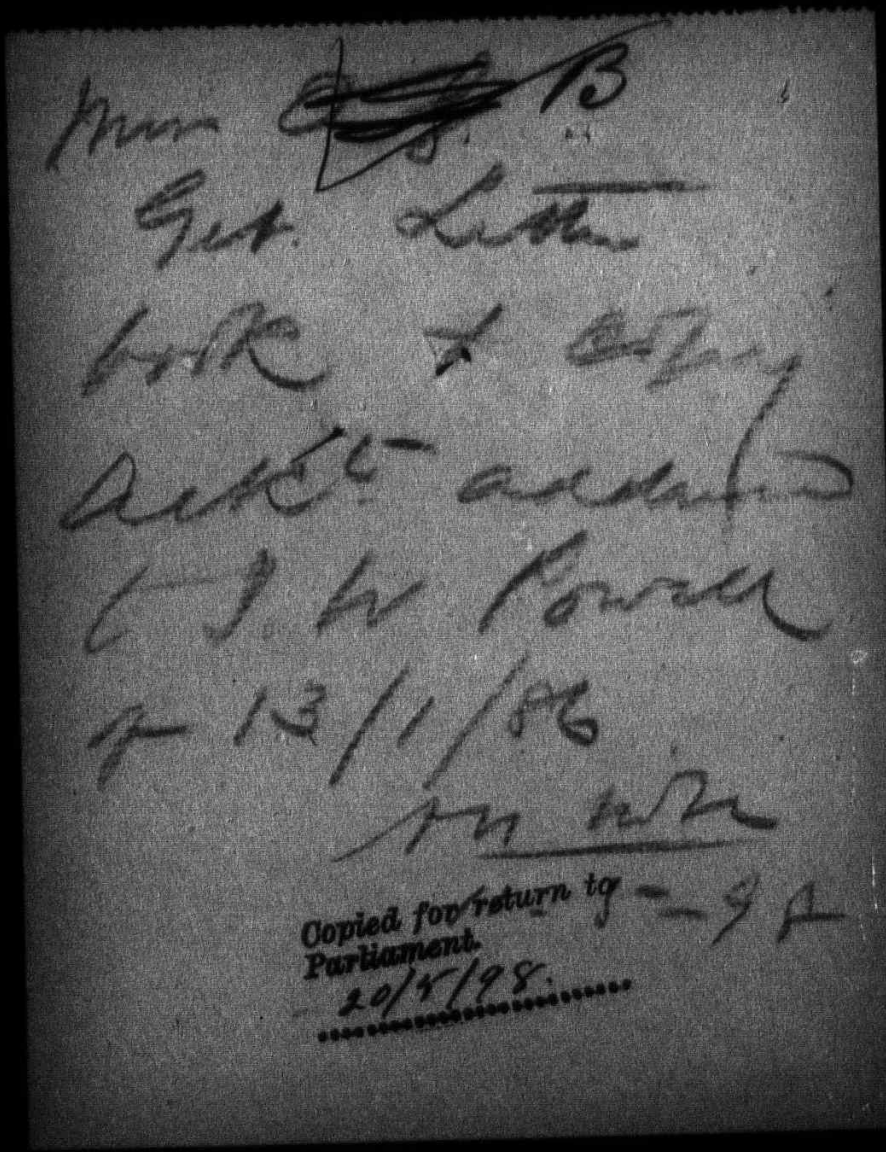
I have the honor to report, That the Esquimalt and Nanaimo Railway Company have decided to establish their Terminus on the Saanich Reserve (Victoria West), and have notified me, that they will require such land as is allowed them under the Consolidated Railway act 1879 and Amendments thereto,

I have the honor to be
Sir
Your obedient servant
I W Powell
Supt Ind Affairs

The Right Honorable
The Superintendent General of Indn Affairs
etc etc

Ackd
E
13/1/86
West

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA



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20/4/98

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CANADA

Original.

19451.

Voucher No. [redacted]

Date of Payment 188

DEPARTMENT OF

INDIAN AFFAIRS

BRITISH COLUMBIA.

S. Gray

Service Seed Potatoes

supplied Chemainus

Indians

$53 40

I. W. POWELL,
SUPT.

COWICHAN AGENCY.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Voucher No. 38221

GOVERNMENT OF DOMINION OF CANADA

DEPARTMENT OF INDIAN AFFAIRS IN BRITISH COLUMBIA.

COWICHAN AGENCY.

S. Gray Cr.

DATE.	DETAIL.	AMOUNT. $	AMOUNT. Cts.
1886 March 19th	By 3563 lbs Seed Potatoes at 1½ Supplied to Chemainus Indians per order of Indian Agent	53	45
	Authority 19457. 14th Aug 1885		
	Approved, I Powell		
	Certified Correct, W.S. Thomas.	53	45

$53 45 Chemainus B. C., March 19 1886

Received from W S Thomas Agent,

the above sum of Fifty-three — Dollars,

forty five Cents.

Witness to Mark of Payee, S. Gray

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Triplicate

Voucher No. 1

Date of Payment 188

DEPARTMENT OF

INDIAN AFFAIRS

BRITISH COLUMBIA.

S. Gray

Service Seed Potatoes supplied Chemainus Indians

$53 45

I. W. POWELL,
SUPT.

COWICHAN AGENCY.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Voucher No. 28221

GOVERNMENT OF DOMINION OF CANADA.

DEPARTMENT OF INDIAN AFFAIRS IN BRITISH COLUMBIA.

COWICHAN AGENCY.

S. Gray Cr.

DATE.	DETAIL.	AMOUNT. $	Cts.
1886 March 19	By 3563 lbs Sea Potatoes at 1½c Supplied to Chemainus Indians per order of Indian Agent.	53	45
	Authority 19451. 14th Aug 1885.		
	Approved, I Vowell		
	Certified Correct, W. S. Thomas.	$53	45

$53 45 Chemainus B. C., March 19 1886

Received from W. S. Thomas Agent,

the above sum of Fifty-three — Dollars,

forty five Cents.

Witness to Mark of Payee. S. Gray

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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Duplicate

Voucher No. 1

Date of Payment 188

DEPARTMENT OF

INDIAN AFFAIRS

BRITISH COLUMBIA.

I. Gray

Service Seed Potatoes supplied Chemainus Indians

$53 45

I. W. POWELL,
SUPT.

COWICHAN AGENCY.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Voucher No. 28221

GOVERNMENT OF DOMINION OF CANADA.

DEPARTMENT OF INDIAN AFFAIRS IN BRITISH COLUMBIA.

COWICHAN AGENCY.

S. Gray Cr.

DATE.	DETAIL.	AMOUNT. $	Cts.
1886 March 19th	By 3563 lbs Seed Potatoes at 1½c	53	45
	Supplied to Chemainus Indians per order Indian Agent		
	Authority 19451. 14th Aug 1885.		
	57 / 26 / 53.45 / Approved, I Vowell		
	Certified Correct, W Thomas.	53	45

$53.45 Chemainus B. C., March 19th 1886

Received from W. H. Lomas Agent,

the above sum of Fifty-three Dollars,

forty five Cents.

Witness to Mark of Payee. S. Gray

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

28221

DEPARTMENT OF INDIAN AFFAIRS
APR 8 1886

British Columbia

Miscellaneous

No 7

538. C. Indian Office,
Victoria Mar 29th 1886.

CORRESPONDENCE
APR 29 1886
BRANCH

Sir,

I have the honor to enclose for payment the Vouchers of Mr. S. Gray for the sum of $53.45 being amount authorised in your letter of the 14th Aug 1885 to be paid to twelve Indians from money received for the Nanaimo & Esquimalt Railway Co for right of way through the Chemainus Indian Reserve.

I have the honor to be
Sir,
Your Obdt Servant.
I W Powell
Indian Superintendent.

af 57
26
£53 45
20.4.86.

The Honorable
The Supt. General
of Ind Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

29274

British Columbia

DEPARTMENT OF INDIAN AFFAIRS
MAY 1
18

To Dept
11 May 86
21. O.

Indian Office
Victoria Apr 30th 1886.

Comm. a. File No 19451.

Sir,

I have the honor to acknowledge the receipt of your communication of the 22nd inst covering Official cheque No 26 in favor of Wm. S. Gray in payment of his account for seed potatoes supplied the Chemainus Indians.

$53 45/

I have the honor to be
Sir
Your Obdt Servant.
I W Powell
Indian Superintendent.

The Honorable
The Supt. General
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

No 26385

Subj' 461

Ref. ~~40768~~ 40768

32613

Ottawa Sept 7 1884

Copied for return to Parliament.
28/5/98

Sir

By direction of the Minister I am to ask that you will be pleased to inform this office what arrangements have been made to secure to the Esquimalt & Nanaimo Railway Company title to the Indian Lands which may be embraced in the lands taken for right of way or needed for them as part of the land subsidy granted by Parliament.

I have the honour to be
Sir
Your obedient servant
A. P. Deadley
Secretary

I. Vankoughnet. C
Deputy Sup't. Genl. Indian Affairs

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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MEMORANDUM.

Department of Indian Affairs,

To W. W. Reilly

Ottawa, 188

Please write to W. Powell Esq. upon him to the letter from this Dept. of 28th April 1886 and inform him that two plans only have been received of the Rights of Way of the Esquimalt and Nanaimo Ry. through Indian Reserves - These two plans being of the Rights of Way through Reserves in the Okemaninus District, comprising Sec. 11 R. 7 - and Secs. 3, 4 and 5 R. 7. and ask him to be good enough to forward copies of the remaining Plans of Rights of Way through Indian Reserves of the Esquimalt and Nanaimo Ry. at as early a date as possible.

I. B.

Respd.

I have the honor to be
Sir
Your obedient servant
A. Sinclair
for Deputy Minister

CORRESPONDENCE
SEP 9 1886
B

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Sec.
Dept. of Railways & Canals
Ottawa.

40 7 6 Copied for return to Parliament 20/6/28

Sept. 14. 1886.

Sir,

I am the honor to acknowledge the receipt of your letter of the 7th inst asking what arrangements have been made between the Esquimalt and Nanaimo Railway Co and the Dominion Government with regard to the lands which may be embraced in the areas taken for right of way; and in reply to inform you that no arrangements of that kind have been [illegible]

I have

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Dept. Ind. Affairs
Victoria, B.C.

102 M

Sept. 1886.

CORRESPONDENCE
SEP 11 1886
BRANCH

Sir,

Referring to your letter of the 20 April last, I have to inform you that the Plans only have been received of the Right of way for the Esquimalt and Nanaimo Railway through Indian Reserves. The Plans received show the Right of way through Reserves in the Cheemainus District comprising Sec 11, R 7 and Secs 3, 4 & 5, R 7.

Before enough to forward copies of the remaining Plans with as little further delay as possible.

I have

Copied for reference
Parliament
10/5/98

Dominion Observatory
Victoria B.C.
Sept 3rd 1886

Wm Ashcroft Esq
Dominion Land Surveyor
Victoria B.C.

Sir,

Referring to your letter of the 20th April last, I have to inform you that the Plans only have been received of the Right of way for the Esquimalt and Nanaimo Railway through Indian Reserves. The Plans received show the Right of way through Reserves in the Cheemainus District comprising Sec 11, R 7 and Secs 3, 4 & 5, R 7.

Before enough to forward copies of the remaining Plans with as little further delay as possible.

I have

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

British Columbia. 33157

DEPARTMENT OF INDIAN AFFAIRS
SEP 28 1886

X

361. P. Indian Office
Victoria Sept 20th 1886.

Copied for return to Parliament.
20/5/98.

No 19451.

Sir,

I have the honor to acknowledge the receipt of your letter of the 10th instant requesting that certain Plans of the Right of Way for the Esquimalt and Nanaimo Railway through Indian Reserves be forwarded with as little delay as possible.

In reply I beg to state that I have made application for the Plans to R. Dunsmuir Esqr. President of the Railway Company and that gentlemen has informed me that the same will be supplied as soon as present press of business will allow them to be prepared.

I have the honor to be
Sir,
Your Obdt. Servant.
I.W. Moffatt.

The Honorable
The Supt. General
of Ind. Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

No. 26607
Subj. 961 - 950
Ref. 40899

X 33691

DEPARTMENT OF INDIAN AFFAIRS
OCT 13 1886

Ottawa Oct 12th 1886

Copied for return to Parliament
20/5/98

Sir

On the 14th ultimo you informed this department that no arrangements have been made to secure to the Squamish and Kamaimo Railway Company title to the right of way on Indian lands through which their line passes.

The government Engineer of Railways now reports as a result of his recent visit to British Columbia that he was informed both by the agent of the Dominion Government and by Mr Dunsmuir the President of the railway Co. that arrangements had been made by the latter with Sir John. Macdonald when

The Deputy Supt. Genl.
of Indian Affairs.

he

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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he was in Victoria in respect of the Victoria Indian Reserve, the deeds relating to which were to be prepared on his return to Ottawa.

Mr Duncan also states that he had made an offer to the Premier for the Esquimalt Reserve, or for the right of way thro' through. A decision as to which of these two courses would be accepted was withheld pending Sir John A. Macdonald's return to Ottawa.

I am to say that the settlement of these matters is awaited by the Company and to ask that you will be pleased to bring the matter up for decision advising this Office so soon as the course to be followed is determined on.

I have the honour to be
Sir
Your obedient servant
A. Z. Bradley
Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

19457

Department of Indian Affairs

Ottawa, 27th Octr. 1886.

Memorandum:—

The undersigned has the honour to submit for the perusal of the Superintendent General of Indian Affairs a letter from the Department of Railways & Canals, dated the 12th instant, in which it is stated that Mr. Dunsmuir, the President of the Esquimalt & Nanaimo Railway, made arrangements with the Superintendent General during his visit to Victoria respecting a right of way for that Railway through the Indian Reserve at

To the Right Honourable
Sir John Macdonald G.C.B.
Supt. Genl. of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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at Esquimalt; referring to an offer made for the Esquimalt Reserve, and urging that a speedy decision may be come to in regard to the matter, as the Railway Company is very desirous that it should be settled.

Respectfully submitted.

A. Sinclair

for Dy Supt. Genl of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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Cox's Patent INFOLD, Canada, Nov. 10th, 1891; U.S., May 17th, 1892.

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OPERATING THE LINES OF THE MONTREAL DOMINION AND MANITOBA TELEGRAPH COMPANIES.

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H. P. DWIGHT, General Manager.

ERASTUS WIMAN, President.

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Use this space for Continuation of Lengthy Addresses, OR INSTRUCTIONS TO MESSENGER.

Copied for return to Parliament.

20/5/98

No. 109 Check

Rec'd by | Time

Sent by | Rec'd by | Time

Right Hon Sir John A Macdonald

W Pg

Forward

Pub Accts

Ottawa BC 24 W Pg 25/8 1886

Promise individual Songish Indians at once for their improvements of Surrender of their reserve very requisite railway Company removal of Indian houses almost

J W Powell

Ottawa Dec 6 Read Shall answer

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

British Columbia 41364

DEPARTMENT OF INDIAN AFFAIRS
JUL 29 1887

697.2

Indian Office
Victoria July 20th 1887.

CORRESPONDENCE
JUL 29 1887

Copied for return to Parliament.
20/5/98

Sir.

I have the honor to report to you that it having become necessary to extend the Esquimalt and Nanaimo Railway to the harbor, through the Songhees Reserve, in pursuance of my proposal made while at Ottawa I appointed Mr. Lomas to act for this Department in valuing the improvements belonging personally to the Indians and Mr. Hunter the Superintendent of the Railway acted for the Company.

The following Indians had improvements valued in the sums opposite each name - These monies were paid to them directly by Mr. Dunsmuir in presence of Mr. Lomas and Mr. Moffatt.

I have to add that the Indians named were well satisfied with the arrangement, and as

The Honorable
The Supt. General
of Ind. Affairs.

Ottawa
Aug 1st 1887
Rec'd Aug 2nd 1887

Ans Dec 2nd

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

as a proof of this have actually moved away their houses themselves to clear the track _ The road is being extended now and all difficulty has been avoided.

Of course this payment is not for "right of way" in which the whole band is interested, and which must be settled in accordance with the Indian Act.

I have the honor to be
Sir,
Your Obdt. Servant,
I. W. Powell
Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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X

41364

List of Indians and amounts paid them for removal of their houses. Etc. from the Railway track on the Soughes Indian Reserve.

Copied for return to Parliament 20/5/98.

DEPARTMENT OF INDIAN AFFAIRS. RECEIVED 1887

Scomiad	200.00
James Quskamult	150.00
Sam Quttamilt	250.00
Dave Sinalahoo	25.00
Johnny	5.00
Mrs Sahtsulth	5.00
Jack Penelacut	60.00
Chatlam	25.00
Tom Frank	300.00
Semmaht	40.00
Dick	70.00
Shplielth	260.00
Sahtla	350.00
	$ 1740.00

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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Copy

Victoria B. C. September 21st 1885

X

W.m J. W. Powell
Supt Indian Affairs
Victoria B. C.

Copied for return to Parliament.
2 D 15 / 98.

Dear Sir,

I beg to acknowledge your letter of the 15th instant having reference to the partial entry of the Esquimalt and Nanaimo Railway Company upon the Indian Reserve at Esquimalt.

In a conference which I held with Sir Alexander Campbell upon the subject of the acquisition of the Esquimalt Reserve he entered into an agreement with me that the Company should be allowed fifty acres of the said Reserve for their terminal purposes.

The Company consider aside from the agreement above quoted that they are entitled under section 9 of the Consolidated Railway Act 1879 as amended by subsection 3 of section 2 of Chapter 24. 1883 read in connection with subsection 37 of section 9 of the Consolidated act of 1879 to take from the said Indian Reserve for depot purposes a piece of land 650 yards in length by 100 yards in breadth or such greater quantity of land

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CANADA

land as may be approved by the Governor in Council.

It is not yet known what other buildings will be absolutely and immediately necessary at the reserve and the Company cannot comply with your request not to make further erections and improvements until a settlement of the matter has been concluded as the progress of the undertaking might be seriously affected thereby; but at the same time I will say that the company will not take what they are not strictly entitled to by law until a settlement has been effected with the Dominion Government.

I also wish to inform you that it is the intention of the Company to proceed immediately with the continuance of the line in accordance with their charter to Victoria, and it will necessitate a further right of way through the Reserve for such purpose.

I have the honor to be
Sir,
Your obedient Servant,
(Sd) R. Dunsmuir
President
Esquimalt and Nanaimo Railway Co.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Copy

British Columbia

X

393. M. Indian Office
Victoria Sept. 15th 1885.

Copied for return to Parliament
20/5/98.

Sir,

With reference to previous correspondence on the subject of right of way through the Esquimalt Indian Reservation, and the subsequent acquirement by you of the whole Reserve for Railway purposes, I am surprised to find that the reserve has been entered and rails laid thereon without permission, and before a transfer of one or both has been concluded. Under the circumstances, I should like to have an assurance from you that although you may have found it necessary to erect a temporary wharf and clear a way for the purpose of landing and conveying Railway material, as explained in our interview to day, that-

Robert Dunsmuir Esq.
President
Van. & Esq. Railway Co.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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that no further erections or improvements will be made until a settlement the matter has been concluded between the Company and this Department. In this event steps will be taken with a view to obtain a surrender of the Reserve if possible, from the Indians according to the provisions of the Indian Act 43 Vic Chap 28 Sec 36 and if an agreement can then be made between the Government and the Company as to the value of the portion required for right of way, or of the whole reserve, a transfer of the same can be legally effected.

I have the honor to be
Sir,
Your Obdt. Servant,
I. W. Powell.
Supt. Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Rec'd Oct 1/85 British Columbia

597. M. Indian Office
Victoria Sept 15th 1885.

M. 19457

Printed for return to Parliament.
20/5/98

Sir.

I have the honor to acknowledge the receipt of your letter of the 29th ult, requesting me to endeavor to induce the Esquimalt Indians to agree to the surrender of their reserve, and remove to some more suitable place, to consult with Mr. O'Reilly thereon, and to prevent the Railway Company from entering upon the Reserve until the matter has been finally arranged.

In reply, I have to state that until a proper place can be selected to which the Indians may remove it will be difficult, if not impossible, to persuade the Esquimalt Indians to consent to surrender their present Reserve.

Mr. O'Reilly is still confined I

The Honorable
The Supt. General
of Ind. Affairs

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

I am sorry to observe, to his room from illness, and is unable to transact any official business; your instruction therefore to consult with that gentleman as to a suitable site for a new Reserve cannot at present be carried out and hence I presume the matter will for the present have to be left until he is able to attend to it. I have however, visited the Reserve and beg to inform you that the Railway Company have entered thereon, and without permission, cleared a way through it on which rails are now laid and a temporary wharf has also been built.

The only means of preventing further encroachments until the matter is settled would be by applying to the Court for an injunction to restrain them.

I called upon Mr. Dunsmuir to day in reference to the subject, and that gentleman informed me that he had found it necessary to construct a temporary wharf on the reserve connecting the same with the railway line in order to land material and convey the same for construction purposes — that no further erection or improvements would be required until the matter was settled and as he wished to have an arrangement mutually agreeable

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agreeable with the Department he trusted no interference with the work would be made at present.

Mr. Dunsmuir is anxious to acquire the reserve which he states will all be required for terminal purposes — and has signified his willingness to pay for the right of way immediately or make a deposit therefor, if such a course is preferred by the Department — I see no objection therefore in allowing the matter to stand as it is, until a surrender has been effected.

I have the honor to be
Sir,
Your ob'd't Servant.
I. W. Powell
Indian Superintendent.

P.S.

Since writing the above I have received a letter from Mr Dunsmuir in reply to one from me. Copies of both communications are enclosed herein.

I.W.P.

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CANADA

MEMORANDUM.

Department of Indian Affairs,

To _____

_____ Ottawa, _____ 188

OCT 1 1890

Mrs Sinclair

I have received your
letter of the 1st inst. asking
for the payment of the
annuities due to your
husband as a
Treaty Indian
of the Saugeen
Band.

Yours truly
D. C. G.
for Secretary

13. 10. 90

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

T. D. Form B

Canadian Pacific Railway's Telegraph.

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Correctness in the transmission of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz:—One per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

ARE SUBJECT TO THE FOLLOWING TERMS:

This Company shall not be liable for the act or omission of any other Company, but will endeavor to forward the telegram by any other Telegraph Company, necessary to reaching its destination, but only as the agent of the sender and without liability therefor. This Company shall not be responsible for messages until the same are presented and accepted at one of its transmitting offices; if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the sender's agent; if by telephone, the person receiving the message acts therein as agent of the sender, being authorized to assent to these conditions for the sender. This Company shall not be liable in any case for damages, unless the same be claimed in writing, within sixty days after receipt of the telegram for transmission. No employee of the Company shall vary the foregoing.

Copied for return to Parliament.

SIR GEORGE STEPHEN, President. W. C. VAN HORNE, Vice-President. CHAS. R. HOSMER, Manager Telegraphs.

Sent No.	Sent by	Rec'd by	Time Sent.	Time Filed. 20/5/98	Checks

Send the following Message, subject to the above terms, which are hereby agreed to:

Copy. Oct 13 1887

To D. Van Koughnet

care D. Powell

Victoria, B.C.

Copied for return to Parliament.

See Powell and Dewdney and arrange if possible question of reserves in Victoria in connection with Railway.

By Hugh White

Indian Dept.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Canadian Pacific Railway's Telegraph.

T. D. Form

MESSAGES TAKEN BY THIS COMPANY

It is agreed between the sender of the following message and this Company that said Company shall not be liable for damages arising from failure to transmit or deliver, or from any error in the transmission or delivery of an unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruption in the working of its lines, for errors in cypher or secure messages, or for errors from illegible writing, beyond the amount received for sending the same. To guard against errors, the Company will repeat back any telegram for an extra payment of one-half the regular rate, and in that case it shall not be liable for damages beyond fifty times the amount received for sending and repeating.

Correctness in the transmission of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz:—One per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

ARE SUBJECT TO THE FOLLOWING TERMS:

This Company shall not be liable for the act or omission of any other Company, but will endeavor to forward the telegram by any other Telegraph Company, necessary to reaching its destination, but only as the agent of the sender and without liability therefor. This Company shall not be responsible for acts there[illegible] the same are presented and accepted at one of its offices subject to these conditions, and no message is sent to such office by one liable in any case[illegible] a message is sent to such office by one writing, within sixty [illegible]ys, he acts for that purpose as the transmission. No employ[illegible] person receiving the message foregoing. [illegible]ing authorized to assent [illegible]pany shall not be [illegible] claimed in [illegible] for

SIR GEORGE STEPHEN, President. W. C. VAN HORNE, Vice-President. CHAS. R. HOSMER, Manager Telegraphs.

Sent No.	Sent by	Rec'd by	Time Sent.	Time Filed.	Check.

Send the following Message, subject to the above terms, which are hereby agreed to:

Copy. Oct 13 188[illegible]

To Dr Powell

Indian Superintendent

Victoria, B.C.

20/5/98.

Copied for return to Department.

Please see Mr Dunsmuir and with Van Koughnet arrange if possible [illegible] of right of way through Indian Reserve in Victoria

[illegible]

Chf Indian Dept.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(Copy)

Office of the President,
Esquimalt and Nanaimo
Railway Company.

Victoria B. C.
22nd. October 1891.

To A. W. Vowell Esq.
Superintendent of Indian Affairs
Victoria.

Sir,

I have the honor to inform you, in accordance with Section 108 of the "Railway Act", that after the expiration of ten days, I shall make application to the Honorable Minister of Railways and Canals, to authorize the taking of certain lands being a portion of the Songhees Indian Reserve near the City of Victoria for the purposes set forth in the said application, viz- for the accomodation of the public and of the traffic on the Esquimalt and Nanaimo Railway.

I have the honor to be,
Sir,
Your Obedient Servant,
(Signed) James Dunsmuir
Vice President.

Copied for return to Parliament
20/5/98

Correct Copy
Stuart Moffatt.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

British Columbia.

Copied for return to Parliament.
20/3/98.

637. Z. Indian Office,

Victoria, October 24th. 1891.

Sir,

I have the honor to enclose copy of a letter from J. Dunsmuir Esq., Vice President of the Esquimalt and Nanaimo Railway Company containing the information that he will make an application to the Honorable the Minister of Railways and Canals to authorize the taking of certain lands being a portion of the Songhees Indian Reserve in this City for the accomodation of the public and of the traffic on the above named Railway.

I have the honor to be

Sir,

Your Ob'dt. Servant,

I. W. Moffatt

for the Visiting Indian Superintendent.

L. Vankoughnet Esq.

Deputy Supt. General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

RETURN TO
CORRESPONDENCE BRANCH

19.451.

Copied for return to Parliament.
20/5/98

637

Immediate
Write

R. W. Wade, Esq
Visiting Supt.
Victoria, B.C.

Nov. 3 1891.

Sir,

I have the rec'd of your letter of the 24 ult., enclosing copy of a letter from Mr. J. Dunsmuir, Pres't of the Esquimalt and Nanaimo Railway Co. stating that he will make application to the Govt. the Minister of Railways & Canals for authority to take possession of certain land forming a portion of the Songhees Indian Reserve for the accommodation of the Public

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

public and the Trappe
Post Railway; and in
reply I beg to inform you
that under the provision
of the Act 50-51 Vic
Cap 33, Sec 5, no portion
of any Indian Reserve
can be taken for the
purposes of any Railway,
Road or public work
without the consent of the
Gov-Gen. in Council; and
the Vice President of the
Esquimalt and Nanaimo Ry
should be so informed.

Yours

J. Trudeau Esq. C.E.
Deputy Minister
of Railways & Canals.
Ottawa

Nov- 3 1891.

Sir,

I have the honour to
enclose for your information
in the matter copy of a
letter

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Patent Office

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

RETURN TO
CORRESPONDENCE BRANCH.

Letter from the Lieut-
Supt. at Victoria B.C.
dated the 2d inst. and
of the letter received
therewith from the Vice
President of the Esquimalt
and Nanaimo Railway
Co. stating that it is
his intention to make
application to the
Hon'ble the Minister of
Railways & Canals for
authority to take certain
lands forming part of
the Songhees Indian
Reserve in Victoria for
the accomodation of the
public and of the traffic
on that Railway.

I also lay before
a copy of the letter sent
this dept. to the Supt at Victoria
to its Supt. in reply.

J. Lowes.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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No 41701
Subj: 980
Ref 62466

Mr Stewart
Please see any correspondence
Ref

Copied for return to Parliament. 20 Feb 1986

DEPARTMENT OF INDIAN AFFAIRS
DEC 2 1891

Ottawa Dec 2nd 1891

Re Esquimalt & Nanaimo Railway Co
Songhees Indian Reserve.

An application dated the 2nd ultimo having been made to this department on behalf of the above Railway Company by Mr Alexander Dunsmuir President for the acquirement of certain portions of the Songhees Indian Reserve required for their line in which it is stated that, in August 1883 an arrangement was made between the late Mr Robert Dunsmuir then President of the Company and Sir Alexander Campbell respecting the conveyance to the Company of the Songhees Indian Reserve in

L Vankoughnet Esq
Deputy of the Supt Genl
of Indian Affairs
Vancouver

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

No. ...

Subj. ...

Ref. ...

Ottawa 188

Vancouver Island B.C. and as this arrangement is necessary to be had before settling the question referred to in the above letter from Mr Alexander Duncmuir, I have the honor to request that You will please have furnished to this Department a copy of such arrangement if it be in Your Office.

I am Sir

Your obedient Servant

J Trudeau

Acting for Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

MEMORANDUM.

To Deputy Minister

Department of Indian Affairs.

Ottawa, 3rd Decr. 189[illegible]

As will be seen by L. Powell's letter of 25th. April 1888, Mr. Drummond informed that gentleman that he had an agreement with the Dominion Govt. through Sir Alexander Campbell, to take the D'Eughes Res. en bloc" at a valuation. On the 13th. May 85 the Deputy Minister submitted a memorandum to the late Sir John Macdonald on the subject, in which memorandum is stated that there is nothing on record in this Department showing any such agreement to have been made." By direction of the Minister, the D. M.'s report was sent to Alexander Campbell, and by memoranda on Deputy Minister's note of 28th May 1885, it would appear that a memorandum on the subject was received from Sir Alexander Campbell, which memo. was afterwards withdrawn. A letter dated 11th May 85 from the Hon. J.W. Snetch to the Hon. J.H. Pope, Minister of Railways, purports to give the terms of agreement entered into with Mr. Drummond.

B. Stewart

See also, Sir John Macdonald's memo. of August 1885.

B.S.

Add file 9915

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

19,461 Draft.

SECY'S BRANCH,
DEC 7 1891
WRITTEN.

F. Trudeau, Esq.,
Deputy Minister of
Railways and Canals.

Copies for return to Parliament. 20/3/98

Immediate

Sir,

926999

I beg to acknowledge the receipt of your letter of the 2nd instant, respecting an application made by the Esquimalt and Nanaimo Ry Co. through Mr. Alexander Dunsmuir, the President thereof, for the enquirement of certain portions of the Songhees Indian Reserve required for their line, in which it is stated that in August 1883 an arrangement was made between the ~~late~~ late Mr. Robert Dunsmuir, then President of that Co., and Sir Alexander Campbell, respecting the conveyance to the Co. of the Songhees Reserve, and you request that, as the arrangement is necessary to be had before settling the question referred to in the letter from Mr. Alex. Dunsmuir, that a copy of such arrangement, if it be in this Dept, be forwarded to you.

By Your Dept'

In reply I beg to inform you that this Dept has no copy of any arrangement such as that referred to between the late Mr. Robert Dunsmuir and Sir Alexander Campbell.

In connection with this matter, however, I beg to enclose herein a copy of a letter addressed by direction of the late Sir John Macdonald, then Supt. General of Indian Affairs, on the 29th August 1885, to the Visiting

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CANADA

Indian Superintendent at Victoria relative to the proposed purchase by the late Hon. Robt Dunsmuir, President of the Esquimalt and Nanaimo Ry Co., of the Songhees Res., from which you will observe that that gentleman was to be informed by the Visiting Indian Superintendent that should a line of Ry be laid through the Songhees Res. the Company could, in accordance with the law, acquire the right of way, but it must pay for the same at a valuation as provided for by the Railway and Indian Acts, and that except for a right of way no portion of the Reserve could be expropriated, unless a surrender were made thereof by the Band owning the Reserve; and with reference to the instructions in connection with this matter given to the Visiting Indian Superintendent to endeavour to obtain a surrender from the Songhees Indians of the Reserve in question, I beg to inform you that no surrender thereof was ever obtained from the Indians; and as respects the power of the Esquimalt and Nanaimo Ry Co. to expropriate lands for a right of way for their road through the Songhees Res., I beg to state that since the date of the letter above referred to to the Visiting Indian Supt. at Victoria the Indian Act in regard to Rights of way of Rys through Indian Reserves, being Sec. 35 of Chap. 43, Revised Statutes of Canada, has been amended by Sec. 5, Cap. 28, 50-51, Vic., under which it is provided that no portion of any Reserve shall be taken for the purpose of any railway, road or public work without

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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the consent of the Governor in Council. Consequently before the land for the right of way can be appropriated by the Esquimalt and Nanaimo Ry Co., it would will be necessary that the approval of the Governor General in Council be obtained therefor. The land so taken will, of course have to be paid for as provided by Sec. 35, Chpp. 43, Revised Statutes of Canada. And the opinion lately been expressed by the Dept of Justice that a surrender by the Inds would also be necessary under the provisions of the 38 & 39 sections of the Indian Act being the Chapter 43 of the Revised Statutes of Canada.

Your obedient servant,

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

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Esquimalt and Nanaimo Railway.

Book of Reference.

Name of Owner.	District.	Parish.	Section.	Description.	Acres.	Remarks.
Believed to be held in Trust by the Dominion Government for the benefit of the Songhees Indian Tribe.	Victoria.			Commencing at a point on the west boundary of the Songhees Indian Reserve where the line of the South side of Lime Street, Victoria West strikes said Western boundary, thence on a bearing of S. 88° 50' E, being in line with the said South side of Lime Street, a distance of 2200 feet to the West shore line of Victoria Harbour at high water mark, at Hope Point, thence following the said shore line in a South Easterly and Westerly direction to its intersection with the West boundary of said Indian Reserve, thence along said West boundary across the line of the Esquimalt and Nanaimo Railway to point of commencement and containing by admeasurement 63 64/100 acres more or less.	63	64

Correct. Alex. Dunsmuir
President.
Joseph Hunter. Chief Engineer.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS
JUL 23 1892

Copy of No. 62931

Office of the Esquimalt and
Nanaimo Railway Co.
Victoria B.C.
29th December, 1891.

92699

To the Hon.
The Minister of Railways and Canals,
Ottawa.

Copied for return to Parliament. 20/3/98

Sir,

I have the honour to acknowledge the receipt of your Secretary's letter of the 2nd instant referring to my letter to you of the 2nd ultimo, on the question of the Esquimalt and Nanaimo Railway Company and the Songhees Indian Reserve, and requesting to be furnished with a copy of the arrangement therein referred to as having been made between the late Mr. Robert Dunsmuir, then President of the Company and Sir Alexander Campbell in August 1883, respecting the conveyance to this Company of the said Reserve, together with copy of a Resolution of the Legislature of British Columbia in respect to the Reserve referred to in a communication of the 19th March 1890 from the late Mr. Robert Dunsmuir to the late Sir John Macdonald.

Adverting first to the arrangement for the conveyance of the Reserve to our Company, I have the honour to state that the arrangement was a verbal one, and although never committed to writing was yet well understood by the parties interested and constantly referred to in the communications copies of which accompanied my application to you of the 2nd ultimo - as a strong and undoubted proof of the existence

of

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

of a clear and explicit understanding between the Dominion Government and the late Mr. Dunsmuir I would beg to refer you to Mr. Vankoughnet's letter to Mr. Dunsmuir of 22nd October 1887 authorising and instructing the latter to arrange with the Indians for their removal from the Reserve and incidentally referring to the sums to be paid to the Indians as part of the purchase money thereof.

I would likewise desire in this connection respectfully to direct your attention to the enclosed copy of a letter from the late Hon. Thomas White, to the late Mr. Dunsmuir, also fully sustaining the position taken by this Company.

I might also take the liberty of pointing out that my application to you of the 2nd ultimo was made in accordance with the provisions of the "Railway Act" for an extent of land to meet the pressing and immediate necessities of the Railway, and does not seem to me to be materially affected by the claims which the Company assert to the Songhees Indian Reserve as a whole, not in conflict with any interests of a Provincial character.

A copy of the Resolution of the British Columbia Legislature referred to is herewith enclosed.

I have the honour to be,

Sir,

Your obedient Servant,

(S'd) Alex. Dunsmuir

President.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

92699

Copy of a Resolution passed by the Legislative Assembly of the Province of British Columbia on the 24th day of February eighteen hundred and ninety.

Copied for return to Parliament. 20/3/98.

"That whereas by the Terms of Union, the management "of the Indian Reserves of the Province was assumed by the "Dominion Government, in trust for the use and benefit "of the Indians;

"And whereas the tribe of Indians known as the Songish "Tribe living on the reserve situate on the West side "of Victoria Harbour, are few in number;

"And whereas their close proximity to the City of "Victoria is undesirable, and tends to retard the growth "and prosperity of the said city, and it is expedient that "the said tribe should be removed to a more suitable "locality and the control of the said reserve be resumed "by the Provincial Government

Be it therefore resolved, That a respectful address "be presented to His Honour the Lieutenant-Governor, "praying His Honour to take whatever steps he may deem "necessary to accomplish the above object.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

92699

Department of Indian Affairs

CANADA.

Ottawa 5th January, 1888.

Copied for return to Parliament. 20/3/98

Dear Mr. Dunsmuir,

I have yours of the 28th ult, in which you ask that a despatch may be sent from the Dominion Government, to the Government of British Columbia, stating that the former has sold the Songhees Indian Reserve to the Esquimalt and Nanaimo Railway Company; and requesting the latter to take such steps as may be necessary to convey its interest in the said reserve to the Dominion Government.

I find that the last letter written on this subject is one from yourself addressed to Mr. Vankoughnet in which you promised to arrange with the Indians for the surrender of the reserve upon the terms mentioned in that letter.

This surrender is a condition precedent to any action, and I would, therefore, be glad to know whether you have made this arrangement. If you would kindly send through Dr. Powell the formal surrender, so that he may report to the Department that all these preliminaries have been complied with. I will then cause an Order in Council to be passed for a despatch to the Local Government in the sense indicated in your letter of the 28th ultimo.

I am,

Yours very truly,

(S'd) Thos. White.

The Hon.

R. Dunsmuir,

Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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DEPARTMENT OF INDIAN A
JUL 23 1892

Office of the President
Esquimalt and Nanaimo Railway Company.
Victoria,B.C.

To the Honorable,
The Minister of Rys.& Canals.
Ottawa.

November 2nd.1891.

926999
Copied, for return to Parliament.
20/5/98

Sir,

I have the honour on behalf of the Esquimalt and Nanaimo Railway Company,under Sections 106 and 107 of the Railway Act" to transmit a plan and book of reference,in duplicate, of certain additional lands,being portions of the Songhees Indian Reserve,required by the said Company for the accommodation of the public and the traffic on the Railway,as also an affidavit,in duplicate,referring to said plan and book of reference,and I respectfully request that the Minister may be pleased to authorise the taking of said land for the purpose set forth.

And in order more clearly to place before you the whole of the circumstances leading up to,and connected with,this application,I beg to submit for your consideration,the following well known and well established facts.

1. That Sir Alexander Campbell visited the Province of British Columbia in 1883,as the Agent of the Dominion Government,charged with the duty of arranging all details for the construction of the Esquimalt and Nanaimo Railway .

2. That the Late Mr.Robert Dunsmuir,then President of the Railway Company,arranged with Sir Alexander,on behalf of the Company,for the purchase of (a) the whole of the Songhees Indian Reserve adjoining the City of Victoria,for the sum of Sixty thousand dollars ($60,000)or the half of that Reserve for the sum of twenty thousand dollars,($20,000)as the Dominion

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Dominion Government should elect,and (b) for the purchase of the Esquimalt Indian Reserve at a valuation.

3. That Esquimalt was made the statutory terminus of the Railway with the general understanding that the Railway would ultimately be extended to the City of Victoria.

4. That it was well understood by the parties to the above arrangements that the permanent location of the Railway terminus should determine which of the two reserves in question should be utilized for terminal purposes,and, on the stipulated terms,should partly or wholly become the property of the Railway Company.

5. That in December 1885 the Railway Company decided to extend the railway to the Songhees Indian Reserve near Victoria and there establish the terminus.

6. That in consequence of this decision the Company relinquished its claim to the Esquimalt Indian Reserve.

7. That in May 1886 the surveys of the proposed extension from Esquimalt to the Songhees Indian Reserve were completed, but commencement of construction was delayed pending the necessary and promised confirmation by the Dominion Government of the arrangement entered into in 1883 with respect to the Songhees Indian Reserve .

8.

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8. That the Late Sir John A.Macdonald during his visit to British Columbia in August 1886,while expressing his concurrence in the arrangement as to the disposition of the Reserve,gave his assurance that immediate steps would be taken by his Government to have the Railway Company put in possession of the Reserve as agreed upon.

9. That in consequence of this assurance the extension of the Railway from Esquimalt to the Songhees Indian Reserve was completed and the line opened for traffic on the 30th day of September 1886.

10. That a year after the extension was completed to the Songhees Indian Reserve and opened for traffic,the Dominion Government took action in the matter of the Reserve,and through the Deputy Superintendent General of Indian Affairs, by letter of the 22nd day of October 1887,authorized Mr. Dunsmuir,on behalf of the Railway Company,to arrange with the Indians by money payments to them,for their removal from the Reserve.

11. That shortly after and while negotiations were in progress between the Indians and the Railway Company on the basis laid down by the Deputy Superintendent General of Indian Affairs,doubts arose as to the competency of the Dominion Government to execute a valid conveyance to the Company of the Reserve,on the removal of the Indians therefrom.

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12. That in consequence of such doubts the Railway Company in December 1887 abandoned all negotiations with the Indians.

13. That since the last mentioned date nothing has been done by the Dominion Government towards carrying out the arrangement entered into between the Company and Sir Alexander Campbell more than 8 years ago.

14. That in consequence of such neglect and delay on the part of the Dominion Government, the Company was compelled, at great expense, to construct an extension of the Line into the City of Victoria, including a swing bridge over Victoria Harbour, and to acquire, at great cost, valuable City property for the purpose of building thereon tempo- rary freight and passenger sheds.

It is scarcely necessary to add anything to the above facts to show the unfortunate position in which the Railway has been placed . In the absence of a suitable site, which the Songhees Indian Reserve was relied upon to furnish, the Compa- ny has been unable to lay out additional terminal yards or to erect additional round houses, shops, and other buildings, necessary for its increased traffic, and for the general development of its business, and is now without the means of properly protecting its rolling stock and other property from the vicissitudes of the seasons, and under the necessity of having a large amount of work and repairs, which should be done in its own shops, executed elsewhere at a greatly enhanc- ed cost. Nor is it necessary to point out as arising from the above condition of things, the heavy loss which the Company has for years sustained

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sustained from the serious depreciation of its equipment and the greatly increased cost of handling its traffic.

Under these circumstances I may be pardoned, if on behalf of the Company, while not relinquishing its just claim to the whole of the Songhees Indian Reserve, I respectfully urge that it may be speedily placed in a position to acquire the land now applied for.

Accompanying this application are copies of letters I. to II. outwards from this office, dealing with the question of the Songhees Indian Reserve.

I have the honor to be,

Sir,

Your Obedient Servant,

(Sgd.) Alex Dunsmuir

President of the Esquimalt and Nanaimo Railway Company.

(Sgd.) Joseph Hunter Chf. Engr.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

(Copy.)

Victoria, 92699

2nd. May, 1885.

J.W. Powell, Esq.,

Superintendent of Indian Affairs,

Victoria, British Columbia.

Copied for return to Parliament. 20/5/98

Sir,

I have the honor by direction of the Esquimault and Nanaimo Railway Company to write you respecting the Songhish Indian Reserve on Victoria Harbour.

The President of the Company, Mr. Dunsmuir, during the visit of Sir Alexander Campbell to this Province in August 1883, after a long discussion on the subject of the acquisition by the Company of the Songhish Indian Reserve, arranged with Sir Alexander Campbell that the Company should either be allowed to take the whole of the Reserve at $60,000. or take the choice of half the Reserve for $40,000. ? $20,000

I am instructed by the Company to state that they are prepared to carry out the arrangement of giving $60,000. for the whole of the Songhish Reserve, or should the Department decline to part with the whole of the Reserve then to give $20,000 for the half to be chosen by the Company.

The Company is prepared to give to the Indian Department on or before the 31st. day of December next a piece of land containing 415 acres or thereabouts situate at Cadboro Bay, say, 3½ miles from Victoria, for the use of the Indians that they may be removed from the Reserve at the alteration.

I have the honour to be,

Sir,

Your obedient Servant,

(Sgd) Chas. E. Pooley, Secretary,

Esquimault and Nanaimo Railway Company.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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ARCHIVES PUBLIQUES
CANADA

92699

(Copy).

Victoria,

2nd. May, 1885.

J.W. Powell, Esq.,

Superintendent of Indian Affairs,

Victoria, British Columbia.

Copied for return to Parliament.
20/5/98.

Sir,

I have the honour, by the direction of the Esquimault and Nanaimo Railway Company, to address you on the subject of the Indian Reserve at Esquimault.

The President of the Company, Mr. Dunsmuir, during the visit of the Honourable Sir Alexander Campbell to this Province in August 1883, when discussing the terms under which the Company would construct the Railway, arranged with the Honourable Sir Alexander Campbell to have the Esquimault Indian Reserve for the use of the Company for a terminus, at a price to be fixed by valuation.

Now that construction is rapidly advancing and the occupation of the Reserve by the Company will shortly become necessary, I have the honour to request you will bring this matter before the head of the Indian Department with a view to a speedy settlement.

I have the honour to be,

Sir,

Your obedient Servant,

(Sgd) Chas. E. Pooley,

Secretary,

Esquimault and Nanaimo Railway.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

(Copy.) (3) 92699

Victoria,

29th December 1885.

J.W.Powell, Esq.,

Indian Commissioner,

Victoria.

Copied for return to Parliament.
20/5/96

Sir,-

I am instructed to inform you that the Island Railway Com-pany have decided to bring the line to the Songish Indian Reserve and there establish the terminus.

The Company will require such land as is allowed them under the Consolidated Railway Act 1879 and amendments thereto.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd) Chas E. Pooley,

Secretary,

Esquimault and Nanaimo Railway Company.

(4)

Victoria,

4th May 1886.

J.W.Powell, Esq.,

Indian Commissioner,

Victoria.

Sir,-

After due consideration the Esquimault and Nanaimo Railway Company have decided to take at the Esquimault Indian Reserve only such quantity of land as is allowed by the Consolidated Railways Act and in the usual course of Arbitration.

The

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

KODAK SAFETY FILM

(Copy) (4 Continued) 926999

The Company have now completed their survey of their proposed line from the Harbour of Esquimault to the Songees Indian Reserve on Victoria Harbour and are now prepared to proceed with the work of construction upon being allowed to purchase either the whole of the Songees Reserve for the sum of $60,000 or the half for $20,000 as discussed by me with Sir Alexander Campbell when he visited Victoria in August 1885. You will please to bring this matter to the notice of the proper authorities as soon as possible, as construction cannot be commenced until this matter is arranged.

Copied for return to Parliament. 25/3/98

I have the honour to be,

Sir,

Your obedient servant,

(Sgd) R. Dunsmuir,

President.

(5)

Office Esquimault and Nanaimo Railway Company

Victoria, 27th May, 1886.

J.W. Powell, Esq.,

Indian Commissioner,

Victoria.

Sir,

I beg to call your attention to my letter to you of the 4th instant with regard to the acquisition by the Esquimault and Nanaimo Railway Company of certain lands, part of the Songees Indian Reserve, Victoria Harbour.

To this letter I have not yet received a reply. The Company has been ready for some time to proceed with the construction of the line from Esquimault to Victoria,

but

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

but have not been able to go on with work as they are not aware of the intentions of the Dominion Government with respect to the Reserve aforesaid.

I should be much obliged if you would telegraph the authorities at Ottawa and find out their views on this matter so that the Company may be able to go on with the work of construction.

I have the honor to be ,

Sir,

Your Obedient Servant,

(Sgd.) R. Dunsmuir.

President.

Copied for return to Parliament. 20/5/98

(Copy.) (6)

Victoria.

4th. October 1886.

My dear Sir John,

I have at last completed construction of the Esquimalt and Nanaimo Railway and now carrying freight and passengers. Mr. Trutch made final inspection last Wednesday and I believe has reported on it fully. Previous to that Mr. Schreiber went over it and pronounced it in good condition to carry freight and passengers. I therefore refer you to my letter of the 23rd of August last, and trust that there will be no delay with the Department in closing up this transaction with my Company. I may mention that on this understanding I have let a contract for a further extension towards Comox. I wish very much that

something

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CANADA

something could be done shortly towards removing the Indians from the Reserve at Victoria as arranged with you while here, as I find that I am hampered for accommodation at the present time.

With kind regards,

I am,

Yours faithfully,

(Sgd.) R. Dunsmuir.

Copied for return to Parliament. 20/5/98

(7)

Victoria, 25th. October, 1887.

H.Vankoughnet Esq.

Deputy Superintendent of Indian Affairs,

Victoria.

Dear Sir,

I have the honor to acknowledge the receipt of your despatch of the 22nd instant with reference to the agreement to sell the Songhees Indian Reserve at Victoria to the Esquimalt and Nanaimo Railway Company and authorising me to arrange with the Indians to remove from the said reserve to certain lands at Pedder Bay or elsewhere, to be purchased for them, & further authorising me, for that purpose to pay to the Indians on the said Reserve for their improvements a sum not exceeding eleven thousand dollars, and an amount not exceeding six thousand dollars, being ten per cent of the purchase money of the said reserve, and the balance to the Indian Superintendent at Victoria with a proviso that none of the said money is to be paid to the Indians, or to the Indian Superintendent, until the Indians have signed an agreement to remove from the aforesaid Reserve within a given time.

In reply thereto I beg to inform you that I will endeavour to arrange with the Indians on the terms mentioned.

I have the honor to be Sir,
Your Obedient Servant,
(Sgd.) R.Dunsmuir President, E.&N.R.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

29

PRIVATE. 9 Victoria. 92699

28th December 1887.

Honorable Thomas White,

Minister of the Interior, Ottawa.

Copied for return to Parliament. 20/5/98

Dear Sir,

I have the honour to address you with regard to the acquisition of the Songhees Indian Reserve by the Esquimalt and Nanaimo Railway Company upon terms agreed.

It appears now that some action by the Provincial Government and possibly by the Local Legislature will be necessary to complete the transfer.

I should be much obliged therefore if you would cause a despatch to be written from the Dominion Government to the Provincial Government stating that the Dominion Government have sold the Songhees Indian Reserve, Victoria, to the Esquimault and Nanaimo Railway Company and requesting the Government of British Columbia to take such steps as may be necessary to convey their interest in the said Reserve to the Dominion Government.

I am Dear Sir,

Yours truly,

(Sgd) R. Dunsmuir.

9 Victoria,

3rd April 1888.

To the

of the Railway Committee,

Dominion of Canada.

Sir, I am instructed to inform you that the Esquimault

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

926999

Esquimault and Nanaimo Railway Company finished their extension to the City of Victoria on Thursday the 29th day of November last,and at the same time to inform you that by an oversight the Company omitted to inform you of their intending transfer the same as required by Section 60,of Chap.109 of the Revised Statutes of Canada.

Copied for Parliament 20/5/98

The Honorable J.W.Trutch has been over the said extension and will shortly be at Ottawa and will be able to answer any question should you think fit to call upon him.

I am directed to state that the Company very much regret that this oversight has occurred.

I am Sir,

Your obedient servant,

(Sgd) Chas.E.Pooley.

Secretary.

10 Victoria.

4th October 1888'..

H.Moffatt Esq:

Indian Office,Victoria.

Sir,

In reply to your letter of the 13th ult,informing me that the Hon:the Superintendent General of Indian Affairs is desirous of having the bond of Mr.Weir's farm extended until August 1st 1889 in order,if possible,to purchase the property for a reserve for the Songhees Indians. I have the Honour to inform you that my Company is of opinion that the property above mentioned is totally unfit for the purpose for which intended viz: a reserve for the Songhees Indians,and to quote their own opinion of the locality,inform me that it is both bleak and cold and in the winter season impossible in a South East wind to land from a canoe. Under the circums —

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

92699

(10) Continued

always my Company declines to advance $1,000 for the purpose mentioned in your letter.

The matter of negotiation with the Indians is to say the least of it, a very difficult one, but if they but come my in the selection of a site they would be more easily dealt with and not forced to remove to one they may deem not suit them.

Yours faithfully,

(Sgd) R. Dunsmuir.

President E. & N. Ry. Co.

(Copy) (11)

Victoria,

19th. March 1890.

To the Right Honorable.

Sir John Macdonald, G. C. B. etc. Ottawa.

Sir,

I beg to direct your attention to the enclosed copy of a resolution passed unanimously by the legislature of this Province in reference to the Songish Indian Reserve lying east of this city and bordering on its harbour.

I fully agree with the spirit of that resolution and the object of this communication is to lay before you certain facts which may tend to the protection of my Company's interests at the proper time.

During your visit to this Province in August 1886, the question of terminal facilities at Victoria for this Railway was fully and carefully discussed by yourself, my late father, and the late Mr. Smith, then Premier of the Province.

It was finally arranged between the parties above named as

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Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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Copied for Parliament 20/5/98 9268(9)

as appears from memoranda in this office, that in view of the extension of this Railway to the City of Victoria and the construction of works in connection therewith involving heavy expenditure, the Songish Indian Reserve was to become the property of the Company on payment to the Dominion Government of the sum of $60,000.00 (sixty thousand dollars). It was then understood by my late father that in the Government of the Dominion was vested the power of dealing with or conveying the Reserve in question. In accordance with these provisions this Company carried out the contemplated works and my father, up to the time of his death, continued to take such measures as he deemed advisable to have the Indians provided for elsewhere, removed from the reserve and the land conveyed to this Company as provided.

Some doubts having subsequently arisen as to the disposition of the Reserve on the removal of the Indians therefrom, I sought the opinions of eminent counsel on this point. The opinions are unanimous that the Dominion exercises authority over the Reserve for the benefit of the Indians only, and that if the Indians are removed or die out, the lands revert to the Province.

Under these circumstances I think that I may fairly request that before any action is taken which would bring the Reserve under Provincial control the Government of the Dominion will make such arrangements with the Provincial Government as will secure to this Company the Reserve upon the stipulated terms.

I may be permitted to add that the absence of sufficient terminal facilities, resulting from the delay in carrying out the conditions agreed upon has for the last three years

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92699

(11) Continued. 20/5/98.

seriously impaired the business of the Company, and has been the cause of great inconvenience as well as heavy loss.

I trust the matters above alluded to may have your early attention.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd) H. Bennett,

President B. & N. Ry. Co.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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Copied for return to Parliament.
20/3/98 926699

I, Alexander Dunsmuir, Director and President of the Esquimalt and Nanaimo Railway Company make oath and say, - "That certain lands being part of the Songhees Indian Reserve extending to 63 $\frac{64}{100}$ acres, shown on a plan and book of reference, signed by me of this date, are necessary for the purposes set forth in the application accompanying such plan and book of reference, and that no other land suitable for such purposes can be acquired at such place on reasonable terms, and with less injury to private rights."

Sworn before me at the City of Victoria on the 2nd.day of November 1891.

(Sgd) N.P.Snowden. J.P.

(Sgd) Alex. Dunsmuir.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

Copy of portion of Plan No. 2 Nov 1891

showing additional land required for by

SONGHEES INDIAN RESERVE

adjoining for by

Esquimalt & Nanaimo Ry.

SCALE 400 = 1 inch.

Note. Portion hatched in Red is area required by E. & N. Ry.
CHIEF ENGINEER. Gen'l Office as surveyed.

VICTORIA WEST

SONGHEES

Esquimalt & Nanaimo Railway

Victoria Terminus

Victoria Street

Victoria Passenger Station

Victoria Freight Shed

Victoria Freight Office

Victoria Harbour

The original of this Document has been removed for retention in the Records of the Indian Land Registry.

Signature

May 24 1972

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

No. [redacted]

Subj. 920.

Ref. 62329.

92699

Ottawa, July, 1899

DEPARTMENT OF INDIAN AFFAIRS JUL 23 1899

Memorandum.

The undersigned have the honour jointly to represent that on the 2nd. of November last, the Esquimalt and Nanaimo Railway Company made application for power to take certain additional lands, 63.66 acres in extent, in Victoria West, B. C. part of the Songhees Indian Reserve, stated by them to be required for terminal purposes of their railway, such application being accompanied with a plan, showing the said land, and a book of reference, both duly certified as correct by the President of the Company and by its Chief Engineer, also an affidavit, made by the President, that such additional lands are required for the purposes named in their application (the accommodation of the public and the traffic of the railway), and that no other land suitable for such purposes can be acquired at such place on reasonable terms, with less injury to private rights.

That under date the 10th. of November last, the Chief Engineer of Government Railways has reported (on back of file 62329) that he does not consider the request of the Company reasonable, and that in his opinion an area of 15 acres would be ample for all the requirements of the road. Further, he has marked in pencil on the said plan the area which he considers sufficient for its terminal accommodation.

That

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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That this application is made under clauses 106 et seqq. of the Railway Act of 1888 which give powers to the Minister of Railways and Canals to grant a certificate declaring it to be necessary in the public interest that the land indicated by the plan furnished by a Company under these clauses, 'or any less quantity' should be acquired by them; thereupon the Company can proceed to acquire the said additional land so allowed by the Minister under the ordinary provisions of the Act.

The land in question, however being Indian Reserve, it becomes necessary under clause 101 of the Railway Act, and under the 'Indian Act' as amended by clause 8 of the Act 63-64 Vic. ch. 33, that the consent of Your Excellency in Council be given prior to the taking of any portion of such lands, 'compensation to be made therefor, as in other cases.'

The undersigned recommends that under the respective clauses cited the Company be permitted to take possession of the portion of the said Indian Reserve suggested by the Chief Engineer of Government Railways and marked in pencil by him on the said plan, being about 15 acres in extent, and that the certificate of the Minister of Railways and Canals be thereupon given enabling the Company to expropriate the said portion of land.

Respectfully Submitted,

Minister of the Interior *Supt Genl of I.A.*

Minister of Railways & Canals

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

No. 43203

Subj. 980.

Ref. 64840

92699

Ottawa July, 22 1892

DEPARTMENT OF INDIAN AFFAIRS 1892

Copied for return to Parliament. 20/5/98.

Sir,

I have the honour to forward to you herewith, in accordance with your verbal request, a copy of a proposed Report to Council relative to the desired acquisition by the Esquimalt and Nanaimo Railway Company of part of the Songhees Indian Reserve at Victoria B.C., which report having been signed by the Minister of this Department was submitted for your signature also.

The application of the Company on which this report was based covered a total area of 63.64 acres, as shown on a plan furnished by them. In the opinion of the Chief Engineer of Government Railways, however, the area of land required for the terminal accommodation of the Company is about 15 acres only, and he has indicated in pencil on the plan the space which might be taken under the clauses of the Railway and Indian acts for this purpose.

I enclose a copy of the section of the plan in question showing both the portion which the Company desire to obtain and the area suggested by the Chief Engineer.

I enclose a copy of the application (with enclosures) dated the 2nd of November 1891, made by the Company to this Department, under the Railway Act, in respect of such land, which accompanied with copies of various letters from their

Hon: Edgar Dewdney, office

Minister of the Department of Interior.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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office addressed to your own Department and its local officer, and also to the Provincial Government.

The Company appear to claim that, in the year 1883, they had agreed with Sir Alexander Campbell for the purchase either of the whole of the reservefor $60,000 or of one half of it for $20,000. This proposed mode of dealing with the matter, which contemplated the removal of the tribe, would seem to have been now changed, their present action being taken, as above stated, under the provisions of the Railway Act relating to expropriations of "additional land" for terminal facilities.

On the 3rd of November 1891 your Department furnished this office with copies of correspondence between itself and the Company bearing upon such present action, of which they appear to have given due notice to your local superintendent at Victoria.

I have the honour to be,

Sir,

Your obedient Servant,

J Trudeau

Acting Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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I discussed to-day with the
Dy Minister of Rys & the Chief
Engineer the matter of the
taking of part of the Songhees
Reserve by the Esquimalt & Nanaimo
Ry, & procured # the original
report to Council referred to in
undersd letter of the 22nd July last,
under. Mr Dewdney signed the
report & returned it to the
Ry Dept in order that it
might be forwarded by that Dept
to Council

14-10-92

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

MEMORANDUM.

19451

To Registrar

Department of Indian Affairs,

Ottawa, 14th Oct 1892

I have turned out in this file papers in connection with the passage of the Esquimalt & Nanaimo Ry through (1) the Songhees & Kahsilah Reserves & (2) the Chemainus Reserve. Would you kindly let me know if there are any other papers in these matters than those on file?

J. D. McLean

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

1943

MEMORANDUM

To Mr McLean

Department of Indian Affairs,

Ottawa, 19. 10. 1892

Re Area of land req^d by the Equimalt & Nanaimo Ry. thro Songhees I.R.

According to sketch dated 2 Nov^r 1891

Land req^d for Rt. of Way = 3040' × 99' = 300960 sq. ft = 6.91

Additional land req^d as shown by the dotted lines, exclusive of Rt. of Way ---- 15.0

Total 21.91

J.D.S.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

19451

Answered

Victoria BC X

Copied for return to Parliament.
20/5/98.

Copied for return to Parliament.

SECY'S BRANCH,
OCT 19 1892
WRITTEN

Encd.

I enclose copy of a plan of land required on the Esquimalt & Nanaimo Ry for terminal purposes. The part ~~marked~~ colored red on the tracing is that covered by the application of the Ry Co. The Chief Engr. of Govt Rys has reported, however, that he does not consider the request of the Co. reasonable & that fifteen acres wd be ample for all the requirements of the road. He has marked, you will observe, in pencil on the tracing

Enclosures to Report to Council ~~marked~~ marked [illegible] & returned herewith. Sanguinetti

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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the area which he considers sufficient. The Minister has recommended that the undertaking of this Ry. w. C., as required by Sec 5, Cap 33, 50-51 Vic, be given for the taking of the 80. fifteen acres by the Ry but before acting on the recommendation of the Min the P. C. wish to know the value set upon the land by this Dpt.

I am, therefore, directed by the Minister to instruct you to have, without delay, some competent person, who has no bias in favour of the Ry Co. or anyone interested, value the fifteen acres marked by the Chf. Engr. of York Rys on the plan herewith & report the

[illegible] to the Dept. the amount, in your opinion, should be paid the Indians as the value of the land, [illegible]

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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In addition to the agreed fifteen acres, the Ry Co. have taken ~~the land~~ for right of way ~~the land between~~ 6.91 acres of land, which is shown in the ~~plan~~ tracing between red ink lines.

I am directed to request that you will ~~have~~ have, without delay, some competent person, who has no bias in favor of the Ry Co. or any one interested, value the land above described & report the result to the Dept at the earliest possible moment, stating at the same time ~~your~~ your own views as to the value of the land. When reporting you will forward the ~~a~~ plan in duplicate to the valuator whom you may employ.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

A. W. JONES,
NOTARY PUBLIC.

A. J. WEAVER BRIDGMAN,
SOLICITOR SUPREME COURT OF ENGLAND.

AGENCY OF
CANADA LIFE ASSURANCE
COMPANY.

A. W. JONES & BRIDGMAN,

AGENCY OF
Caledonian Fire Insurance Co.'y.
OF EDINBURGH.

Real Estate, Financial and Insurance Agents,

Victoria, B. C., 15th Novbr 1892

A. W. Vowell Esq.
Supt of Indian Affairs
Victoria

96252

Copied for Return to Parliament.
20/5/98.

Sir.

I have now the honour to inform you that I have as requested in your letter of 27th Ult. Examined carefully the fifteen acres of the Songhees Indian Reserve in this City applied for by the Esquimalt Railway Company for terminal purposes as well as the 6.91/100 acres already taken by the said Company for right of way for their line and I beg to place my valuation as under.

I must first however bring under your notice the exceptionally narrow and rocky nature of the property in question which to a certain extent must influence me in my valuation for whilst admitting that owing to its near proximity of the whole of the Songhees Reserve to the City of Victoria the property taken in one piece is exceedingly valuable. This particular 15 acres however as I have set forth above I consider I cannot justify in valuing so high as other properties at a like distance from Town except that portion lying between the land

2-12-72

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CANADA

A. W. JONES,
NOTARY PUBLIC.

A. J. WEAVER BRIDGMAN,
SOLICITOR SUPREME COURT OF ENGLAND.

AGENCY OF
CANADA LIFE + ASSURANCE
COMPANY.

A. W. JONES & BRIDGMAN,

AGENCY OF
Caledonian Fire Insurance Co.'y.
OF EDINBURGH.

A.W.J.

Real Estate, Financial and Insurance Agents,

Victoria, B. C., 15th Nov. 189 2

Railway and the water front which at no very distant
period will I take it be utilized for Wharfs and Jetties
This day 5 acres I price @ £4000 ⁰⁰ p. acre and the
remaining 10 " " 3000 " "
the 6 9/100 " also " 3000 ⁰⁰ " "
making a total valuation for the whole of £70.730 ⁰⁰

In arriving at my estimate of the worth of
this property let us take say 20 acres that situated and c
them up into Town lots allowing of course for Streets wi
would have roughly from 80 to 90 lots which could be sold at
from £600 to £1000 ⁰⁰ each and some portions along the water fron
would even fetch two to three thousand dollars a lot.

As however there are and never have been any Streets or Ro
through this portion of the Reserve I do not place the sam
value per acre thereon as land adjacent has been sold for

I beg to return herewith the Map or tracing of
property along with Vouchers duly filled in for my valua
fees.

I have the honour to be
Sir
Your obt. Servant
A W Jones
Valuator

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Voucher No. _____ Vote _____

Date of Payment _____ 1892

DEPARTMENT OF

INDIAN AFFAIRS,

BRITISH COLUMBIA.

A. W. Jones

Service for part

valuation of Land

on Songhees Reserve

$ 100 00

A. W. VOWELL,
Supt.

VICTORIA OFFICE

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Voucher No. 458 Vote

GOVERNMENT OF DOMINION OF CANADA.

Department of Indian Affairs of British Columbia.

VICTORIA OFFICE.

A. W. Jones 96252 Cr.

DATE.	DETAILS.	AMOUNT. $	Cts.
1892 Novbr 15	By Valuation made of Certain Lands on the Songhees Indian Reserve required for Railway Purposes	100	00
	5/ 1897 $100 00/100 5-12-92 Duplicate		
	Total	100	00

I HEREBY CERTIFY that this Voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also that all the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada.

A. W. Vowell Supt.

$ ..... B. C., ... 189

Received from A. W. Vowell, Indian Superintendent, the above sum of ..... Dollars, ... Cents.

Witness to Mark of Payee .....

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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Copied for return to Parliament. 20/5/98.

DEPARTMENT OF INDIAN AFFAIRS NOV 23 1892

British Columbia. 962

42. D.2. Indian Office,

Victoria, November 16th. 1892.

No. 19,451.

Sir,

I have the honor to acknowledge the receipt of your letter of the 19th. ultimo having reference to the land applied for by the Esquimalt and Nanaimo Railway Company for terminal purposes. In reply I beg to enclose the report and valuation of the same as made by A. W. Jones Esquire Real Estate Agent in this City, also the vouchers in duplicate for that gentleman's fee as requested. I may state for your information that having in company with Mr. Jones walked over the whole of the ground required and thoroughly inspected it, I think Mr. Jones' estimate of its value reasonable and endorse his statement as to the rocky nature of a considerable portion thereof.

I have the honor to be

Sir,

Your Ob'dt. Servant,

A. W. Vowell

Indian Superintendent.

The Deputy Supt. General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Department of Indian Affairs

Ottawa 189

To His Excellency

The Governor General in Council.

RECD'S BRANCH,
NOV 25 1892
WRITTEN

Memorandum

The undersigned has the honour to return herewith the joint report (and the enclosures which accompanied it) of the Minister of Railways and Canals and the Supt Genl.of Indian Affairs which was referred back to the latter for a report as to the price to be paid by the Esquimalt and Nanaimo Railway Company for the fifteen acres of land in the Songhees Reserve which the said joint report recommends should be allowed that Railway Company for terminal purposes.

The undersigned begs to state that the Indian Supt.at Victoria, B.C., was instructed under Sec 35 of the Indian Act to employ a disinterested and competent person to value the land, and that he has forwarded a valuation (a copy of which is placed herewith) made by Mr.A.W.Jones,a Real Estate Agent of Victoria,who assesses at $4,000.00 an acre five of the said fifteen acres and the remaining ten acres,together with the six acres and ninety-one one-hundreths of an acre already taken by the said Railway Company for right of way,at $3,000.00 an acre. This appraisement puts the value of the fifteen acres for terminal purposes at $50,000.00,and the value of the 6.91 acres already occupied for right of way at $20,730

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CANADA

making a total of $70,730.00.

The Indian Supt in forwarding the said valuationtion reports that he walked over the ground with Mr.Jones and thoroughly inspected it,and that he considers the estimate made by that gentleman of the value of the land reasonable and therefore endorses the same;and the undersigned begs to express his concurrence in the Supt's endorsement of the valuation.

The undersigned has the honour to further report in connection with this matter that the fifteen acres marked in pencil by the Chief Engineer of Govt. Railways on the plan which accompanies the aforesaid joint report only includes the additional land which that Officer recommends should be allowed the Esquimalt and Nanaimo Railway Company for terminal purposes;and to state that the consent of Your Excellency in Council has not yet been sought or obtained for the taking of the 6.91 acres which the same plan shows has been appropriated by the said Railway Company for right of way.

The undersigned would therefore respectfully recommend that,if Your Excellency in Council be pleased to issue an order consenting to the expropriation by the Esquimalt and Nanaimo Railway Company of the fiffeen acres of the Songhees Reserve covered by the aforesaid joint report,Your Excellency do at the same time authorize,under Section 35 of the Indian Act as amended by Section 5,Cap.33,50-51 Vic.,the taking of the said six acres and ninety-one one-hundreths of an acre already appropriated by the same Railway Company for right of way through the said Reserve.

S.G of I.A.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEMORANDUM.

To Deputy Supt.

Department of Indian Affairs,

Approved A. D.

Ottawa, 30th Nov 1892

Considering the large amount involved in connection with this valuation the fee charged is not perhaps exhorbitant, I would suggest however that the ap be also referred to the Technical Branch for report

2/12/92 R Sinclair for deed

6/12/92 Hood

DE 6/12/92

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

5-12-9[illegible]

To The Deputy Minister [illegible]

Ottawa, 2 Dec 189[illegible]

Appr'd

I beg to state that I have examined the documents on file re the appraisement of certain lands of the Longhus Estate required for Railway purposes and consider that the valuation of such lands is fairly charged in A.C. Mr. Jonis acct. at $100.00 — I would recommend the payment — Less than 1/7 per cent.

6/12/97

51
1897 $19.72
12-9-72
5-2 Tr acct
a/c 51

ACCOUNTANTS DEC [illegible] 1892

Paid R.F.
for Acct

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

97282

DEPARTMENT OF INDIAN AFFAIRS
DEC 27 1892

British Columbia.

272. D.2. Indian Office,

Victoria, Dec. I4th. I892.

Form- A- File No. I9,45I.

Sir,

I have the honor to acknowledge the receipt of your communication of the 6th. inst. enclosing cheque No. I897, in favor of A. W. Jones, for the sum of $I00.00.

I have the honor to be

Sir,

Your Ob'dt. Servant,

A. W. Vowell

Indian Superintendent.

The Deputy Supt. General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Copied for return to Parliament.
20th January /98

A. R. Boulton

PRIVY COUNCIL, CANADA.

Esquimalt & Nanaimo Railway

P. C. No. 2741

ORDER IN COUNCIL.

13th December 1892

Stafford W. Baldwin

Indian Affairs. (C 10, Volume 3, [illegible] — 1892.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

97304

DEPARTMENT OF INDIAN A
DEC 24

Victoria,B,C.,15th November 1892.

A.W.Vowell,Esq.,

Supt.of Indian Affairs,

Victoria.

Sir:-

I have now the honour to inform you that I have as requested in your letter of the 27th ult.examined carefully the fifteen acres of the Songhees Indian Reserve in this City applied for by the Esquimalt Railway Company for terminal purposes,as well as the 6 91/100 acres already taken by the said Company for right of way for their line and I beg to place my valuation as under.

I must first however bring under your notice the exceptionally uneven and rocky nature of the property in question which to a certain extent must influence me in my valuation for whilst admitting that owing to the near proximity of the whole of the Songhees Reserve to the City of Victoria the property taken in one piece is exceedingly valuable. This particular 15 acres however as I have set forth above I consider I am not justified in valuing so high as other properties at a like distance from Town except that portion lying between the line of railway and the water front which at no very distant period will I take it be utilized for wharves and jetties.

This say 5 acres I price at $4.000.00 p acre and

the

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

the remaining 10 acres at $3,000.00 p.acre.The 6 91/100 acres also at $3,000.00 p.acre,making a total valuation for the whole of $70,730.00.

In arriving at my estimate of the worth of this property,let us take say 20 acres thus situated and cut them up into Town lots,allowing of course for streets,and we would have roughly from 80 to 90 lots which could be sold at from $600,00 to $1,000.00 each and some portions along the water front would even fetch two to three thousand dollars a lot.

As however there are and never have been any streets or roads through this portion of the Reserve I do not place the same value p.acre thereon as land adjacent has been sold for.

I beg to return to you the map or tracing of said property along with vouchers duly filled in for my valuation fees.

I have the honour to be

Sir

Your obedient servant

(sd) A.W.Jones.

Valuator.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

PRIVY COUNCIL CANADA

2741 — 1304

Certified Copy of a Report of a Committee of the Honorable the Privy Council approved by His Excellency the **Governor General in Council,** *on the* 13th December 1892.

Copied for return to Parliament. 20/5/98

On a joint Memorandum, dated 14th October, 1892, from the Superintendent General of Indian Affairs, and the Minister of Railways and Canals, representing that on the 2nd of November 1891, the Esquimalt and Nanaimo Railway Company made application for powers to take certain additional lands, 63 64/100 acres in extent in Victoria West, B.C., part of the Songhees Indian Reserve, stated by them to be required for terminal purposes of their railway, such application being accompanied with a plan showing the said land and a book of reference, both duly certified as correct by the President of the Company, and by its chief Engineer, also an affidavit made by the President, that such additional lands are required for the purposes named in their application (the accommodation of the public and the traffic of the railway) and that no other land suitable for such purposes can be acquired at such place on reasonable terms, with less injury to private rights.

The original of this Document has been removed for retention in the Records of the Indian Land Registry.
Signature
Mar 24, 1972

The

The Honourable

The Superintendent General of Indian Affairs

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Ministers further represent that under date the 10th of November 1891, the Chief Engineer of Government Railways has reported that he does not consider the request of the Company reasonable, and that in his opinion an area of 15 acres would be ample for all the requirements of the road, further, he has marked on the said plan the area which he considers sufficient for its terminal accommodation.

The Ministers observe that this application is made under clauses 106 et seq. of the Railway Act of 1888 which give powers to the Minister of Railways and Canals to grant a certificate declaring it to be necessary in the public interest that the land indicated by the plan furnished by a Company under these clauses or any less quantity should be acquired by them, whereupon the Company can proceed to acquire the said additional land so allowed by the Minister under the ordinary provisions of the Act, also that the land in question, however, being Indian Reserve, it becomes necessary under clause 101 of the Railway Act, and under the Indian Act "as amended by clause 5 of the Act 50-51 Victoria 33, that the consent of Your Excellency in Council be given prior to the taking of any portion of such lands "compensation to be made therefor as in other cases".

The Ministers recommend that under the respective clauses cited the Company be permitted to take possession of the portion of the said Indian Reserve suggested by

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

by the Chief Engineer of Government Railways and marked by him on the said plan, being about 15 acres in extent, and that the certificate of the Minister of Railways and Canals be thereupon given enabling the Company to expropriate the said portion of land.

The Superintendent General of Indian Affairs, to whom was referred back the joint report (and the enclosures which accompanied it) of the Superintendent General of Indian Affairs and the Minister of Railways and Canals, for a report as to the price to be paid by the Esquimalt and Nanaimo Railway Company for the fifteen acres of land in the Songhees Reserve which the said joint reports recommends should be allowed that Railway Company for terminal purposes, states that the Indian Superintendent at Victoria, B.C., was instructed, under section 35 of the Indian Act, to employ a disinterested and competent person to value the land, and that he has forwarded a valuation (a copy of which is placed herewith) made by Mr A.W. Jones, a Real Estate Agent of Victoria, who assesses at $4,000 an acre, five of the said fifteen acres, and the remaining ten acres, together with the six acres and ninety one one-hundredths of an acre already taken by the said Railway Company for right of way, at $3,000.00 an acre. This appraisement puts the value of the fifteen acres for terminal purposes at $50.000,00 and the value of the 6.91 acres already occupied for right

of

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

of way at $20.730.00 making a total of $70.730,00.

That the Indian Superintendent reports that he thoroughly inspected the land,and that he considers the estimate made by Mr.Jones of the value of the land reasonable,and therefore endorses the same,and the Superintendent General of Indian Affairs concurs in the Superintendents endorsement of the valuation.

The Minister further reports that the fifteen acres marked in pencil by the Chief Engineer of Government Railways on the plan which accompanies the aforesaid joint report,only includes the additional land which that officer recommends should be allowed the Esquimalt and Nanaimo Railway Company for terminal purposes: and states that Your Excellency's consent has not yet been sought or obtained for the taking of the 6.91 acres which the same plan shows has been appropriated by the said Railway Company for right of way.

The Minister therefore recommends that if Your Excellency in Council be pleased to consent to the expropriation by the Esquimalt and Nanaimo Railway Company of the fifteen acres of the Songhees Reserve covered by the aforesaid joint report,Your Excellency do at the same time authorize,under section 35 of the Indian Act,as amended by Section 5,Cap 33, 50 - 51 Victoria,the taking of the said six acres and ninety one one hundredths of an acre,already appropriated by the

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

the same Railway Company for right of way through the said reserve- Compensation for all the lands referred to him to be had according to the Statutes aforesaid.

The Committee concur in the foregoing Minute and the recommendations therein contained and advise that the same be approved accordingly.

Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

97465

Copy No.66394.

P.C.No.2741.

Certified Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the GOVERNOR GENERAL IN COUNCIL, on the 13th. December, 1892.

On a joint Memorandum, dated 14th.October,1892, from the Superintendent General of Indian Affairs, and the Minister of Railways & Canals, representing that on the 2nd.of November, 1891, the Esquimalt and Nanaimo Railway Company made application for powers to take certain additional lands, 65 64/100 acres in extent in Victoria West, B.C., part of the Songhees Indian Reserve, stated by them to be required for terminal purposes of their Railway, such application being accompanied with a plan showing the said land and a book of Reference, both duly certified as correct by the President of the Company, and by its Chief Engineer, also an affidavit made by the President, that such additional lands are required for the purposes named in their application (the accommodation of the public, and traffic of the railway) and that no other land suitable for such purposes can be acquired at such place on reasonable terms, with less injury to private rights .

The

The Honorable

The Minister of Railways and Canals.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Ministers further represent that under date the 10th of November 1891, the Chief Engineer of Government Railways has reported that he does not consider the request of the Company reasonable, and that in his opinion an area of 15 acres would be ample for all the requirements of the road, further, he has marked on the said plan the area which he considers sufficient for its terminal accommodation.

The Ministers observe that this application is made under clauses 106 et seq: of the Railway Act of 1888 which give powers to the Minister of Railways and Canals to grant a certificate declaring it to be necessary in the public interest that the land indicated by the plan furnished by a Company under these clauses or any less quantity should be acquired by them, whereupon the Company can proceed to acquire the said additional land so allowed by the Minister under the ordinary provisions of the Act, also that the land in question, however, being Indian Reserve, it becomes necessary under clause 101 of the Railway Act, and under the Indian Act " as amended by clause 5 of the Act 50-51 Vic: ch 33, that the consent of Your Excellency in Council be given prior to the taking of any portion of such lands" compensation to be made therefor as in other cases."

The Ministers recommend that under the respective clauses cited the Company be permitted to take possession of the portion of the said Indian Reserve suggested

by

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(5)

by the Chief Engineer of Government Railways and marked by him on the said plan, being about 15 acres in extent, and that the certificate of the Minister of Railways and Canals be thereupon given enabling the Company to expropriate the said portion of land.

The Superintendent General of Indian Affairs, to whom was referred back the joint report (and the enclosures which accompanied it) of the Superintendent General of Indian Affairs and the Minister of Railways and Canals, for a report as to the price to be paid by the Esquimalt and Nanaimo Railway Company for the fifteen acres of land on the Songhees Reserve which the said joint reports recommends should be allowed that Railway Company for terminal purposes, states that the Indian Superintendent at Victoria, B.C., was instructed, under section 35 of the Indian Act, to employ a disinterested and competent person to value the land, and that he has forwarded a valuation (a copy of which is placed herewith) made by Mr.A.W. Jones, a Real Estate Agent of Victoria, who assesses at $4,000 an acre, five of the said fifteen acres, and the remaining ten acres, together with the six acres and ninety one one-hundredths of an acre already taken by the said Railway Company for right of way, at $3,000.00 an acre. This appraisement puts the value of the fifteen acres for terminal purposes at $50,000.00 and the value of the 6.91 acres already occupied for right

of

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

of way at $20,730.00 making a total of $70,730.00.

That the Indian Superintendent reports that he thoroughly inspected the land,and that he considers the estimate made by Mr.Jones of the value of the land reasonable,and therefore endorses the same,and the Superintendent General of Indian Affairs concurs in the Superintendents endorsement of the valuation.

The Minister further reports that the fifteen acres marked in pencil by the Chief Engineer of Government Railways on the plan which accompanies the aforesaid joint report, only includes the additional land which that officer recommends should be allowed the Esquimalt and Nanaimo Railway Company for terminal purposes; and states that Your Excellency's consent has not yet been sought or obtained for the taking of the 6.91 acres which the same plan shows has been appropriated by the said Railway Company for right of way.

The Minister therefore recommends that if Your Excellency in Council be pleased to consent to the expropriation by the Esquimalt and Nanaimo Railway Company of the fifteen acres of the Songhees Reserve covered by the aforesaid joint report, Your Excellency do at the same time authorize, under section 35 of the Indian Act, as amended by Section 5,Cap 35, 50-51 Victoria, the taking of the said six acres and ninety one one hundredths of an acre,already appropriated by the same Railway Company for right of way through the said reserve- Compensation for all the lands referred to him to be had according to the Statutes aforesaid.

The Committee concur in the foregoing Minute and the recommendations therein contained and advise that the same be approved accordingly.

(Sgd) John J.McGee,
Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

No. 4119

Subj. 980

Ref. 66394

97465

DEPARTMENT OF INDIAN AFFAIRS
DEC 28 1892

Ottawa 27 Dec 1892

Copied for return to Parliament
20/5/96

Sir

I beg to forward you herewith a copy of an Order in Council of the 13 Dec 92. authorizing the expropriation by the Esquimault & Nanaimo Railway Co. of fifteen acres of the Songhees Reserve, also of Six 91/100 acres already appropriated, for Right of way by the same Company through the said Reserve.

I have the honor to be
Sir
Your obed't Servant
Jno. A. Macdonald
Secretary

The Deputy Supt
General of
Indian affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,401

E--.

Draft

Copied for return to Parliament. 20/5/98

OTTAWA, 30th December 1892

42 D 2

Sir,

With reference to your letter of the 16th Ulto. enclosing a Report and Estimate by Mr A.W.Jones of the value of the land applied for by the Esquimault and Nanaimo Railway Co. for terminal purposes at Victoria West, being part of the Songhees Indian Reserve, I enclose copy of an Order in Council dated the 13th Inst. consenting to the exp ropriation by that Company of the 15 acres of the Songhees Reservetherein referred to, and authorizing the taking of the 6 acres and ninty -one, one hundredths of an acre already appropriated by the same Railway Company for Right of Way through the said Reserve.

It will now be your duty to call upon the authorities of the Railway Company to deposit at once to the credit of the Receiver General, in the Bank of Montreal at Victoria, the full amount of Seventy thousand, Seven Hundred and Thirty Dollars ($70,730) in payment of the land described in the Order in Council as required by the Company, and to forward to you for transmission to the Department, Bank Certificates of Deposit and Draft for the Amount.

Your obedient Servant

Deputy of the Sup.Gen.
of Indian Affairs.

A.W.Vowell Esq.

Indian Supt. Victoria B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

RETURN TO
CORRESPONDENCE BRANCH.

1945 1/2

C. Schreiber. Esq.
Dy. Min. of Railways & Canals
Ottawa.

Copied for return to
Parliament.
20/5/98.

Jany 9 1893

Sir,

I have the honour to ack with thanks the rect of a letter from your Dept dated the 27th Ulto enclosing a copy of an O.C. of the 13th Ulto authorizing the expropriation by the Esquimault & Nanaimo Railway Co of certain land on the Songhees Indian Reserve B.C.: and in reply I beg to inform you that this Dept had previously been furnished by the Privy Council Office with a copy of the O.C. in question and action is being taken in the matter

Your O.C.

A.N. 9/1

Miscellaneous

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

97744

PRIVY COUNCIL CANADA

DEPARTMENT OF INDIAN A... JAN 11 1893

Ottawa, 9th. January, 1893.

Dear Sir,

With reference to your requisition of the 24th. December, ult. for a copy of the Order in Council of the 13th. Decr. 1892, respecting the Esquimalt and Nanaimo Railway Co's land requirements in the Songee's Reserve, B.C., this O.C. is a very voluminous document.

Please state whether you require copies of the plans as well, as these will take a long time to prepare.

Yours truly,

John J. McGee

Clerk of the Privy Council.

L. Vankoughnet Esq.,

Deputy Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,451

John J.McGee Esq.

Clerk of the Exd.

Privy Council.

DRAFT.

SECY'S BRANCH
JAN 12 1893
WRITTEN.

SECY'S BRANCH,
JAN 13 1893
WRITTEN.

Dear Sir:-

In reply to your ~~make~~ letter of the 9th instant, referring to my ~~request~~ requisition of the 24th ultimo for a copy of the Order in Council of the 13th December 1892, respecting the Esquimalt and Nanaimo Railway Company's land requirements in the Songhees Reserve, B.C., and stating that the Order in Council referred to ~~was~~ is a very voluminous document, and asking whether copies of the plan referred to therein would be required as well, as they will take a long time to prepare, I beg to inform you that I find we can do without the copy of the Order in Council referred to, or the plans ~~copies of~~ which accompanied the Order in Council sent to this Department by you.

Yrs. Scly.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

98405

(Copy)

Esquimalt and Nanaimo Railway Co.

Office of the
President.

Victoria, B. C.

January 13th. 1893.

A. W. Vowell Esq.

Indian Superintendent,

City.

Copied for return to Parliament.
20/5/98

Dear Sir,

I have the honor to acknowledge your communication of the 11th. inst. enclosing Order in Council dated the 13th. ultimo consenting to the expropriation by this Company of 15 (Fifteen) Acres of the Songhees Indian Reserve and autherising the taking of the 6 91-100 (Six and Ninety one, One hundredths) Acres already expropriated by the Company for Right of way through the said reserve, and asking this Company to deposit, at once, in the Bank of Montreal, of this City, to the credit of the Receiver General of Canada the sum of $70,730 (Seventy thousand seven hundred and thirty dollars) in payment of the land referred to.

I have also to acknowledge

the

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

the receipt of a Plan of the land in question, the position and area of which, it appears, is deemed by the Chief Engineer of Government Railways, proper and sufficient for the terminal purposes of the Company.

I beg to point out that before making the required deposit, it will be necessary for the Company to ascertain the adaptability of the land for its purpose, and as some time will be occupied in making the examination , the deposit cannot be made at once as requested.

I have the honor to be,

Sir,

Your Obedient Servant,

(Signed) James Dunsmuir

Vice- President.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

98405

British Columbia.

Copied for return to Parliament. 20/5/98

538. D.2. Indian Office,

Victoria, January 18th. 1893.

No. 19, 451.

Sir,

In reply to your letter of the 30th. ultimo on the subject of the application of the Esquimalt and Nanaimo Railway Co. for certain lands on the Songhees Indian Reserve for terminal purposes I have the honor to state that your instructions in regard to notifying that Company to deposit to the credit of the Receiver General, in the Bank of Montreal, in this City, the sum of Seventy thousand seven hundred and thirty ($70,730) dollars in payment of the 15 acres required for terminal purposes and of the 6 91-100 acres already appropriated for right of way, have been carried out and I beg to enclose copy of a letter from J. Dunsmuir Esq. Vice President of the Company in reply thereto.

I have the honor to be
Sir,
Your Ob'dt. Servant,

A. Vowell

Indian Superintendent.

The Deputy Supt. General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Department of _____

Reference No. _____

File No. _____

Remarks _____

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Placed on File _____ 189

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

109809

1892

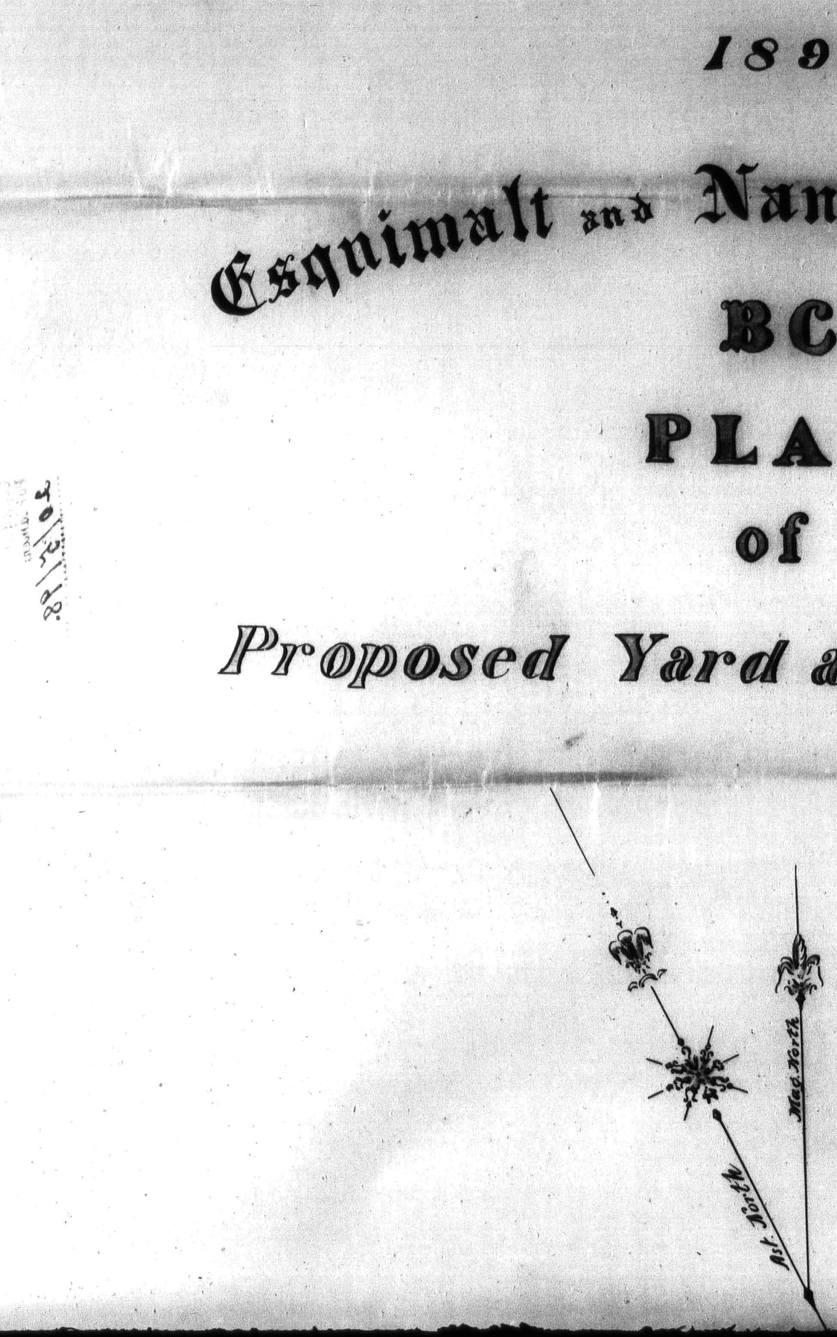
Esquimalt and Nanaimo Railway

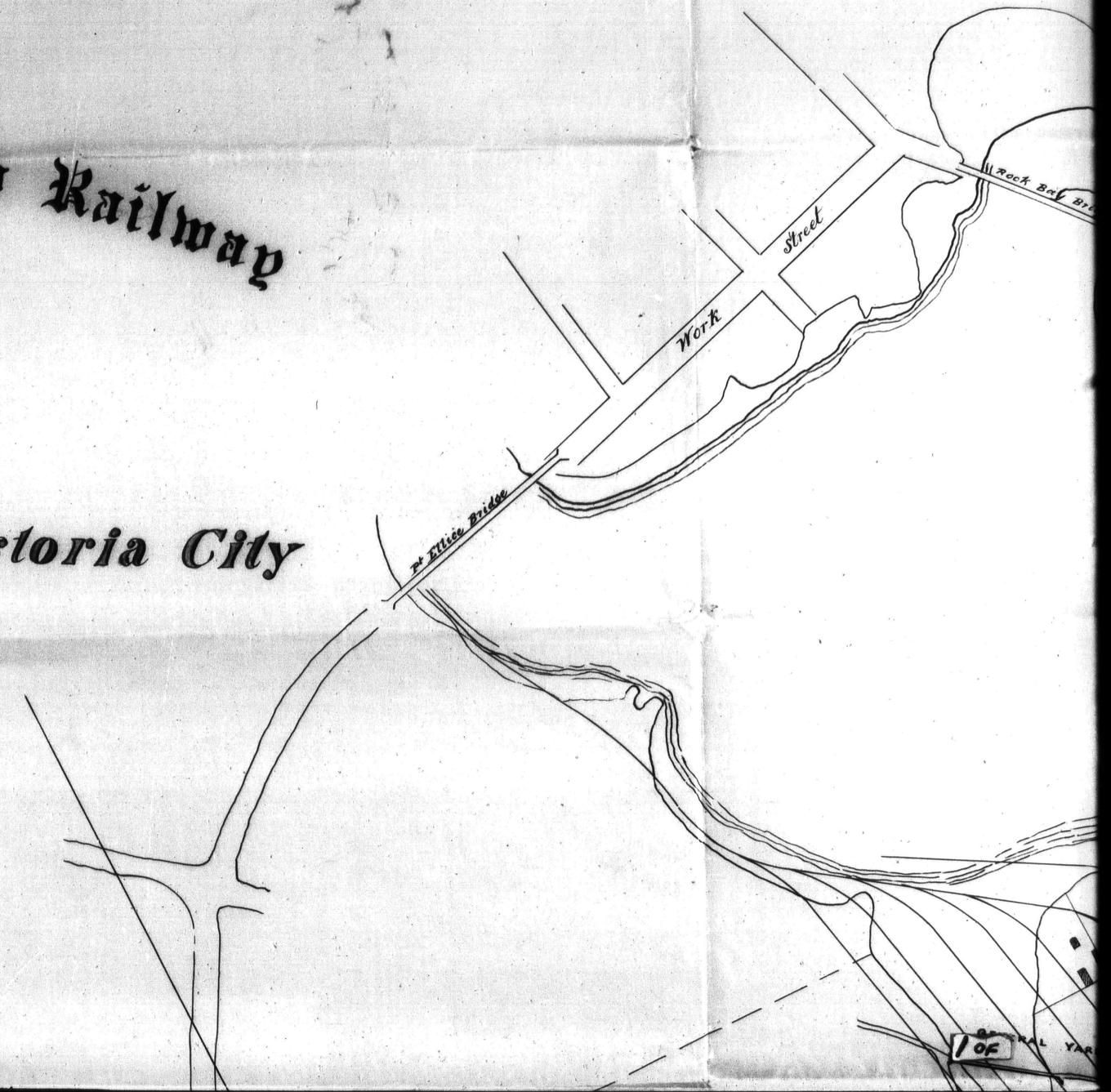
BC

PLAN

of

Proposed Yard at Victoria City





Rock Bay Bridge

Street

Work

Pt Ellice Bridge

Pembroke Street

Discovery Street

Store Street

Chatham Street

Herald Street

Fisguard Street

Victoria Station.

Cormorant Street

Goods Yard

Johnson Street

GENERAL YARD

Coal Lumber Cord wood &c.

General Freight

Swing Bridge

2 OF

Mad. North

Mad. South

VICTORIA West

LIME STREET

Russell

Harbour.

Esquimalt Road

Tod's Inlet

Bay Street.

Turntable.

E. & N. Railway

GENERAL YARD

EMPLOYEE'S HOUSES & GARDENS

Shops

Shops

Transfer Table

VICTORIA

3 OF

EMPLOYEE'S HOUSES & GARDENS

E. & N. Railway

GENERAL YARD

Coal Lumber Cordwood &c.

Coal Freight

Stevenger Station

Coaling Chute

Coal Shed

Round House

Turntable

Stores

Stores

Offices

Low Level Tracks

Shipping Wharves

Coal Shed

Freight Shed

Freight Shed

Warehouse

Victoria Harbour

Victoria Station

Cormorant Street

Bright Yard

Johnson Street

City of Victoria

Yates Street

Wharf

Langley Street

Bastion Square

Bastion Street

Store Street

Port Street

Broughton St.

Courtney St.

James Bay Bridge

4 of

VICTORIA WEST

LIME STREET

Russell Station

Esquimalt Road

Catherine Street

Mary Street

Bay Street

Turntable

E & N Railway

EMPLOYEE'S HOUSES

Stores

Stores

Hamilton Lake

VICTORIA

15 OF

EMPLOYEE'S HOUSES & GARDENS

E & N Railway

Passenger Station

Low Level Tracks

Shipping Wharves

Rough House

Turntable

Stores

Transfer Table

Offices

Freight Shed

Freight

Shed

Wharf

Store

Bastion Square

Bastion Street

Fort Street

Broughton St.

Courtney St.

Yates

Yates Bay Bridge

H A R B O U R

V I C T O R I A

Scale 200 feet to 1inch

Soundings in feet at Low Water, taken from Survey made by Dominion Govt. Engr.

6 of 6

16

15

H.W.

14

H.W. Victoria Hrb.

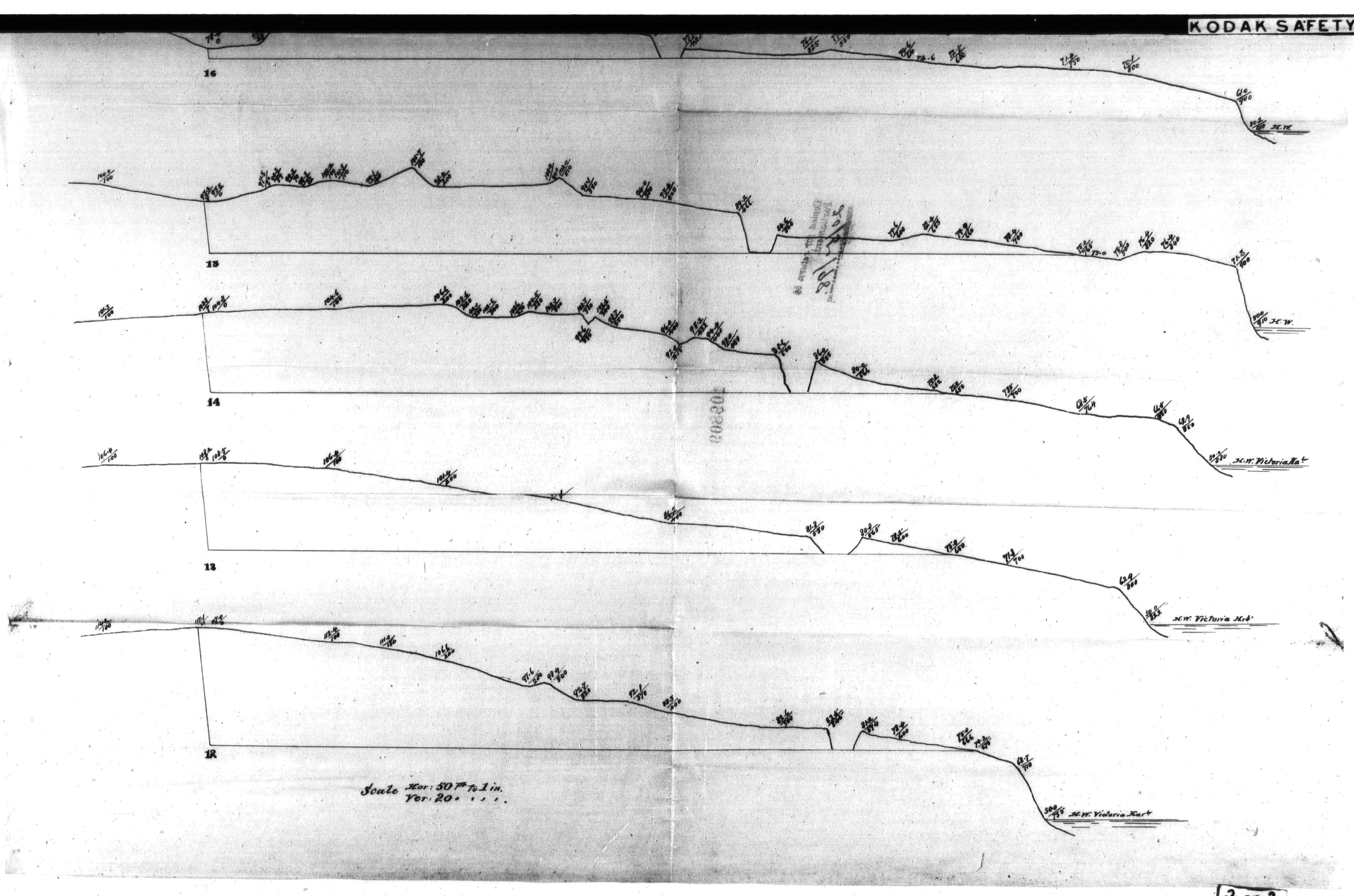
13

H.W. Victoria Hrb.

20800

1 OF

KODAK SAFETY ▲ FILM



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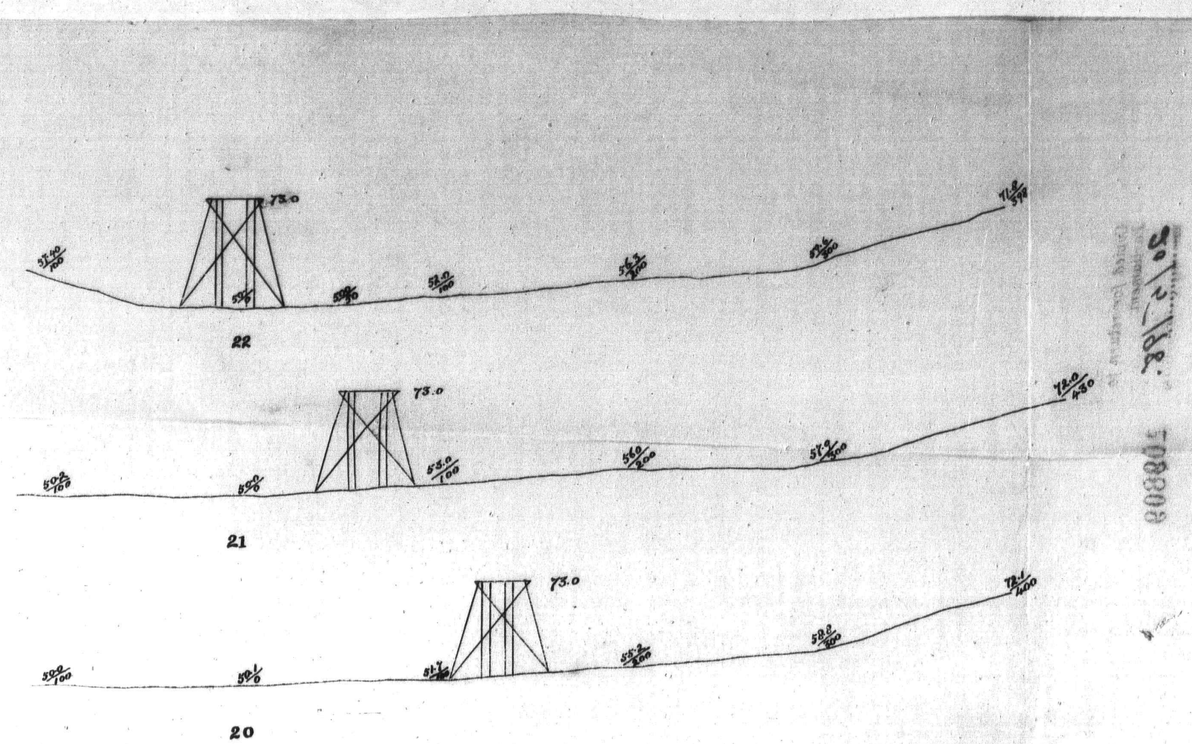
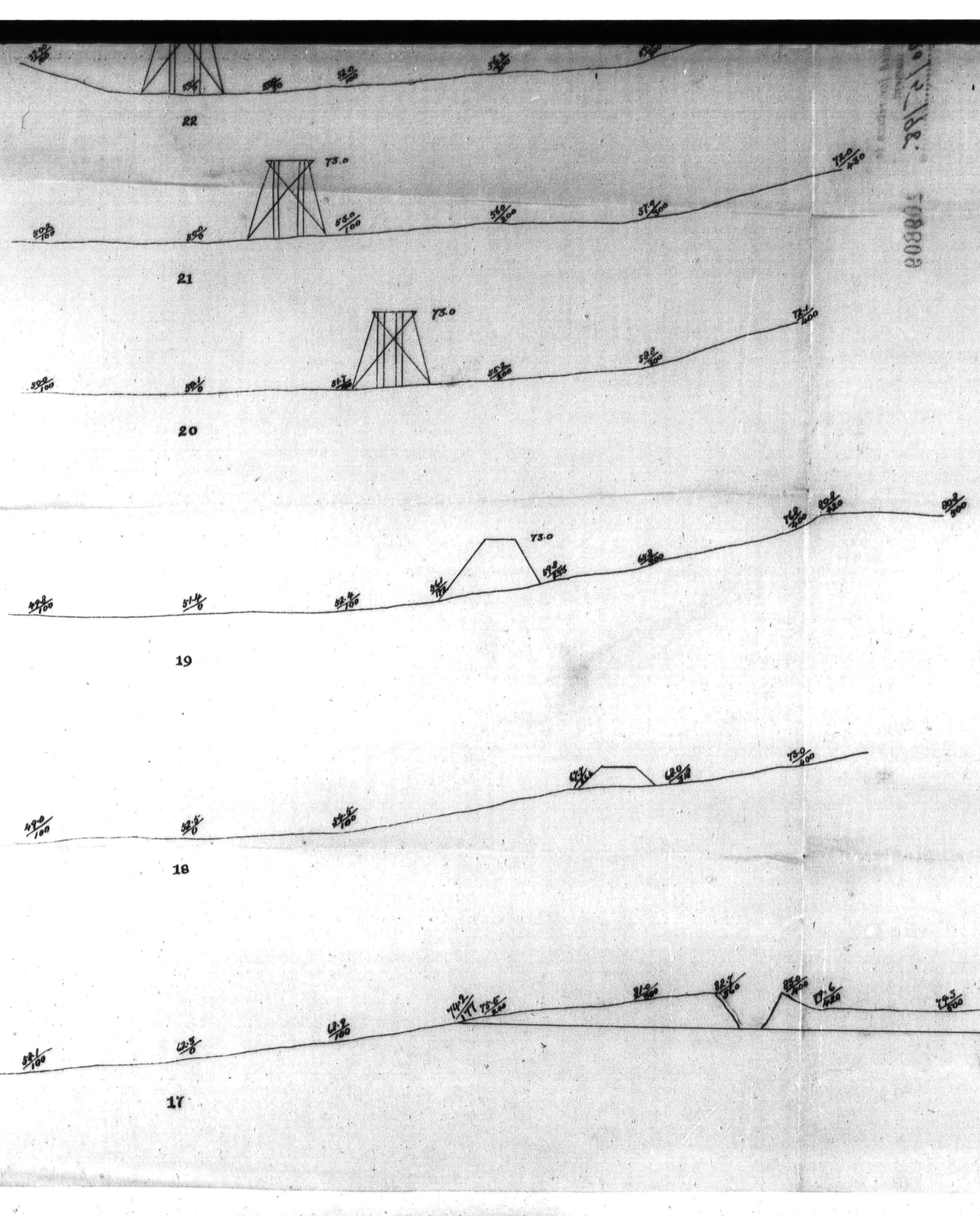


Table of Quantities. Solid Rock.

Station	Cub. ft.	Area.	Mean Area.	Cub. feet.	Cub. Yds.	Remarks.
6						
7	100	2264	1432	143200		Grade.
8	100	6329	4596	459600		
+50	50	7701	7015	350750		X See same as 9
9	50	7701	7701	385050		
10	100	10292	8996	899600		
+20	80	13807	12049	963920		X See same as 11
11	20	13807	13807	276140		
+50	50	13579	13693	684650		X See same as 12
12	50	13579	13579	678950		
+50	50	13579	13579	678950		X See same as 12
13	50	10927	12253	612650		
+50	50	10927	10927	546350		X See same as 13
+80	30	13508	12217	366510		X See same as 14
14	20	13508	13508	270160		
+50	50	13508	13508	675400		X See same as 14
15	50	11491	12495	1249500		
16	100	5730	8605	860500		
17	100	2320	4025	402500		
18	100		1160	116000		Grade
			Cub ft	10620380	393314	Rock.

1 OF

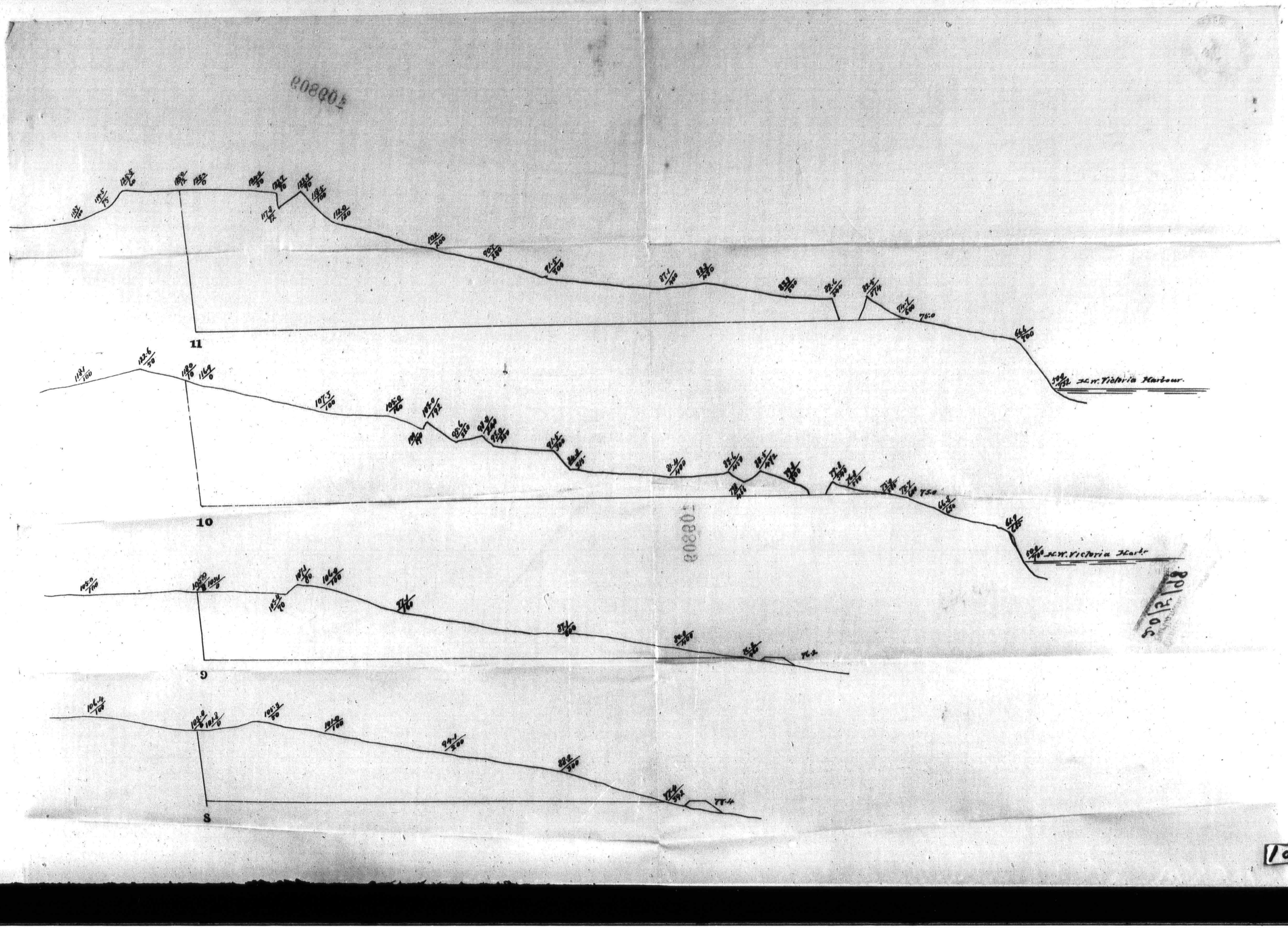


Station	in for.	Offset.	Mean Area.	Cub. feet.	Cub. Yds.	Remarks.
6						Grade
7	100	2264	1432	143200		
8	100	6329	4296	429600		
+30	50	7701	7015	350750		X See Same as 9
9	50	7701	7701	385050		
10	100	10292	2996	299600		
+20	20	13307	12049	963920		X See same as 11
11	20	13307	13207	276140		
+30	30	13579	13493	674650		X See Same as 12
12	50	13579	13579	678950		
+30	50	13579	13579	678950		X See Same as 12
13	50	10927	12253	612650		
+30	30	10927	10927	546350		X See Same at 13
+80	30	13508	12217	366510		X See Same at 14
14	20	13508	13508	270160		
+30	50	13508	13508	675400		X See Same as 14
15	50	11451	12495	1249500		
16	100	5730	8605	860500		
17	100	2320	4025	402500		
18	100		1160	116000		Grade Rock.
			Cub ft	10620830	393314	

Scale Hor: 50ft to 1in:
Ver: 20 " " "

2 of 2

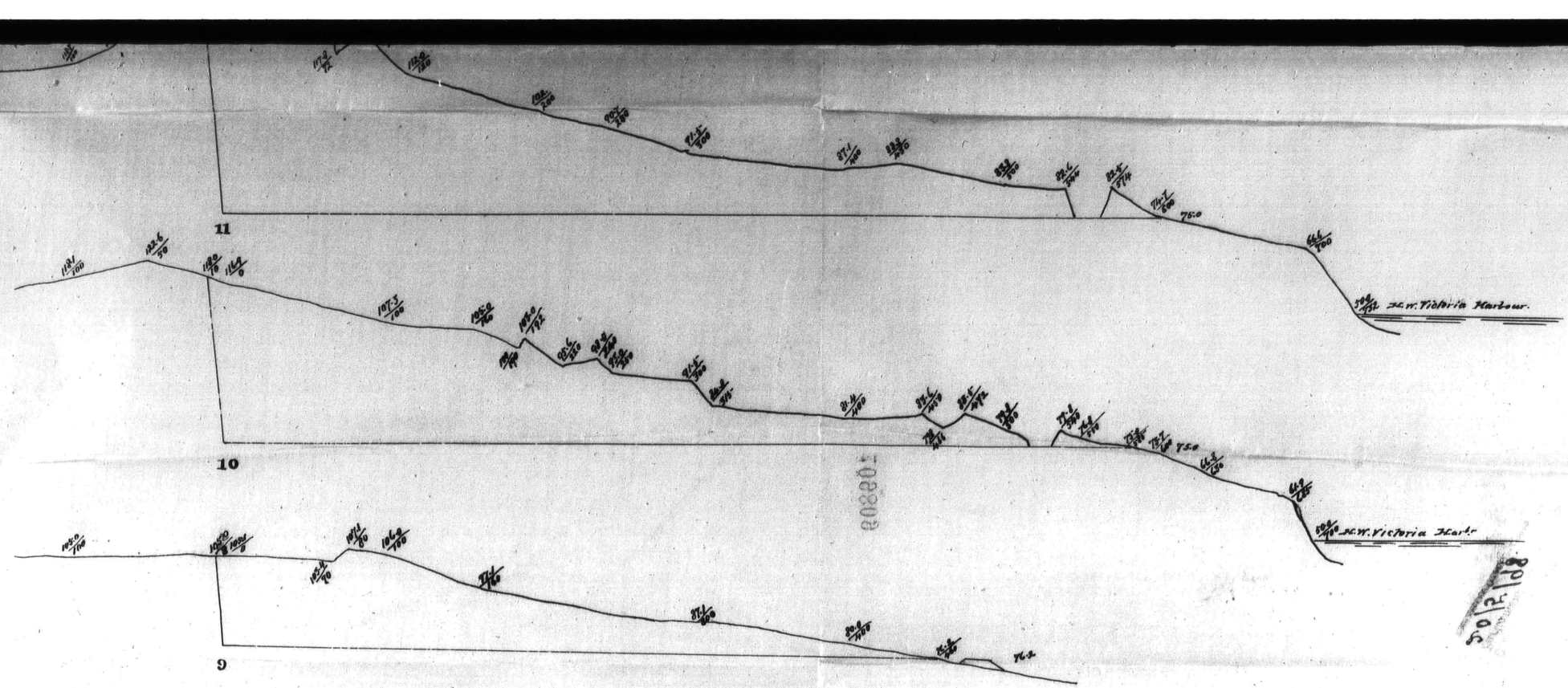
708803



708803

708803

1 OF



Scale Hor: 50 ft to 1 in.
Ver: 20 " " "

2 of 2

109809

ESQUIMALT AND NANAIMO RAILWAY CO.

Office of the
General Superintendent.

Victoria, B.C. 189

Copied for return to Parliament. 20/5/98

Note.

Tracks in general yard will be 14 feet centres and will be put down as required.

Level of shipping wharves will be 6 feet above H.W.M.

Level of general yard will be 30 feet above H.W.M.

The present Station and grounds on east side of Harbour and Swing-Bridge, it is proposed, shall be taken over by Victoria City, and the bridge used as a free traffic bridge.

Red dotted lines represent the direction and position of cross-sections.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

MEMORANDUM.

To Mr Pope

Department of Indian Affairs,

Ottawa, 5 Feb 1895

QUERY.

Kindly let me know the stage reached by Indian affairs Report of 26th inst. recommending Esquimalt & Nanaimo Ry Co. be allowed portion of Songhees Reserve, Victoria, B.C. for terminal purposes.

ANSWER.

Passed
O.C. 30 Jan 95
Sent you with this,

P.C. 272

Re further enquiry I find Mr McGee is to see this before it goes out. He is to have it today, & I can't find it, Will pass to-morrow. 95.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

DEPARTMENT OF JAN 19 1884

Copy No. 67681.

ESQUIMALT AND NANAIMO RAILWAY CO:

Victoria, B.C., 5th. May, 1893.

The Honorable

The Minister of Railways and Canals,

O t t a w a.

Copied for return to Parliament. 21/5/98

Sir,

I have the honour to acknowledge the receipt of your Secretary's letter of 27th. December last, forwarding a copy of an Order in Council of 13th.December,1892, authorizing the expropriation by this Company of 15 acres of the Songhees Indian Reserve, also of 6 91/100 acres already appropriated by the same Company for Right of Way through said Reserve. This Order in Council is the result of a long correspondence between this Company and the Department of Railways and Members of the Dominion Government upon the subject of terminal facilities for the Esquimalt and Nanaimo Railway at Victoria.

In the course of such correspondence it was clearly shown that this Company was induced to extend their Railway from Esquimalt to the Songhees Indian Reserve at Victoria, on the distinct promise that said Reserve would become the property of the Railway Company at the price of ($60,000.) Sixty Thousand Dollars. Subsequently the Company, without relin - quishing its claim to the Reserve as a whole, made application under date the 2nd.November,1891, for power to expropriate 63 64/100 acres thereof, accompanying said application by a plan

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

plan and book of reference and also by an enlarged copy of the plan showing the proposed method of utilizing the land applied for, for terminal yards, buildings, shops, wharves and other purposes in connection with the accommodation of the public and the traffic of the Railway. This latter plan seems to have been disregarded by the Department and at the suggestion of the Chief Engineer of Government Railways, a piece of land 15 acres in extent, and altogether unsuitable, has been recommended in the Order of Council for expropriation for terminal purposes. The unsuitableness of these 15 acres will be understood when it is stated that from no portion of it can any point on Victoria Harbour be reached by a track, where safe and suitable wharfage may be obtained; & that between the East end of the said 15 acres and the Swing Bridge over Victoria Harbour there is not sufficient room for the shunting operations common in a Railway Yard where free in - gress and egress by Tracks of ample length are necessary. The position of the proposed Yard would not permit of any of the proposed arrangements being carried out as shown on the plan referred to, a copy of which, as already stated, was forwarded to you with my letter of 2nd. November, 1891.

But another serious objection to the suggestion of the Chief Engineer of Government Railways, and the views set forth in the Order of Council, is that the piece of land in question is unsuitable in respect that the level of its surface is so high above the grade of our present tracks as to involve a very heavy expenditure on rock excavation to bring it to the proper level. It will be observed from the

enclosed

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

enclosed cross sections that this excavation amounts to 393,314 cubic yards of rock, which at $1.50 per cubic yard would amount to $589,971. and if there is added to this the further sum of $50,000., being the valuation put upon the land by the Indian Department, we have the enormous sum of ..... $639,971., as the cost to this Company of acquiring and pre - paring for occupation and use 15 acres of land, which, as has been shown, would in many respects be unsuitable for terminal purposes.

I herewith enclose a copy of the plan submitted with my letter to you of 2nd. November, 1891, with such additions as are necessary to make clear some of the points above al - luded to, and respectfully request that the matters in ques- tion may receive your early attention.

I have the honour to be,

Your obedient servant,

(Sgd) James Dunsmuir,

Vice-President.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy No. 69176.

Victoria, Nov. 30th. 1893.

DEPARTMENT OF INDIAN AFFAIRS
DEC 10 1893
VICTORIA, B.C.

Collingwood Schreiber, Esq.,
Deputy Minister of Railways,
O t t a w a.

Copied for return to Parliament. 20/5/98

My dear Sir,

I write to impress upon you the justice of meeting the Esquimalt & Nanaimo Railway Company in their request for reasonable terminal facilities upon the Songhees Reserve.

They applied for 30 acres of land for terminal purposes, but were met with the offer of some six acres only, for which they were required to pay $4,000 per acre.

The quantity of land is entirely insufficient for their purpose and the price asked an absurdly high one. Most of the land which they seek to acquire is of a rocky character and a large amount of money will have to be spent in bringing it into condition.

The price named, $4,000 per acre, would be the highest amount which could be expected to be obtained for the property should it be cut up into town lots & placed in an advantageous market under the most favorable conditions.

For the want of round houses and car shops the rolling stock of the Company has to remain out of doors, and the end of the matter will be, if the Company cannot obtain the requisite amount of ground to erect their buildings & operate their terminus, that the Company will locate upon their own land at Wellington at the other end of the line, to the serious detriment of Victoria and this end of the line.

The matter has been pressed upon your Department several times & I sincerely hope that you will see your way to accord the facilities which are asked.

Yours very truly,
(Sgd) Theodore Davie.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

KODAK SAFETY FILM

Copy of № 45829

No. [redacted]

Subj. 980.

Ref. 69176.

100803

DEPARTMENT OF JAN 10 1899

Ottawa, December 22 1898.

Copied for return to Parliament. 20/3/98.

Sir,

I have the honour, by direction, to acknowledge the receipt of your letter of the 30th ultimo, re terminal facilities for the Esquimault and Nanaimo railway on the Songhees Indian Reserve, British Columbia; and, in reply, to state that the Department of Railways and Canals has nothing to do with this matter beyond determining the area which it considers sufficient for the purposes of the above railway, which has been fixed at 15 acres and 6.91 acres, making a total of 21.91 acres.

With respect to the price to be paid for the land required for the purposes of this railway communication must be had with the Department of Indian Affairs, Ottawa, with whom alone any arrangement looking to the purchase of the property by the Esquimault and Nanaimo railway company can be made.

I have the honour to be,

Sir,

Your obedient servant,

(sd) Jno. K. Bald[illegible]

Secretary.

The hon. Theodore Davie,

Premier, etc.,

Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

No. [redacted] 45855

Subj. 980.

Ref. 69176.

109809

Ottawa, January 9 1894

DEPARTMENT OF INDIAN AFFAIRS JAN 10 1894

Copied for return to Parliament. 20/5/98

RE terminal facilities on the Songhees Indian Reserve, B.C., for Esquimault and Nanaimo railway.

Sir,

Enc. copies of fyles Nos. 67681 & 69176, & copy of letter. 7 pp 45829 4 Plans

I have the honour, by direction, to forward, for your information, copies of certain fyles, Nos. 67681 & 69176, bearing on this subject, together with copy of reply addressed by this office to the hon. the Premier of British Columbia in answer to his communication of the 30th ultimo.

I have the honour to be,

Sir,

Your obedient servant,

Jno. H. Halderson

Secretary.

The Deputy Superintendent General of Indian Affairs,

Ottawa.

H.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

27/1/94

Deputy Minister

Replies to enquiries under
~~Encl~~ 109.809.

1. The Esquimalt & Nanaimo Railway Co. is at cathapult with the Municipality of Land 21.91 acres which the Dept of Railways & Canals decided under the provisions of the Railway Act of 1888 should be surrendered for the purposes of the Company; the dissatisfaction of the Company being evidently due to the alleged undesirability of the Land for the required purpose and to the price thereof being higher than the Company considers it should be called upon to pay. The price was fixed by a competent valuator appointed under the provisions of the Indian Act, Sec: 35; and the Appraisement was endorsed by the Indian Supt. after he had thoroughly

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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inspected the land.

2. We cannot give the Company any more land unless the Dept of Railways & Canals recommend that a further quantity be allowed.

3. The purchase money should be paid to the Receiver General for the use of the Band of Indians (Songhees) for whose benefit the Reserve is held.

4. Nothing has so far been paid by the Company for the land in question.

A. M. DeZouche.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

DEPARTMENT OF INDIAN AFFAIRS
OCT 31 1894
RECEIVED

CORRESPONDENCE BRANCH
NOV 3 1894

1945

120253

Copied for Parliament.

Dear Sir

I proceeded to the Reserve of the Songhees Indians & attended a Council which I would call upon you upon the afternoon and inform you that I had granted the application for a lease and the Council fully & taken part at Victoria on the 27th October and that I had no reason to change my opinion that about 15 acres appeared to be the surplus of the reserve over & above what they would require for cultivation & pasturage at present & as far as I can see for some years to come. I would add that I have also informed them that the Government would not grant any lease of the ground is such as to make the value of the land less on the Department & the Railway & Canal Dept. essentials. I know of no objection to letting him have the block of land between this road, as now constructed, and the Harbour of Victoria containing I should judge about 18 acres.

I am
Yours faithfully
A. Sproat Agent

Hayter Reed Esq
Deputy Supt. General Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

DEPARTMENT OF INDIAN AFFAIRS
NOV 3 1894
RECEIVED

No. 17074
Subj. 980.
Ref. 71640.D

120343

19457

Ottawa, November 2nd, 1894.

Copied for return to Parliament
20/5/98

Sir,

Referring to the application of the Esquimault & Nanaimo Railway Company for a grant of 60 acres of the Indian Reserve at Victoria B.C., which lands they state is required for station yard purposes at that point, I have the honour, by direction, to inform you that, under date the 30th ultimo, the Chief Engineer of Railways has reported that Mr. Hunter, the Manager of the railway called to see him a short time ago to press the company's application & produced a plan in support of his contention that the amount (15 acres) of land which the

Hayter Reed Esq
Deputy Supt. General of Indian Affairs
Ottawa

Chief

Please inform the Dept. & Govt. whether the matter should remain in abeyance until his Co. has further communication with the Dept. & Govt. - H.M.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

No. [redacted]

Subj.

Ref.

120343

Ottawa, 1879

A. R. 2.

Chief Engineer of Railways has recommended should be granted to the Company out of the Indian Reserve was insufficient for the traffic requirements of the railway.

After again carefully considering this matter the Chief Engineer states that he can see no reason to change the views already expressed by him; viz:- that 15 acres is sufficient for station yard purposes - but the general configuration of the ground may be such that the boundaries laid down by him on the plan upon which he reports may not meet their purpose, and it may, therefore, on that account, be desirable in the interests of the traffic to change the location of the 15 acres from the north to the south side of the right of

way

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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ARCHIVES PUBLIQUES
CANADA

N. [redacted]

Subj.

Ref.

120343

Ottawa, 189

A.R.3.

way on the Indian Reserve, as shown by the sketch below.



I have the honour to be,
Sir,
Your obedient servant,
Jno. A. Anderson
Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19.451

RETURN TO
CORRESPONDENCE BRANCH

THE LETTER HAS BEEN SENT

Ottawa 3rdnovember 1894

Copied for return to Parliament.
20/5/98

Sir,

I have the honor to acknowledge the receipt of your letter of the 30th Ultimo, respecting the application of the Esquimault and Nanaimo Railway Company for land required for the purposes of a Station &c at Victoria; and in reply I beg to inform you that, after a conference with the Engineer of the road it has been decided that no action in the matter will be taken by this department until the quantity of land required is finally settled between the Company and your Department.

Your obedient servant.

Deputy Superintendent General,
of Indian Affairs.

Collingwood Schreiber Esq., C.E., C.M.G.,
Deputy Minister of Railways and Canals
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

19451

120392

Office of the Chief Engineer of Railways & Canals

COLLINGWOOD SCHREIBER

Ottawa 5th Nov. 1894. 189

DEPT. OF INDIAN AFFAIRS NOV 6 1894 RECEIVED

120392

Copied for return to Parliament. 20/5/98

Dear Mr. Reed,

I am in receipt of your letter of the 3rd instant with reference to the application of the Esquimalt and Nanaimo Railway Company for land required for the purposes of a station etc, at Victoria, and stating that after a conference with the Engineer of the road, it has been decided that no action in the matter will be taken by your Department until the quantity of land required is finally settled between the Company and this Department.

In reply I desire to say that the matter is settled as I understand it.

Yours faithfully,

Collingwood Schreiber

Hayter Reed, Esq.

Deputy Supt. General of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19.451

Copied for return to Parliament 20/5/98

To Lampman to Schreiber Esq C.E.

C. Mug.

Deputy-Minister
of Railways & Canals
Ottawa

THIS LETTER HAS BEEN SENT

Nov. 9th 1894

Sir, In reply to your letter of the 5th inst. respecting the application of the Esquimalt and Nanaimo Railway Co. for land required for the purpose of a station at Victoria, B.C. I have the honour to inform you that what I intended you should be advised in letter of the 3rd inst. was simply that some further correspondence as was to be held before final action by the Department, and not that action would be deferred pending a settlement of the Land question between the Company and your Department. I am

I was advised by Mr Hunter by the E & N. Ry Co + yr Dept.
Mr. Graham

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

DEPARTMENT OF RAILWAYS AND CANALS
COLLINGWOOD SCHREIBER

Office of the Chief Engineer of Railways & Canals

Ottawa 13th, Nov. 1894. 189

19451

120630

Copied for return to Parliament.
20/5/98.

Dear Mr. Reed,

File

I have your letter of the 9th instant with reference to the application of the Esquimalt and Nanaimo Railway for land required for the purposes of a Station etc at Victoria, British Columbia, and I note what you say in regard to the matter.

I did not so understand it when Mr. Hunter left me, he said "Well I suppose if that is all we can get viz: the "19 acres on the harbour side of the railway, that ends the "matter, and we must be satisfied although I would like to "get more."

Yours faithfully,

Collingwood Schreiber

Hayter Reed, Esq.
Deputy Supt. General
of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

121369

Copy

ESQUIMALT AND NANAIMO RAILWAY CO:

Victoria, B.C. 5th.May, 1893.

Copied for return to Parliament.
20/5/98.

The Honorable

The Minister of Railways & Canals,

Ottawa.

Sir,

I have the honour to acknowledge the receipt of your Secretary's letter of 27th.December last, forwarding a copy of an Order in Council of 15th.December,1892, authorizing the expropriation by this Company of 15 Acres of the Songhees Indian Reserve. This Order is the result of a long correspondence between this Company and the Department of Railways and Members of the Dominion Government upon the subject of Terminal facilities for the Esquimalt & Nanaimo Railway at Victoria.

In the course of such correspondence it was clearly shown that this Company was induced to extend their Railway from Esquimalt to the Songhees Indian Reserve at Victoria, on the distinct promise that said Reserve would become the property of the Railway Company at the price of ($60,000.)Sixty Thousand Dollars. Subsequently the Company, without relinquishing its claim to the Reserve as a whole, made application under date the 2nd. November,1891, for power to expropriate 63-64/100 Acres thereof, accompanying said application by a Plan and Book of Reference, and also by an enlarged copy of

the

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

the Plan showing the proposed method of utilizing the Land applied for for Terminal Yards, Buildings, Shops, Wharves and other purposes in connection with the accommodation of the Public and the Traffic of the Railway.. This latter Plan seems to have been disregarded by the Department, and at the suggestion of the Chief Engineer of Government Railways, a piece of land 15 Acres in extent,and altogether unsuitable has been recommended in the Order in Council for expropriation for Terminal purposes. The unsuitableness of these 15 Acres will be understood when it is stated that from no portion of it can any point on Victoria Harbour be reached by a Track,where safe and suitable Wharfage may be obtained,and that between the East end of the said 15 Acres and the Swing Bridge over Victoria Harbour there is not sufficient room for the shunting operations common in a Railway Yard where free ingress and egress by Tracks of ample length are necessary.

The position of the proposed Yard would not permit of any of the proposed arrangements being carried out,as shown on the Plan referred, a copy of which, as already stated, was forwarded to you with my letter of 2nd. November, 1891.

But another serious objection to the suggestion of the Chief Engineer of Government Railways, and the views set forth in the Order of Council, is that the piece of Land in question is unsuitable in respect that the level of its surface is so high above the grade of our present Tracks as to involve a very heavy expenditure on Rock excavation to bring it to the proper level. It will be observed from the enclosed cross sections that this excavation amounts to 395. 314 cubic

yards

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

yards of Rock, which at $1.50 per cubic yard would amount to $589,971. and if there is added to this the further sum of $50,000. being the valuation put upon the land by the Indian Department, we have the enormous sum of $639,971. as the cost to this Company of acquiring and preparing for occupation and use 15 Acres of Land, which, as has been shown, would in many respects be unsuitable for Terminal purposes.

I herewith enclose a copy of the plan submitted with my letter to you of 2nd.November,1891, with such additions as are necessary to make clear some of the points above alluded to, and respectfully request that the matters in question may receive your early attention.

I have the honor to be,

Your obedient servant,

(Sgd) James Dunsmuir,

Vice President.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

121369

121369

Copy File No. 71850
Railways & Canals.



ESQUIMALT AND NANAIMO RAILWAY CO:

Victoria, B.C. 14th. November, 1894.

Copied for return to Parliament.
20/3/98.

The Honorable

The Minister of Railways & Canals.

Sir,

I have the honour to enclose a copy of my letter to you of 5th.May,1893, to which no reply has yet been received.

As the letter above referred to deals with important questions relating to terminal facilities for this Railway on the Songhees Indian Reserve, I hope for an early reply.

Enclosed is a plan showing in red the land which this Company seeks to acquire, in lieu of the portion recommended by the Chief Engineer of Government Railways under date the 10th.November,1891.

I am, Sir,

Your obedient servant,

(Sgd) James Dunsmuir,

Vice President.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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ARCHIVES PUBLIQUES
CANADA

121369

No. 7211 1894

Subj. 980.

Ref. 71850.

Enc. copy dept. file No. 71850.

121369

DEC 4 1894

Ottawa, December 3rd, 1894.

Copied for return to Parliament. 26/5/98

Sir,

Referring to the departmental letter addressed to you on the 22nd instant, re application of the Esquimault & Nanaimo Railway Company for a grant of a portion of the Songhees Indian Reserve at Victoria, B.C., for station ground purposes, in which you were informed that the Chief Engineer of Railways had reported that an area of 15 acres would, in his opinion, be sufficient for the purposes of the railway; I have the honour, by direction, to state that this Department is in receipt of another letter from that company, accompanied by a plan, with reference to this matter, in which application is made for the grant of an area of 19.04 acres, with respect to which the Chief Engineer of Railways has reported, under date the 29th instant, that, as already stated by him, an area of 15 acres is ample for the traffic, but, perhaps, owing to the configuration of the ground, the 19.04 acres applied for, as shown on the plan coloured red, on the right hand side of the track as you approach Victoria City might be granted.

DEC 10 1894 BRANCH

I enclose herewith the letter and plan above referred to.

I have the honour to be,

Sir,

Your obedient servant,

Hayter Reed Esq.

Deputy Superintendent General,

Department of Indian Affairs.

Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

19,451

Copies for return to Parliament.
20/5/98

Ottawa, 11th Dec., 1894.

THIS LETTER HAS BEEN SENT

Sir,-

I am in receipt of the letter of the 3rd instant from your Department respecting the application of the Esquimalt & Nanaimo Railway Company for a portion of the Songhees Indian Reserve, Victoria, B.C., for station ground purposes, with which letter is transmitted communications from Mr. James Dunsmuir, the Vice President of the Company, dated the 5th May, 1893, and 14th Nov., 1894, and also a tracing showing the land which the Company desire to acquire.

In the letter from your Department, it is stated that the application of the Company is made for the grant of an area of 19.04 acres, with respect to which you reported that 15 acres was ample for the railway, but that perhaps owing to the configuration of the ground, the 19.04 acres applied for, as shown on the said plan, might be granted.

The total amount of land applied for by the Company is shown on the tracing above referred to to be 35.14 acres, and I cannot find in the papers which are of record here anything to show that an applicatior was made for 19.04 acres as stated in the letter from your Department of the 3rd instant.

I am under the impression that the Railway Company are desirous of having part of the land to be allowed them

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

then on either side of the track, but I gather from the letter of the 3rd that the 19.04 acres which you are prepared to allow them is all or the right hand side of the track.

I shall be very much obliged if you will kindly indicate on the tracing - which I return herewith - the land which you are prepared to agree to the Railway Company being allowed to acquire for station purposes, so that I may be quite clear as to its exact location before further steps are taken.

Your obedient servant,

Duncan Campbell Scott

Deputy Supt. General
of Indian Affairs.

Collingwood Schreiber Esq., C.E.,
Deputy Minister and Chief Engineer,
Dept. of Railways & Canals.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

19451

121961

Subj: 980.

Ref 71967.

p. plan.

Well forwarded

Ottawa, December 17 1894.

DEC 20 1894

Copied for return to Parliament.
20/5/28

Sir,

I have the honour to acknowledge to acknowledge the receipt of your letter of the 11th instant, respecting the application of the Esquimault and Nanaimo Railway Company for a portion of the Songhees Indian Reserve Victoria, B.C., for station ground purposes, and, in compliance with your request forward herewith a tracing showing the portion, coloured red, being an area of about 19 acres, which the Chief Engineer of this Department is of opinion might reasonably be granted to the company for terminal purposes.

I have the honour to be,

Sir,

Your obedient servant,

Jno. H. Balderson

Secretary.

Hayter Reed Esq.

Deputy Superintendent General of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,451

Copied for return to Parl
Parliament
20/3/95

Ottawa, 16th January, 1895.

THIS LETTER HAS BEEN SENT

Sir,-

Referring to the conversation which you had with me some time ago, respecting the land in the Songhees Indian Reserve which the Esquimalt & Nanaimo Railway Company desire to acquire for terminal purposes, I write to say that since you were here I have been in communication with the Department of Railways & Canals on the subject, and have endeavored to place before that Department very clearly the wishes of the Company in the matter.

The best that the Chief Engineer will do is to agree to about 19 acres on the south side of the track being allowed the Company. As I do not think this will meet the desire of the Company, I have delayed taking the necessary action to obtain the required consent of His Excellency to the land being alienated for the purposes of the railway; but as we can give no more than the Railway Department certify to be necessary for terminal purposes, it is out of my power to do anything further.

If your Company agree to do with the acreage in the locality indicated by him which the Chief Engineer allows, or your advising me I shall take steps to have the requisite authority granted; but if the Company should determine to ask for more, it will be a question which will of course, have to be thrashed out with the

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

the Department of Railways & Canals; and when the decision is come to, this Department will take the action which it has to take in the matter.

Your obedient servant,

R. A. Hayterman

Deputy Supt. General
of Indian Affairs.

The Chief Engineer,
[redacted]
Esquimalt & Nanaimo Railway Company,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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CANADA

123250 T. D. Form 1.

Canadian Pacific Railway Company's Telegraph

TERMS AND CONDITIONS.

Messages are received by this Company for transmission, subject to the terms and conditions printed on their Blank Form No. 2, which terms and conditions have been agreed to by the sender of the following message. This is an unrepeated message, and is delivered by request of the sender, under these conditions.

W. C. VAN HORNE, President,
CHAS. R. HOSMER, Man. Telegraphs,
B. S. JENKINS Supt., Winnipeg.
J. WILSON, Supt., New Westminster, B.C.
HOMER PINGLE, Supt., Toronto.
JAMES KENT, Supt., Montreal.

DEPARTMENT OF INDIAN AFFAIRS

No. | SENT BY | REC'D BY | CHECK.

Time 5 P M

From Victoria B C

To The Dy Genl of Ind affairs Ottawa

Yours sixteenth Jany please obtain permission for this company take possession nineteen acres referred to Songhee, indian reserve see minutes of privy council thirteenth December 1892 urgent

Joseph Hunter

TO SECURE PROMPT DESPATCH SEND REPLY TO

Chief Engineer

Copied for return to Parliament. 20/5/98

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

19,451

123441

Ottawa, 26th January, 1895.

His Excellency

The Governor General in Council.

The undersigned has the honour to refer to the Order in Council of the 13th December, 1892, under which the Esquimalt & Nanaimo Railway Company were allowed to expropriate fifteen acres of the Songhees Reserve in Victoria, B.C., for terminal purposes; and to report that that Company, on being advised of the said Order in Council, signified their dissatisfaction with the portion of the reserve allowed them for terminal purposes [redacted] and they urged that the surface was so high above the grade of their tracks as to involve a very heavy expenditure on rock excavation to bring it to the proper level: that the piece of land was so situated that free ingress and egress by tracks of length necessary for shunting operations were not afforded, and that from no portion of it could any point on the Victoria Harbor be reached by a track where safe and suitable wharfage might be obtained.

The Railway Company placed their objections in full before the Department of Railways & Canals with the result that that Department reconsidered the decision

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

previously come to, as embodied in the aforesaid Order in Council, and transmitted to the Department of Indian Affairs the attached plan showing in red the land which the Deputy Minister of Railways & Canals has set forth in his certificate thereon, considers might reasonably be allowed to the Esquimalt & Nanaimo Railway Company for terminal purposes.

The area of the piece of land shown in red on the said plan is, according to the Deputy Minister of Railways & Canals, about eighteen or nineteen acres, and it is to be allowed the Company in lieu of the fifteen acres allowed them by the Order in Council of the 13th December, 1892.

The undersigned sees no objection to the Company being allowed to acquire the nineteen more or less acres shown on the plan submitted herewith instead of the fifteen acres covered by the aforesaid Order in Council; and he would, therefore, respectfully recommend that, under Sec. 35 of the Indian Act, as amended by Sec. 5, Cap. 33, 50-51 Vic., the consent of Your Excellency in Council be given to the portion of the Songhees Reserve as shown upon the attached plan being taken by the Esquimalt & Nanaimo Railway Company for terminal purposes, compensation to be made therefor in the same manner as is provided with respect to lands or rights of other persons.

Sd/ Dewdney

Superintendent General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451

Esquimalt and Nanaimo Railway Company.

Office of the General Superintendent.

123595

Victoria, B. C. 24th January, 1895. 189

HAYTER. REED. ESQ.

DEPUTY SUP'T GEN'L OF INDIAN AFFAIRS,

O T T A W A.

DEPARTMENT OF INDIAN AFFAIRS FEB 1895

Copied for return to Parliament. 20/5/98

S I R:-

I have the honour to acknowledge the receipt of your letter of the I6th inst dealing with certain matters respecting the acquisition by this Company of Land for terminal purposes on the Songhees Indian Reserve.

I beg also to confirm my telegram to you of this date in reply as fallows-

" Yours sixteenth January. Please obtain permission for this Company take possession nineteen Acres referred to Songhees Indian Reserve. See minute of Privy Council thirteenth December I893. Urgent."

Thanking you for the action you have taken in this matter

I have the honour to be

Sir

Your obedient Servant

Joseph Hunter.

CHIEF ENGINEER

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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Canadian Pacific Railway

TERMS AND CONDITIONS

All messages are received by this Company for transmission, subject to the terms and conditions printed on their Blank Form No. 2, which terms and conditions have been agreed to by the sender of the following message. This is an unrepeated message, and is delivered by request of the sender, under these conditions.

W. C. VAN HORNE, President,
CHAS. M. OSMER, Man. Telegraphs.
B. S. JENKINS, Supt., Winnipeg.

J. WILLARD, Supt., New Westminster, B.C.
HOMER, Asst. Gen. Supt., Toronto.
JAMES, Asst. Supt., Montreal.

Rec'd for return to

No.	SENT BY	REC'D BY	CHECK
105	C	G	32 paid 2ex

Time 6.45 p Feby 4

From Victoria B C

To The Depy Supt Genl of Indian affairs Ottawa

Referring to Howkers message of twenty fourth January I assume price of land will be based on sum originally agreed upon with the late Sir John McDonald for whole Reserve

James Dunsmuir

TO SECURE PROMPT DESPATCH SEND REPLY TO

Vice Prest

DEPARTMENT OF INDIAN AFFAIRS FEB 5 1895

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

KODAK SAFETY FI

19,451

Ottawa, 13th February, 1895.

THIS LETTER HAS BEEN SENT

Sir,-

In the Order in Council, No. 272, of the 30th January, 1895, allowing the Esquimalt & Nanaimo Railway to expropriate a portion of the Songhees Reserve at Victoria, B.C., it is stated that the Department of Railways & Canals transmitted to the Department of Indian Affairs " the attached plan showing in red the land which the Deputy Minister of Railways & Canals, as set forth in his certificate thereon, considers might reasonably be allowed to the Esquimalt & Nanaimo Railway Company for terminal purposes."

No plan is attached to the Order in Council; and as the original plan with the Deputy Minister's certificate was transmitted to Council with the Minister's Report of the 26th, ultimo, it will be necessary for us to have it returned, or to have a copy thereof.

I return the Order in Council, and shall be obliged by your letting me have it back with either the plan of a copy thereof as soon as possible.

Your obedient servant,

D. Macdonald

John J. McGee Esq.,
Clerk of the
Privy Council (pk)

Acting Deputy Supt. General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

1945 1-272. 124203

FEB 21 1895

Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 30th January 1895.

Copied for return to Parliament 20/5/98

---------- ooo ----------

On a Report dated 26th January 1895, from the Superintendent General of Indian Affairs, stating with reference to the Order in Council of 13th December 1892, under which the Esquimalt and Nanaimo Railway Company were allowed to expropriate fifteen acres of the Songhees Reserve in Victoria, B.C., for terminal purposes, that that Company on being advised of the said Order in Council, signified their dissatisfaction with the portion of the reserve allowed them for terminal purposes, urging that the surface was so high above the grade of their tracks as to involve a very heavy expenditure on rock excavation to bring it to the proper level - that the piece of land was so situated that free ingress and egress by tracks of length necessary for shunting operations were not afforded, and that from no portion of it could any point on the Victoria Harbour be reached by a track where safe and suitable wharfage might be obtained.

The original of this document has been removed for retention in the Records of the Indian Land Registry
W.P.
Signature
Mar. 24, 1992

The Minister further states that the Railway

(Continued next page)

The Honourable

The Superintendent General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(Continued P.C.272,30 January 1895)

Company placed their objections in full before the Department of Railways and Canals,with the result that that Department reconsidered the decision previously arrived at,as embodied in the aforesaid Order in Council,and transmitted to the Department of Indian Affairs the attached plan,shewing in red the land which the Deputy Minister of Railways and Canals as set forth in his certificate thereon,considers might reasonably be allowed to the Esquimalt and Nanaimo Railway Company for terminal purposes. The area of the piece of land shewn in red on the said plan is,according to the Deputy Minister of Railways and Canals,about eighteen or nineteen acres,and it is to be allowed the Company in lieu of the fifteen acres allowed them by the Order in Council of the 13th December 1892.

The Minister,seeing no objection to the Company being allowed to acquire the nineteen acres,more or less,shewn on the plan submitted herewith,instead of the fifteen acres covered by the aforesaid Order in Council,recommend that,under Section 35 of the Indian Act,as amended by Section 5,Chap. 33,50-51 Vic. authority be given to the Esquimalt and Naniamo Railway Company to take the portion of the Songhees Reserve,as shown upon the attached plan,for terminal purposes,compensation to be made therefor in the same manner as is provided with respect to lands or rights of other persons.

(Continued next page)

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(Continued P.C.272, 30 January 1895)

124293

The Committee submit the foregoing for Your Excellency's approval.

John J. McGee

Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ry. 125885 and
124293

Duplicate plans accompany my
O.C. of 30 Jany 1895.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA.

22 Feb 95

Dear Reed –

We paid Mr Jones of Victoria $100 for valuing land previously allowed Esquimalt & Nanaimo Ry.

When writing Vowell, owned it be well to write anything to Co. We have telegram, you will remember from Mr Graham as to price. Might also be hoped that land will be used if valuation not satisfactory to him question will have to be settled by arbitration as provided by Law.

Yours
J. A. McKenna

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

19,451

Copied for return to Parliament.
20/5/78.

Ottawa, 23rd February, 1895.

Sir,-

Advertising to the telegram which you addressed to me on the 4th instart, respecting the price of the land to be allowed your Company on the Songhees Reserve, I beg to inform you that an Order in Council has passed authorizing your Company to acquire for terminal purposes 19 acres of land on the right hand side of the track as you approach Victoria, instead of the 15 acres, which your Company was allowed to acquire under a previous Order in Council.

As to the price to be paid for the land, the Order in Council stipulates that the compensation shall be made in the same manner as is provided with respect to lands or rights of other persons.

[redacted] valuation will, therefore, be made of the land by this Department, and if the Company consider that valuation too high, the amount of compensation will have to be settled by arbitration.

Your obedient servant,

James Dunsmuir Esq.,
Vice President of the
Esquimalt & Nanaimo R.W.CO.,
Victoria, B.C.

Deputy Supt. General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Immediate

MEMORANDUM.

To Technique Br

Department of Indian Affairs.

26.2.95

Ottawa, 23 Feb 1895

For copy plan attached to O-C.

DC

DEPARTMENT OF INDIAN AFFAIRS
SURVEY BRANCH
25.2.95
OTTAWA, CANADA.

Return to Keys Br.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Memorandum

Department of Indian Affairs,

The Acting Deputy

Ottawa, 26th Feby 1895

Re Diamond Rock Indian Land proposed to be taken from the Songhees Reserve near Victoria B.C.

W. A. Austin

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,451

Copied for return to Parliament.
20/5/98

Ottawa, 29 th February, 1895.

THIS LETTER HAS BEEN SENT

Sir,-

Referring to the Department's letter to you of the 13th December, 1892, advising you that an Order in Council had passed on the 13th of that month, allowing the Esquimalt & Nanaimo Railway Company to acquire 15 acres of the Songhees Reserve, as shown on the plan which accompanied the Order, I beg to inform you that the Railway Company ~~has~~ has been allowed by Order in Council of the 30th January, 1895, to take, in lieu of the said 15 acres, 19 acres or thereabouts on the right hand side of the track as you approach Victoria. This land is shown in red on the plan which I forward.

I have to request you to have Mr. Jones, who valued the land allowed to the Company under the Order in Council of the 13th December, 1892, value the land which that Company is to be allowed to acquire in lieu thereof, and forward his report in the matter at the earliest possible ~~date~~, together with vouchers for his charges.

I observe that the rock of land on the south side of the track has not been colored red; but this is evidently an oversight on the part of the Deputy Minister of Railways, and you will, therefore, have it included in the land to be valued.

If

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

If Mr.Jones' services carrot be secured, you should arrarke to have some other competent and disinterested perser to value the land.

Your obedient servart,

Deputy Supt.General
of Indian Affairs.

A.W.Vowell Esq.,
Indian Superintendent,
Victoria,B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

19151

125078

405 m 2 **British Columbia,**

DEPARTMENT OF INDIAN AFFAIRS
MAR 15 1895

Indian Superintendent's Office,

file

Copied for return to Parliament
20/5/98

Victoria, 8th March 1895.

Sir,

I have the honour to acknowledge the receipt of your letter of the 28th ult. No. 19.457. together with a plan showing a certain portion of the Songhees Indian Reserve, thereon marked red, with instructions relative to the valuation of the same &c. The matter will receive immediate attention, and when completed particulars forwarded to the Department without delay.

I have the honour to be
Sir
Your Obedt. Servt.
A. W. Vowell
Indian Supt. B.C.

The Deputy Supt. General
of Indian affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

Original

Voucher No. .....

Date of Payment ..... 1895.

DEPARTMENT OF

INDIAN AFFAIRS

BRITISH COLUMBIA.

A. W. Jones

Service Valuation of part of Songhee Indian Reserve.

$ 100 00/100

A. W. VOWELL,
Supt.

COWICHAN AGENCY.

1894-95

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Service Miscellaneous

Authority No. 19454 Feb 28th 1895. Voucher No. 888

GOVERNMENT OF DOMINION OF CANADA.

DEPARTMENT OF INDIAN AFFAIRS IN BRITISH COLUMBIA.

COWICHAN AGENCY.

1894-95 125885

Cr.

A. W. JONES, Notary Public.

Cable Address: "JOBRID." 125885 A. J. WEAVER BRIDGMAN, Solicitor Supreme Court of England.

CANADA LIFE ASSURANCE COMPANY,
PHŒNIX ASSURANCE COMPANY, OF LONDON, ENGLAND.
CALEDONIAN INSURANCE COMPANY, OF EDINBURGH, SCOTLAND.

Policies Written, Losses Adjusted and Paid without Reference to Head Offices.

Telephone 198.
P. O. Drawer 22.

A. W. JONES & BRIDGMAN,

Real Estate, Financial and Insurance Agents,

--- FIVE SISTER'S BLOCK ---

Victoria, B. C. 25th March 1895

Original

The Indian Department
Victoria

Dear Sir

To Valuation of Songhees Indian Reserve at Victoria $100.00

being that portion required for terminal purposes

5-1/2 @ $100 / 5-11-95

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Service Miscellaneous

Authority No. 19454 Feb. 28th 1895. Voucher No. 888.

GOVERNMENT OF DOMINION OF CANADA.

DEPARTMENT OF INDIAN AFFAIRS IN BRITISH COLUMBIA.

COWICHAN AGENCY.

1894-95 125885

Cr.

		$	

I HEREBY CERTIFY that this voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also, that all the expenditure has been incurred legitimately, and that each item of the same is a fair and just charge against the Government of Canada.

Approved, _____ Indian Agent.

Indian Supt.

$_____ _____ B. C., _____ 189 5.

Received from _____ Agent,

the above sum of _____ Dollars

_____ Cents.

Witness to Mark of Payee _____

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

V. JONES,
NOTARY PUBLIC.

CANADA LIFE ASSURANCE COMPANY,
PHŒNIX ASSURANCE COMPANY, OF LONDON, ENGLAND.
CALEDONIAN INSURANCE COMPANY, OF EDINBURGH, SCOTLAND.

POLICIES WRITTEN, LOSSES ADJUSTED AND PAID WITHOUT REFERENCE TO HEAD OFFICES.

TELEPHONE 198.
P. O. DRAWER 22.

CABLE ADDRESS: "JOSRID."

A. J. WEAVER BRIDGMAN,
SOLICITOR SUPREME COURT OF ENGLAND.

A. W. JONES & BRIDGMAN,

12583

Real Estate, Financial and Insurance Agents,

--- FIVE SISTER'S BLOCK ---

DEPT. OF INDIAN AFFAIRS
APR 4 1895
OTTAWA

Victoria, B. C. 26 March 1895.

Sir,

I have the honour to inform you that in accordance with instructions contained in your letter of the 11 th. inst., I have examined carefully that portion of the Indian Reserve lying between the Esquimalt and Nanaimo Railway track and the harbour front, with a view to arriving at a just and equitable valuation thereof.

Copied for return to Parliament 20th 5/98

At the present time, as doubtless you are aware, the Real Estate market is exceedingly dull, indeed has not been so depressed for many years, and this fact must of necessity influence me considerably in putting my value upon this property, and I mention this as explanatory, lest, the price placed by me today may be somewhat at variance with my valuation of two and a half years ago, unless I am to take into account the prospective or future condition of what our City may be some years hence.

The whole of this property is very inaccessible, owing chiefly to the fact of its having for so many years been an Indian Reserve, hence has never of necessity been opened up by roads or street ways, and although, so adjacent to the City, cannot, (so long as that portion lying to the North of the Railway track and adjoining this now under consideration is in the occupancy of the Aborigines), command the price that it otherwise would.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

JONES,
NOTARY PUBLIC.

CANADA LIFE ASSURANCE COMPANY,
PHOENIX ASSURANCE COMPANY, OF LONDON, ENGLAND.
CALEDONIAN INSURANCE COMPANY, OF EDINBURGH, SCOTLAND.

POLICIES WRITTEN, LOSSES ADJUSTED AND PAID WITHOUT REFERENCE TO HEAD OFFICES.

TELEPHONE 198.
P. O. DRAWER 22.

CABLE ADDRESS: "JOBRID."

A. J. WEAVER BRIDGMAN,
SOLICITOR SUPREME COURT OF ENGLAND.

A. W. JONES & BRIDGMAN,

Real Estate, Financial and Insurance Agents,

--- FIVE SISTER'S BLOCK ---

125335

Victoria, B. C. 189

The land as a whole is exceedingly uneven and rocky and a glance at a contour tracing of the Railway track shows that in the space of littil less than half a mile the track of the railway is in places laid through a rock cutting and immediately a little further on indicates that it crosses a deep ravine. Notwithstanding, however, the uneven and inaccessible nature of the property, I must in placing a value upon it, not only take into consideration its immediate proximity to the City, but its intrinsic value as a water front. Observing all these facts I place a present value upon this property, assuming it to be some 18 or 19 acres, of $45000.00.

This is not taking into consideration the neck of land which has not been coloured, that is an Indian burial ground and has been, I am informed, for a number of years. A good deal of it is very rocky and the small patches which have any depth of earth have been largely utilised for graves, and I was informed by an old resident, near by, that over a hundred bodies lay there, under these circumstances, therefore, I have not included this small neck of land in the above valuation.

I herewith return the plan in connection with the above property.

I have the honour to be, Sir,

A. W. Vowell Esq.
Indian Commissioner
Victoria, B. C.

Your Obd't. Servant,

A. W. Jones

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

125885 19451

594 M 2 British Columbia,

Indian Superintendent's Office,

Victoria, 28 February 1895

19.461

Parliament. 20/5/98

Sir

I have the honour to acknowledge the receipt of your letter of the 28th February last covering a plan shewing the Songhees Indian Reserve and requesting me to have the portion coloured red on the plan valued by Mr Jones

In this connection I beg herewith to transmit Mr Jones Report and Valuation.

Mr Jones in his report alludes to the neck of land on the South side of the tracks and explains that the same being an old grave-yard he did not according to my instructions place any value on it

I also enclose plan of the Reserve and Voucher No 888 in favour A.W. Jones for £100 being Mr Jones' account for the above Valuation

I have the honour to be
Sir
Your obedient Servant
A W Vowell
Indian Superintendent

The Deputy
Superintendent General
of Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,45[illegible]

Copied for return to Parliament. 21/5/98

Ottawa, 5th April, 1895.

The Honourable T. Mayne Daly,

Superintendent General of Indian Affairs.

The undersigned begs to submit file 19,45[illegible] on the face of which is a letter of the 28th ultimo from Mr. Superintendent Vowell covering Mr. Jones' valuation of the land in the Songhees Reserve, which His Excellency in Council has authorized the sale of to the Esquimalt & Nanaimo Railway Co. for terminal purposes. Mr. Jones places the value of the land at $45,000.00.

The next step to take would be to call upon the Railway Company to pay the amount and then in the event of their demurring to resort to arbitration, the payment to be followed by the issue of patent.

But before proceeding further in the matter, the undersigned would be glad to have the Minister's directions as to whether, in view of the contention of the British Columbia Government as to the Songhees and other reserves, this Department should delay action or deal with the Railway Co. as if there were no question of the Dominion's title.

Hayter Reed

Deputy Supt. General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

19451

239/2 British Columbia, 133525

Indian Superintendent's Office,

Victoria, 22nd October 1895

19.451

Sir

In reference to Voucher No 888 for $100.00 in favour A.W. Jones for valueing certain lands on the Songhees Indian Reserve, forwarded under Letter dated 28th February last, I have the honour to submit that no Cheque has reached this office in payment for this Voucher, and Mr Jones has this day formally called my attention to this fact.

I have the honour to be

Sir

Your obedient Servant

A.W. Vowell

Indian Superintendent BC

The Deputy

Superintendent General

of Indian Affairs

Ottawa

dc 57

1292 $100.00

5.11.95

OK SENT 5/11/95

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2

Department of Indian Affairs,

ACCOUNTANTS MAY 28 1897 BRANCH

Ottawa 27th May 1897

MEMO. ND BRANCH MAY 31 1897

Acting Secretary

I will be seen from correspondence
in file 19451 that payment has not
been made to the Esquimalt & Nanaimo
Ry Co. for land in Songhees Reserve
which that Co. has asked to acquire
for right of way and terminal purposes.

By referring to letter of 23rd Feb 95
the President of the Co. and the Chief
Comm. of 8th April 1895 the present
Condition of this matter may be seen

L. Vankoughnet

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

For Minister's consideration with reference to Superintendent General's memorandum

File 19 451-

MEMORANDUM

Ottawa 5th June 1897-

On the 13th December 1892 an Order in Council was passed on a joint Memorandum from the Superintendent General of Indian Affairs and the Minister of Railways & Canals authorizing the Esquimalt & Nanaimo Railway Co., to expropriate 15 acres and 6,91 acres of land on the Songhees Indian Reserve, compensation to be had in accordance with the Statute. The value placed on these lands as set out in the said Order in Council was $70,730.00 being $50,000.00 for the 15 acres and $20,730.00 for the 6.91 acres and on the 30th December 1892, Mr. Superintendent Vowell was asked to call upon the Railway authorities to deposit to the credit of the Receiver General in the Bank of Montreal at Victoria the said sum of $70,730.00 in payment of the land described in the Order in Council.

The Company having expressed themselves dissatisfied with the portion of the Reserve allotted them for terminal purposes, by Order in Council of the 30th January 1895, the Company was allowed to acquire 19 acres, as shown on Plan submitted, instead of the 15 acres covered by the aforesaid Order in Council, compensation to be made therefor in the same manner as is provided with respect to lands or rights of other persons..

The Department had a valuation made of this 19 acres of land by Mr.A.W.Jones, of Messrs Jones & Bridgman, Victoria B.C., who in his report of the 26th March 1895 placed the value thereof at $45,000.00. The question of payment by the Esquimalt & Nanaimo Railway Co., was submitted, on the 5th April 1895, to the late Superintendent General of Indian Affairs, who advised delay of proceedings until the whole matter in regard to the title of Reserves in

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

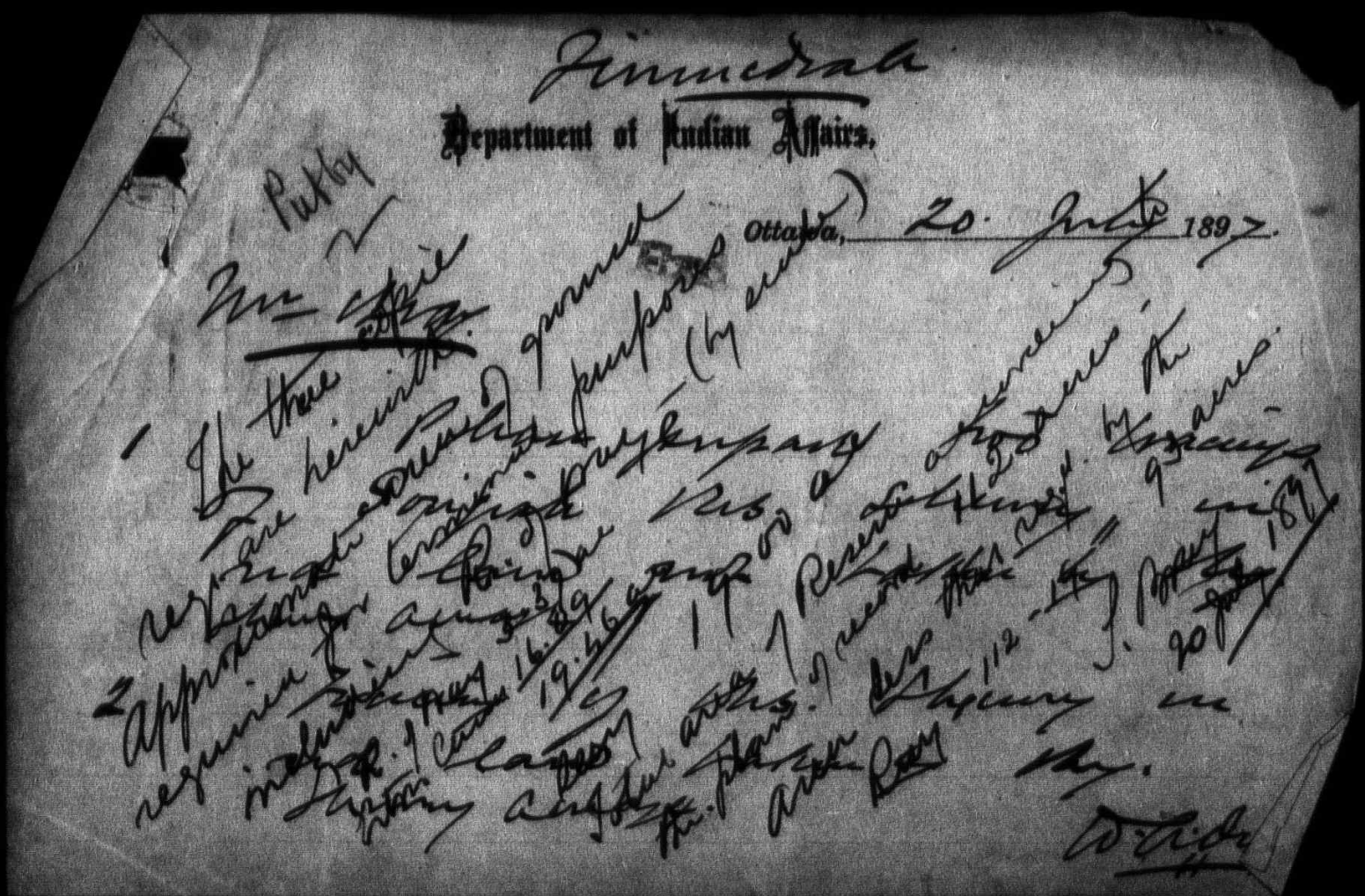
in British Columbia was disposed of.

Submitted for consideration in connection with the whole question of removal of Indians from Songhees Reserve &c-

W. Laird

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA



Department of Indian Affairs.

Ottawa, 20 July 1897.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

George E. Powell, B.A.
Barrister, Solicitor, Etc.
Board of Trade Building,
Victoria, B. C.

164805

DEPT OF INDIAN AFFAIRS
DEC 13 1897

Nov 25th 1897

The Honorable Clifford Sifton Esq
Minister of the Interior
Ottawa

Sir I beg to apply on behalf of the Esquimalt Marine Railway Company, Limited of Esquimalt B.C. for a lease of the undermentioned portion of Lot number 6, Songhees Indian Reserve, in accordance with the tracing enclosed - It is the intention of the Company to build a marine Railway there for the hauling out, building and repairing of ships - The Company, I may mention is a substantial one having already shown its confidence in the Country by maintaining and operating an extensive shipbuilding and repairing yard in the vicinity of Esquimalt - but which in view of the anticipated increase in its business in respect to the Klondike trade, is considered inadequate - The immediate benefit to be derived by the City of Victoria and the advantageous result emanating

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

George E. Powell, B.A.
Barrister, Solicitor, Etc.
Board of Trade Building,
Victoria, B. C.,

189

The Honorable Clifford Sifton (2)

from the establishment of such a Comprehen
concern by reason of the employment a
a large number of men &c - will at
once speak for themselves -

As the intention is to commen
operations as soon as your department
will grant the necessary powers and
incidentally a large amount of capital will be
invested - it would be desirable, in ord
to preserve its position, that a privilege o
purchase be an accompaniment or inciden
t the lease - if granted - and I therefor
hey to embody this request in the presen
application - This land has for a numbe
of years been used as a site for a ship
yard - but which at present is non-existen
owing to a recent fire -

The red line on the plan
indicates the town - ground &c. of Nels
Nels - distinguishing them from the land
the Company is desirous of acquiring

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

George E. Powell, B.A.
Barrister, Solicitor, Etc.
Board of Trade Building,

Victoria, B. C., 189

The Honorable Clifford Sifton

As the Company is anxious to get
under way as soon as possible - I would
[illegible] it a favour - if you could see
you may clear the obstructions in this applicat
your earliest consideration

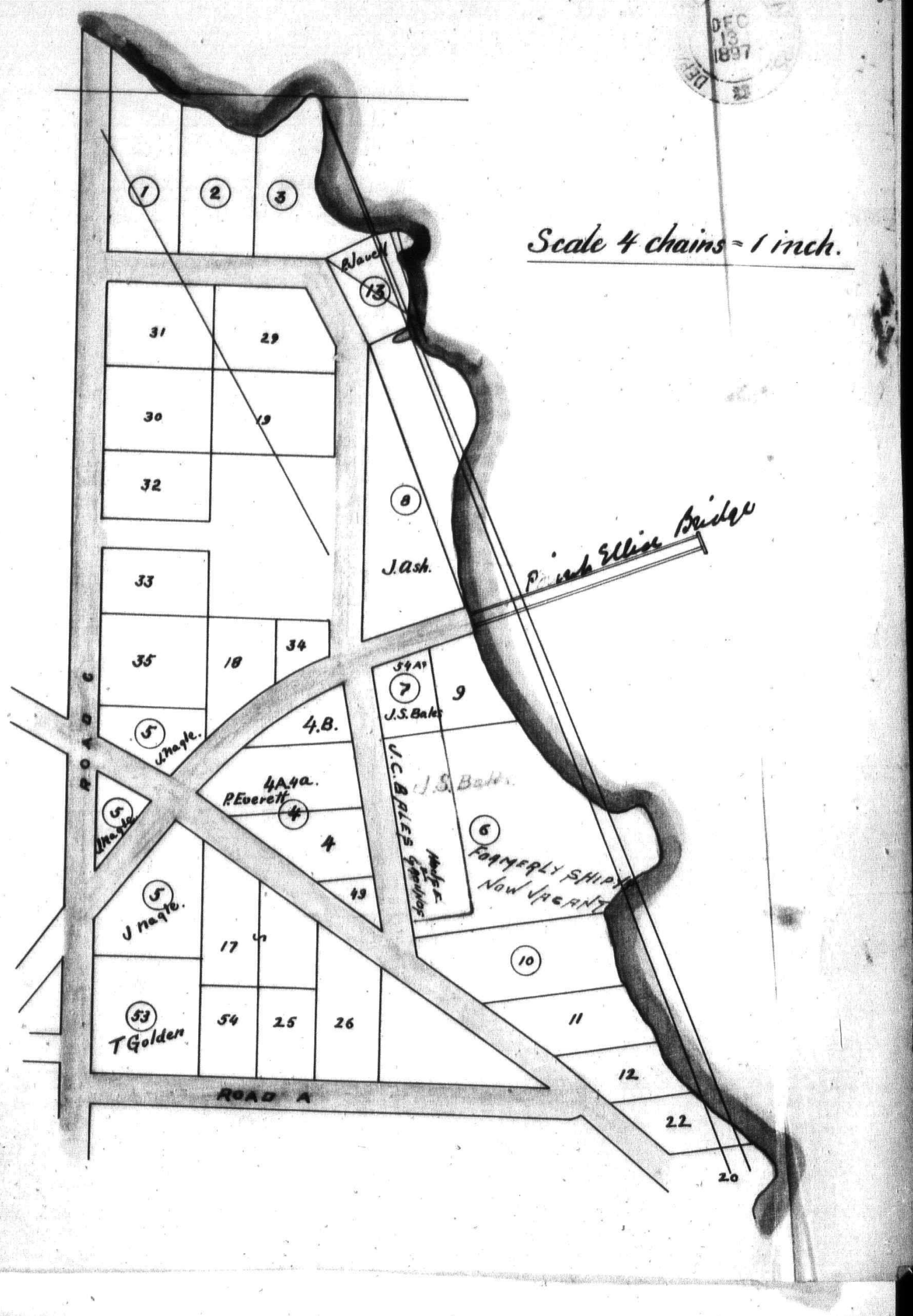
I have the honour to be, Sir
Your obedient Servant
George E. Powell

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY FILM

DEC 13 1897

Scale 4 chains = 1 inch.



Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ral.

1945-1

220

Ottawa, 11th December, 1897.

Memo. to Mr. McLean.

Attached is the application for land on the Songhees Reserve for the purposes of a Marine Railway, about which I spoke to you the other day. I am not sure as to whether the application does not cover the land leased to Mrs. Bales, but if it does I know that she is not making any use of the land, and that she is in possession of a good deal more than she is giving anything like adequate compensation for. She has quite a fine property on the Reserve. What Mr. Powell states in his letter as to the importance of the proposed work is quite within the mark. Of course, I do not suppose it will be possible for us, in the present position of matters, to give any guarantee of a privilege to purchase, but as the Marine Railway Company will have to invest considerable capital, the Manager would like to have a fairly long lease, and would be prepared to pay a reasonable amount as rent. I think that a lease might be given, and if the Reserve should eventually be passed to the local Government an arrangement could be made to protect

LAND BRANCH
DEC 16 1897

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

protect the lease holders, and if an arrangement is made which will admit of our disposing of the reserve we could then deal with the Company.

Kindly have the matter given prompt attention, as you will observe that it is desired that the proposed work should be begun early. Please send the report to me.

J. D. McLean

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File 19-451-

MEMORANDUM

To the Secretary-

Ottawa 20th December 1897-

In relation to Memorandum of the 11th Instant from Mr.McKenna, regarding the application of the Esquimalt Marine Railway Company for a Lease of the unoccupied portion of Lot 6 Songhees Indian Reserve, it being the intention of the Company to build a Marine Railway here for the hauling, building and repairing of ships, I beg to report that Lot 6 Songhees Reserve, along with Lot 7, containing together an area of 5.34 acres, was leased on the 6th July 1871 by the Surveyor General, acting on behalf of the Government of British Columbia, to Jane Sophia Bales for the term of 7 years from the date thereof at an annual rental of $75.00 and upon condition that if at the expiration of the said term she so desires, she may have a renewal for a further term of 7 years. This Lease also contains a clause that if the Lessee shall be desirous of purchasing the premises at any time before the expiration of the Lease, and in case the Surveyor General for the time being has the power to sell, the Lessee upon fulfilment of the conditions of Lease may receive a grant or conveyance at a price or sum to be fixed, in case of dispute rent to be arranged by arbitration.

No renewal of this Lease, after the expiration thereof in 1885, was granted, but Mrs.Bales has paid rental for this property at the rate provided in the Lease, namely $75.00 per annum up to the 6th July last.

I think as the Railway Company are very anxious to acquire a portion of Lot 6, that Mr.Superintendent Vowell

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Vowell might be asked to arrange with Mrs.Bales what portion of the Lot she would be willing to retain, and the rental to be paid, and have the Department furnished with a description by metes and bounds of this portion as well as of the remainder applied for by the Railway Company, giving at the same time the annual rental which he considers the Company should pay therefor.

I may state that in 1894 the whole question in relation to the Lessees on the Songhees Reserve was brought before the then Minister with a view of an increase in the rentals paid by the different Lessees, at which time the Minister considered that owing to the reference about to be made to the Court relative to B.C.Reserves generally that this matter had better be held in abeyance until the whole question of reversionary interests in Reserves should be decided.

W. Laird
2"

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

LAND BRANCH
DE 22 1897

ral.

Immediate

Ottawa, 21st December, 1897.

Memo. to the Secretary.

The Minister directs that Mr. Powell be informed that in reply to his letter herewith in the present position of the negotiations between the Provincial and Dominion Governments respecting the Songhees Reserve it will not be possible for the Department to grant the desired lease, which it is understood would have to be for a sufficient length of time to warrant the Company in investing the capital necessary for the proposed work. If, however, the Company secure the consent of the Provincial Government to the granting of the proposed lease by this Department the Minister will be prepared to ask the Indians for a surrender of the land in question, and on the same being given will be ready to issue a lease to the Company upon terms which may be considered fair. Mr. Powell should be further informed that Mr. Supt. Vowell will be advised of the action taken and desired to use his good offices should the same be in any way required in connection with obtaining the necessary consent from the Provincial Government.

Mr. Vowell should be sent a copy of the letter to Mr. Powell for his guidance. If the consent is received from the British Columbia Government Mr. Vowell should be authorised to take the necessary surrender and asked to report as to the rental which should be charged, etc.

In regard to Mrs. Bales, as her lease has lapsed, if the necessary consent is obtained and a surrender made arrangements should be made for the discontinuance of the rental to her of that portion of the land required by the Company.

(?)

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

Department of_____

Reference No._____

File No._____

Remarks_____

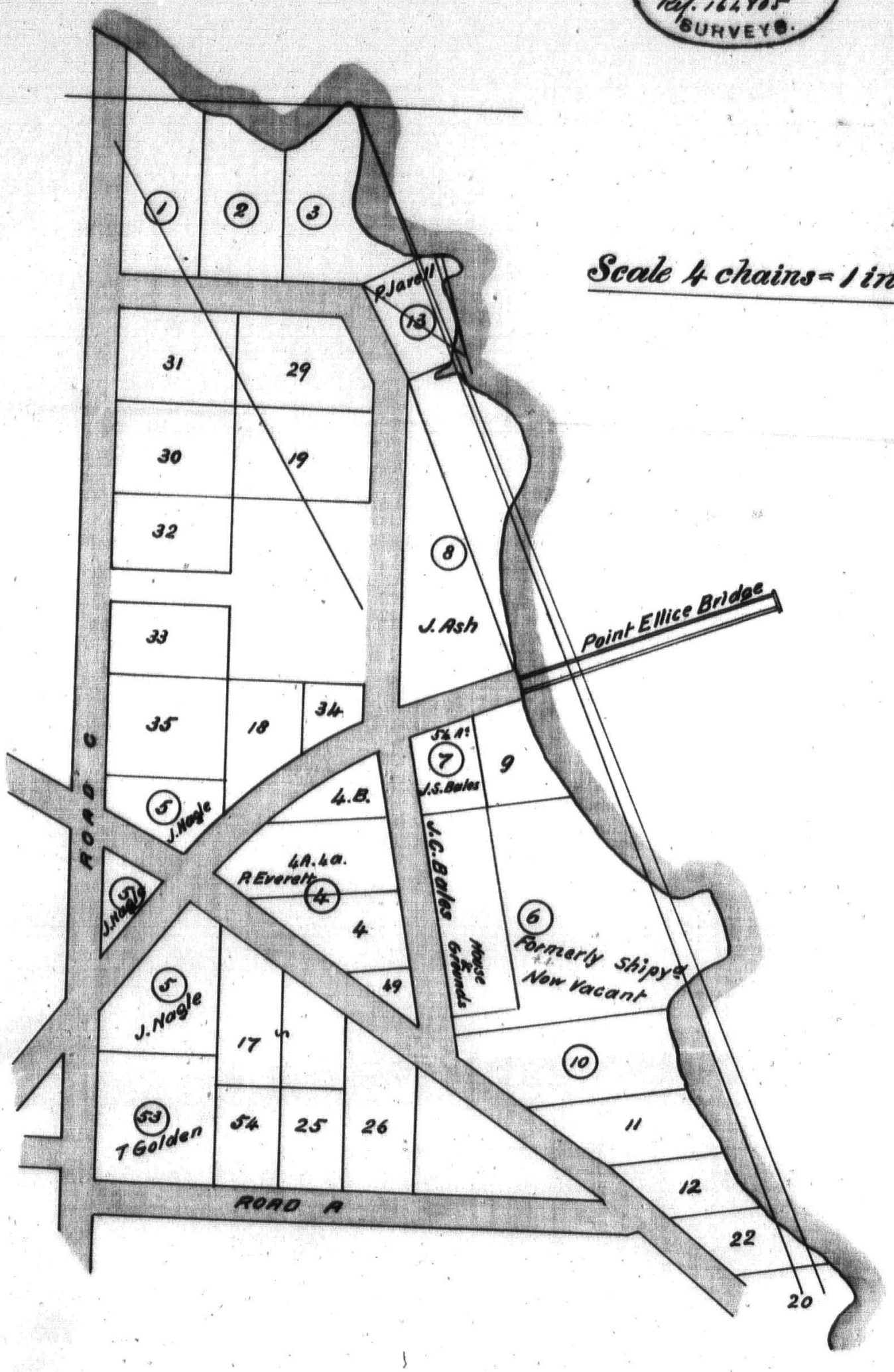
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Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Dept. of Indian Affairs
I. B.
MAY 17 1898
Ref. 164905
SURVEYS.

Scale 4 chains = 1 inch.



Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY:

19,451-1A.

Board of Trade Building,

Victoria, B.C., November 25th 1897.

The Honourable Clifford Sifton,

Minister of the Interior,

Ottawa.

Sir:-

I beg to apply on behalf of the Esquimalt Marine Railway Company, Limited, of Esquimalt, B. C., for a Lease of the unoccupied Portion of lot number 6, Songhees Indian Reserve, in accordance with the tracing enclosed. It is the intention of the Company to build a Marine Railway here for the hauling out, building and repairing of ships. The Company, I might mention is a substantial one having already shown its confidence in this country by maintaining and operating an extensive shipbuilding and repairing yard in the vicinity of Esquimalt - but which in view of the anticipated increase in its business in respect to the Klondike rush, is considered inadequate. The immediate benefit to be derived by the City of Victoria and the advantageous results emanating from the establishment of such a comprehensive concern by reason of the employment of a large number of men &c., will at once speak for themselves.

As the intention is to commence operations as soon as your Department will grant the necessary Powers, and incidentally a large amount of capital will be invested it

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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1945-1

COPY.

19,451-1A- Department of Indian Affairs,

Ottawa, 22nd December, 1897.

Sir:-

In relation to application made by Mr. Powell on behalf of the Esquimalt Marine Railway Company for a Lease of the unoccupied Portion of Lot 6 Songhees Reserve, I beg to enclose copy of a letter this day addressed Mr. Powell in the matter of your guidance.

Your obedient servant,

J. D. McLean,

Secretary.

A. W. Vowell, Esq.,

Indian Superintendent,

Victoria, B. C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

19,451/1A-

Department of Indian Affairs.

Ottawa, 22nd December, 1897.

Sir:-

I am directed by the Minister to acknowledge the receiPt of your letter of the 25th Ultimo, aPPlying on behalf of the Esquimalt Marine Railway ComPany for a Lease of the unoccuPied Portion of lot 6 Songhees Indian Reserve and to inform you that in the Present Position of the negotiations between the Provincial and Dominion Governments resPecting this Reserve, it will not be Possible for the DePartment to grant the desired Lease, which it is understood would have to be for a sufficient length of time to warrant the ComPany in investing the CaPital necessary for the ProPosed work. If,however,the ComPany secure the consent of the Provincial Government to the granting of the ProPosed Lease by this DePartment, the Minister will be PrePared to ask the Indians for a Surrender of the land in question, and on the same being given will be ready to issue a Lease to the ComPany uPon terms which may be considered fair.

I may state that Mr. SuPerintendent Vowell is being advised of the action taken and requested to use his good offices, should the same be in any way required in connection with obtaining the necessary consent from the Provincial Government.

Your obedient servant,

J. D. McLean,

Secretary.

Geo. E. Powell, Esq., B.A.,

Barrister, &c.,

Board of Trade Building,
Victoria, B. C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

COPY!

19,451-1A.

Board of Trade Building,

Victoria, B.C., November 25th 1897.

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Minister of the Interior,

Ottawa.

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As the intention is to commence operations as soon as your Department will grant the necessary Powers, and incidentally a large amount of capital will be invested it

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

it would be desirable,in order to Preserve its Position, that a Privilege of Purchase be an accomPaniment or incident to the lease- if granted- and I therefore beg to embody this request in the Present aPPlication. This land has, for a number of years been used as a site for a shiP yard - but which at Present is non-existant owing to a recent fire.

The red line on the Plan indicates the house - grounds &c., of Mrs. Bales - distinguishing these from the land the comPany is desirous of acquiring.

As the ComPany is anxious to get under way as soon as Posible, I would esteem it a favour - if you could see your way clear to bestow on this aPPlication your earliest consideration.

I have the honour, to be, Sir,

Your obedient servant,

George E. Powell,

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of _____

Reference No. _____

File No. _____

Remarks _____

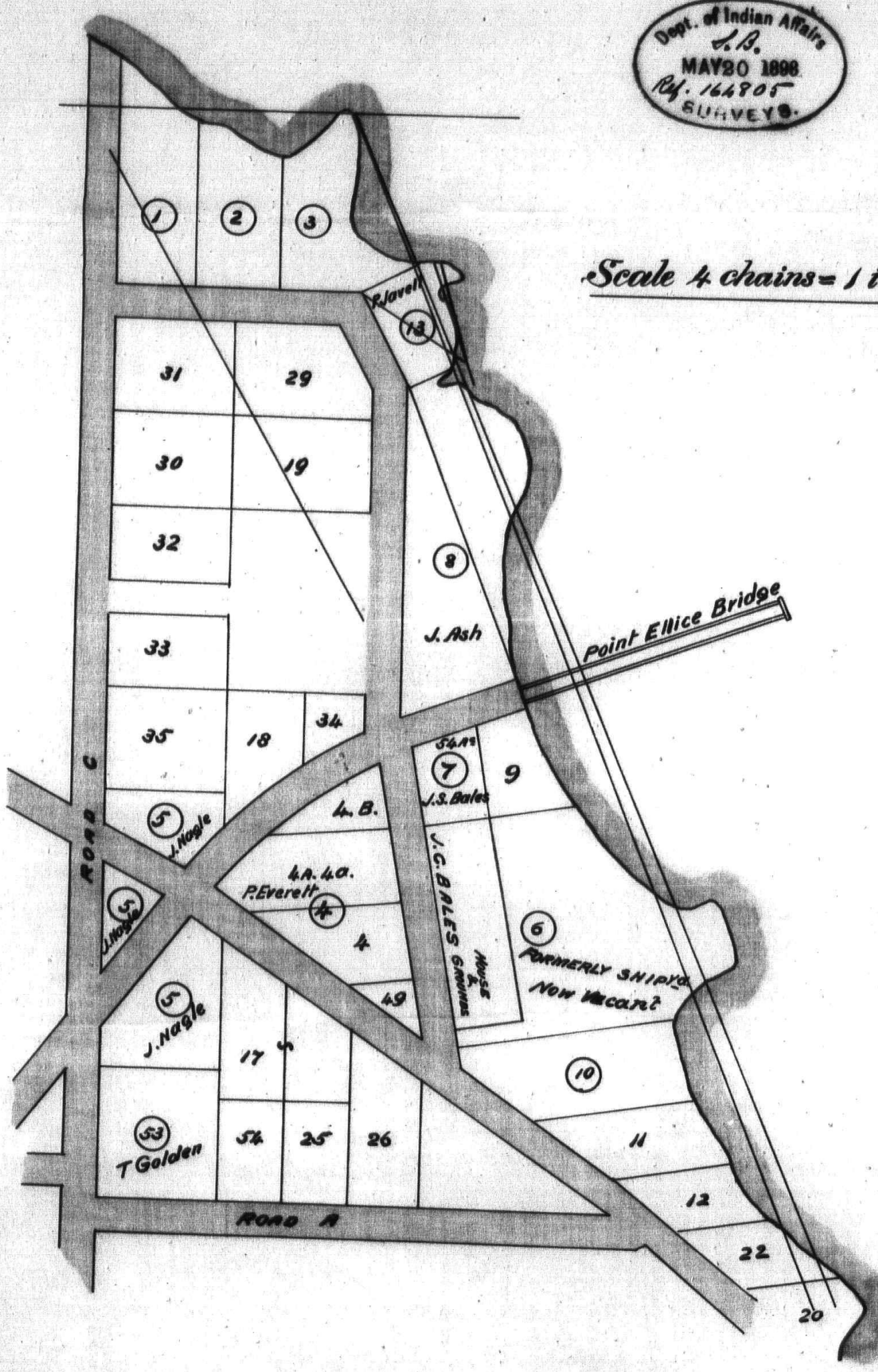
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Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Dept. of Indian Affairs
L.B.
MAY 20 1898
Ref. 164805
SURVEYS.

Scale 4 chains = 1 inch.



Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY. Draft 1945-1

10,451-1A-

Department of Indian Affairs.

Ottawa, 22nd December, 1917.

Sir:-

In relation to application made by Mr. Powell on behalf of the Esquimalt Marine Railway Company for a Lease of the unoccupied Portion of Lot 6 Songhees Reserve, I beg to enclose copy of a letter this day addressed Mr. Powell in the matter of your guidance.

Your obedient servant,

J. D. McLean,

Secretary.

A. W. Vowell, Esq.,

Indian Superintendent,

Victoria, B. C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

19,451/1A- Department of Indian Affairs.

Ottawa, 22nd December, 1907.

Sir:-

I am directed by the Minister to acknowledge the receipt of your letter of the 25th Ultimo, applying on behalf of the Esquimalt Marine Railway Company for a Lease of the unoccupied Portion of lot 6 Songhees Indian Reserve and to inform you that in the Present Position of the negotiations between the Provincial and Dominion Governments respecting this Reserve, it will not be Possible for the Department to grant the desired Lease, which it is understood would have to be for a sufficient length of time to warrant the Company in investing the Capital necessary for the Proposed work. If,however,the Company secure the consent of the Provincial Government to the granting of the Proposed Lease by this Department, the Minister will be prepared to ask the Indians for a Surrender of the land in question, and on the same being given will be ready to issue a Lease to the Company upon terms which may be considered fair.

I may state that Mr. Superintendent Vowell is being advised of the action taken and requested to use his good offices, should the same be in any way required in connection with obtaining the necessary consent from the Provincial Government.

Your obedient servant,

J. D. McLean,

Secretary.

Geo. E. Powell, Esq., B.A.,

Barrister, &c.,

Board of Trade Building,

Victoria, B. C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

10,451-1A.

Board of Trade Building,

Victoria, B.C., November 25th 1897.

The Honourable Clifford Sifton, Esq.,

Minister of the Interior,

Ottawa.

Sir:-

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As the intention is to commence operations as soon ~~as xxxx~~ as your Department will grant the necessary Powers and incidentally a large amount of capital will be invested

it

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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The red line on the Plan indicates the house - grounds &c., of Mrs. Dales - distinguishing these from the land the company is desirous of acquiring.

As the Company is anxious to get under way as soon as Posible, I would esteem it a favour - if you could see your way clear to bestow on this application your earliest consideration.

I have the, honour, to be, Sir,
Your obedient servant,
George E. Powell,

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19 461/1A-

Ottawa 22nd December 1897-

Sir-

I am directed by the Minister to acknowledge the receipt of your letter of the 25th Ultimo, applying on behalf of the Esquimalt Marine Railway Company for a Lease of the unoccupied portion of Lot 6 Songhees Indian Reserve and to inform you that in the present position of the negotiations between the Provincial and Dominion Governments respecting this Reserve, it will not be possible for the Department to grant the desired Lease, which, it is understood, would have to be for a sufficient length of time to warrant the Company in investing the Capital necessary for the proposed work. If, however, the Company secure the consent of the Provincial Government to the granting of the proposed Lease by this Department, the Minister will be prepared to ask the Indians for a Surrender of the land in question, and on the same being given will be ready to issue a Lease to the Company upon terms which may be considered fair .

I may state that Mr. Superintendent Vowell is being advised of the action taken and requested to use his good offices, should the same be in any way required in connection with obtaining the necessary consent from the Provincial Government.

Your obedient servant

J. D. McLEAN

Secretary-

Geo. E. Powell, Esq., B.A.,
Barrister &c-
Board of Trade Building,
Victoria B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19 451- 1A-

Ottawa 22nd December 1897-

Sir-

In relation to application made by Mr.Powell on behalf of The Esquimalt Marine Railway Company for a Lease of the unoccupied portion of Lot 6 Songhees Reserve, I beg to enclose copy of a letter this day addressed Mr. Powell in the matter for your guidanceM

Your obedient servant

J.D. McLEAN

Secretary-

A.W.Vowell,Esq-

Indian Superintendent,

Victoria-

B.C.-

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

RETURN to an Address of the Senate dated the 5th May,1898,calling for copies of all correspondence and Orders in Council in respect to the occupancy of a portion of the Songhees Reserve at Victoria,B.C.,by the Esquimalt & Nanaimo Railway Company.

L. Vankoughnet

Deputy Supt.General
of Indian Affairs.

Dept.Indian Affairs,
Ottawa,20th May,1898.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, 20th May, 1898.

Sir,-

I have the honor to enclose herewith the Return asked for in the Address - also enclosed - of the Senate, dated the 5th May, 1898, calling for papers in respect to the occupancy of a portion of the Songhees Indian Reserve at Victoria, B.C., by the Esquimalt & Nanaimo Railway Company.

Your obedient servant,

Secretary.

Joseph Pope Esq.,
Under-Secretary of State,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Exd.

19451
F. 171187

DEPARTMENT OF THE SECRETARY OF STATE
CANADA

IN YOUR REPLY PLEASE REFER TO

LETTER NO.

FILE NO. 22 S. R.

Ottawa, 25 May, 1898.

INDIAN
MAY 26 1898
DEPT

S i r,

I have the honour to acknowledge the receipt this day of your letter of the 21st instant, transmitting a return to an Address of the Senate, dated the 5th instant, calling for copies of papers in respect to the occupancy of a portion of the Songhees Reserve at Victoria, B. C., by the Esquimalt and Nanaimo Railway Company.

I have the honour to be,

S i r,

Your obedient servant,

[signature]

The Deputy of the

Superintendent -General of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Cowichan Agency, 172449

Indian Office, 22152-4 E.N

Quamichan, B. C., 16 June 1898

Second resolution of Songhees Band at meeting held on 16 June 1898

Moved by Louis Jackson and seconded by Jimmy Freezie and resolved —

That "The Agent be requested to ask the E & N Railway Company to fence both sides of the track through the Reserve. We consider that we have a right to ask this as the Railway Company has not paid for the Right of way, the interest on which might have been accruing to us and at present we are always in fear of loosing some of ~~the~~ few horses or cattle we own."

— Carried —

W. Thomas.
Indian Agent

Note —

Mr Jas Dunsmuir, President of the line has been written to but no answer has yet been received.

With

JUL 2 1898 DEPT. OF INDIAN AFFAIRS

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

172-49 19451

Extract

Original on file 17n 4461

(Forwarded under cover
Supt Vowells letter No 613 D.S.
of 22nd June 1898)

212 J

Cowichan Agency
Indian Office.
Quamichan BC
20th June 1898

BRANCH
JUN 29 1898

Sir:-

× × ×

With regard to the 2nd resolution
I would say that the Reserve
being within the limits of Victoria
City the E & N. Company have not
considered themselves compelled
to fence the Railway — One horse
was killed some time ago but
no compensation could be
obtained. I have written
to Mr Ias Dunsmuir on the
subject and will report his
reply.

× × ×

(sgd) W. H. Lomas.

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CANADA

Ottawa, 12 July 1898

MEMO.

Law Clerk

Secretary

Referring to extract from Mr Vowell's letter of 22nd ult. I beg to recommend that the question as to whether the Esquimalt and Nanaimo Ry Co. should build a fence on each limit of the Right of Way of the Railway through the Songhies Reserve be referred to the Law Clerk.

S. Bray

1580

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Ottawa, 12 July 1898

MEMO.

Law Clerk

Secretary

Referring to extract from Mr Vowell's letter of 22nd ult. I beg to recommend that the question as to whether the Esquimalt and Nanaimo Ry Co. should build a fence on each limit of the Right of Way of the Railway through the Songhies Reserve be referred to the Law Clerk.

S. Bray

1040

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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File 172,161. Department of Justice,

Ottawa, 9th August, 1898.

Memorandum.

I consider that the best course at the present time would be to write the Managing Director of the Esquimalt and Nanaimo Railway stating that the Department is informed that the Company has not yet complied with the requirement to erect fences on each limit of the Right of Way through the Songhees Reserve; and asking that the Department be informed at once that the fences will be built by the Company forthwith.

It may be assumed for the present that the liability is on the Company; and the Company may if they dispute this liability state the reasons in reply. I do not think they are fully disclosed in Mr. Agent Lomas's letter.

Superintendent Vowell might be requested to ascertain from the officer of the Provincial Secretary ~~of State~~ at Victoria, whether the Company has come under the provisions of the British Columbia Railway Act.

I may state I have gone into the points involved and I find the question of the authority of the Dominion or Provincial Government and the rights of the Dominion and Provinces appear to be involved.

This would probably be a proper case to refer to the Department of Justice on that ground in case the Company refuses to build the fences. At present the information is not sufficiently complete to send a reference.

The Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

19 451-

Ottawa 11th August 1898-

Sir-

In relation to the question of fencing the right of way through the Songhees Indian Reserve, referred to in Mr. Agent Lomas's letter of the 20th June last, which was forwarded under cover of your letter of the 22nd June, No 613 D 3, I beg to inform you that it would appear that best course to pursue at the present time would be for you to write the Managing Director of the Esquimault and Nanaimo Railway, stating that the Department has been informed that the Company has not yet complied with the requirement to erect fences on each limit of the right of way through the Songhees Reserve, and to get [illegible] the fences will be built by the Company forthwith.

You will be good enough to ascertain from the Provincial Secretary ~~Secretary of State~~ at Victoria whether the Company has come under the provisions of the British Columbia Railway Act and advise the Department.

Your obedient servant
J.D. [illegible]N.

and ascertain from him whether the Contractor of the fence will be at once Secretary-
Provincial with.

A.W. Vowell, Esq.,
Indian Superintendent,
Victoria,
B.C.-

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

ADDRESS OFFICIAL COMMUNICATIONS:
TO THE HON. THE PROVINCIAL SECRETARY
-OR-
THE DEPUTY PROVINCIAL SECRETARY.

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

175008

PROVINCIAL SECRETARY'S OFFICE,

VICTORIA, 23rd August 1898.

Sir,

#1528.-/ In acknowledgment of the letter of the 18th instant, from the Indian office I have the honour to state for the information of the Department of Indian affairs that there does not appear to be any record of the Esquimalt and Nanaimo Railway Company having elected to become ~~to~~ subject to section 4 of the "British Columbia Railway Act."

I am, Sir,

Your obedient servant,

N. Campbell Redding.

Deputy Provincial Secretary.

DEPUTY SUPERINTENDENT GENERAL
AUG 24 1898
B.C.

The Indian Superintendent, B.C.,

Victoria.-/

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

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19451

British Columbia

Indian Superintendent's Office

DEPARTMENT OF INDIAN AFFAIRS
AUG 31 1898

Lands 19451

LAND BRANCH

Victoria Bc 25 - Aug 1898

Sir

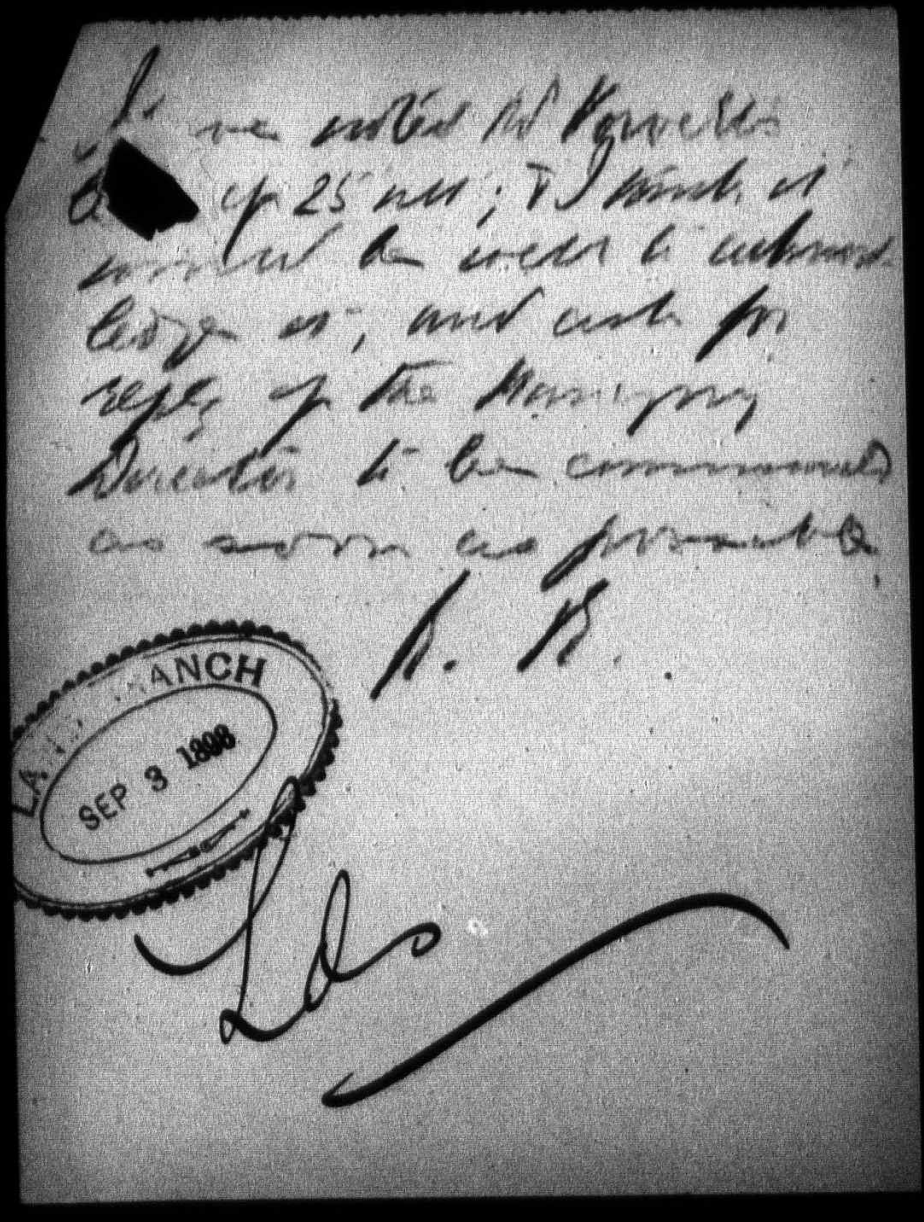
I have the honour to acknowledge the receipt of your letter dated 11th instant relative to the request made by the Songhees Indians that the E. and N. Railroad Track passing through their Reserve be fenced on each of its limits and directing me to ascertain from the Managing Director of the Company owning the Esquimalt and Nanaimo Railroad whether the construction of the fences will at once be proceeded with. I beg to submit that owing to a serious accident which happened on the Railroad connected with the Union Mine at Comox the Managing Director has up to this time been detained there and no one at his office has authority to act in the matter until his return in a few days when the matter will be placed before him.

I beg to submit herewith for your information a letter dated 23rd inst from the Deputy Provincial Secretary stating that there does not appear to be any record of the Esquimalt and Nanaimo Railway Company having elected to become subject to section 15 of the "British Columbia Railway Act" obtained according to your instructions

I have the honour to be
Sir
Your obedient Servant
A W Vowell
Indian Superintendent BC
per J Womackay

The Secretary
Department of
Indian affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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19 451-

DSH

Ottawa 3rd September 1898-

Sir-

In reply to your letter of the 25th Ultimo,No 653 E3,in relation to the fencing of the railroad track passing through the Songhees Reserve,I beg to ask for the reply of the Managing Director of the Company,in regard to the fencing of the track,as soon as possible.

Your obedient servant

J. D. McLEAN

Secretary-

A.W.Vowell,Esq.,

Indian Superintendent,

Victoria,

B.C.-

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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British Columbia

Indian Superintendent's Office

DEPT OF INDIAN AFF
SEP 15 1898

Victoria 9th Sept 1898

LAND BRANCH
SEP 16 1898

19451

Sir

I have the honour to acknowledge the receipt of your letter dated 3rd instant relative to the fencing of the Railroad track passing through the Songhees Reserve

I beg to state that the Managing Director of the Railroad Company has according to your instructions been duly communicated with regarding this matter his reply as soon as obtained will be duly promptly forwarded for the information of the Department moreover the subject will be continually brought to his notice until it be attended to

I have the honour to be
Sir
Your obedient servant
A. W. Vowell
Indian Superintendent BC

The Secretary
Department of
Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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19451

British Columbia,

Indian Superintendent's Office, 175790

132.72

Victoria, 19th Sept. 1898

Land Clerk

Sir,

In further reference to my letter of the 9th instant No. 49.72. in connection with the fencing of the Railroad track passing through the Songhees Reserve, Victoria, I have the honour to report that I have this day received a communication, dated 15th instant, from the Vice-President of the Esquimalt and Nanaimo Railway Co., Mr. James Dunsmuir, informing me that it is not their intention of fencing their Right-of-Way through Songhees Indian Reserve at present as they do not consider it necessary.

I have the honour to be
Sir
Your obedt. Servant
A. W. Vowell
Indian Dept. B.C.

The Secretary
Dept. of Indian Affairs
Ottawa

LAND BRANCH SEP 28 1898

INDIAN SEP 27 1898

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

[redacted]

31 Sept 1878

Accountant

Has the Esquimalt & Nanaimo Railway Company ever paid for the land on the Songees Reserve Vancouver Island B.C. required of the Company?

Jas Clark Reynolds Secretary

No payments can be made.

DOT

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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File 17246. Department of Indian Affairs.

Ottawa, 21st October, 1898.

MEMORANDUM.

Songee Indians and Esquimalt & Nanaimo Railway

The question referred to me is whether; the Railway Company not having built fences along its line of railroad through the Songee Reserve in Vancouver Island, and certain of the Songee Indians having suffered loss or damage to cattle through the unfenced condition of the road, and the Company having refused compensation; the Company can be compelled to fence their road.

After a great deal of research into the position of the Songee Reserve question and the legal position of the Esquimalt & Nanaimo Railway, the opinion I have reached is that it would be impolitic for the Department to interfere at the present time to compel the railway Company to erect fences (if there is any legal liability on the Company to do so); and that any individual Songish Indian who suffers loss should be left to pursue his own remedy (if any) against the Company or the band, if urgency justifies this course, should erect the half mile or so of fencing necessary along the North side of the Railway.

While not disputing the importance of the fence to the band I think that any great prominence given to this question might prejudice the satisfactory settlement of a matter of very grave importance viz:- the question between the Dominion Government and the Province of British Columbia, of the removal of the band from the reserve, the disposal of the lands of the reserve and payment by the railway for the land set aside for it by Order in Council of 13th December, 1892,

My opinion is that, without further reference to the Province, steps are to be taken to enforce the Company's obligation for the amount payable for the lands occupied

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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1892, and 30th January, 1895, (see file 13886).

The settlement of the matters in question between the Dominion and the Province in relation to the reserve will likely settle the fence question; while as a merely initial step by the Department on behalf of the band it would be necessary to submit to the Department of Justice a case for opinion upon a number of points of law which affect not only this but other Departments of Government.

Setting aside any consideration of the line Fences and Watercourse Act c. 76 R.S.B.C. 1897, which I consider has no application in the present case, questions which would need to be submitted are (1) Whether the Railway is within the legislative authority of the Dominion Parliament. In this connection I draw attention to the following matters:- (a) By Act of British Columbia Legislature 1883 (46 Vict. c. 14) it was provided that persons named in Order in Council by the Governor General of Canada should form the Esquimalt & Nanaimo Railway Co. By the same Act (Section 17) it was also provided that the consolidated Railway Act 1879 of Canada should so far as its provisions were applicable to the under taking and not inconsistant with or contrary to the provisions of that Act apply to the said Railway and should be read with and form part of that Act (b) In 1883 certain persons (apparently provisional directors of the Company) entered into an agreement dated 20th August, 1883, with the Dominion Government in consideration of a Subsidy and Land Grant (being land passed to the Dominion by the Province for that purpose) to construct a railway in the manner specified in the agreement and to apply to the Dominion Government to be named as the persons to be incorporated as the Esquimalt & Nanaimo Railway.

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Railway. (c) By Order in Council dated 12th April, 1884, such persons were so named as expressed in accordance with the provisions of Section 8 of the Act of the Province above referred to (46 Vict. c. 14 B. C.). (d) By Dominion Statutes 47 V. c. 6. reciting an Agreement between Dominion and British Columbia for settlement of disputes, the Agreement of 20th August, 1883, before referred to was "approved and ratified" and provision made for the Subsidy and Land Grant.

(e) By Dominion Statute 51. Vict. c. 89 the Railway Company was "for the purposes of their railway" authorized to construct, maimtaim and work a steam ferry between Beecher Bay, British Columbia, and some point on the Strait of Fuca within the United States of America, (f) The Railway has not been declared by the Parliament of the Dominion to be "for the general advantage of Canada" under section 92s.s. 10. c. of the B. N. A. Act. In connection with this question I personally hold the opinion that up to the Statute 51 V. c. 89 above the Railway was within the legislative authority of the Provinceunder Section 92 s.s. 10 of the B. N. A. Act and was incorporated by such authority and merely subsidized by the Dominion; and I incline to the view that Statute 51 V. c. 89 was passed under Section 91 s.s. 13 of the B. N. A. Act and did not bring the Railway within the exceptions to Section 92 s. s. 10 of the B. N. A. Act. (see judgment of Fisher J. in Dow vs. Black 14 S. C. N. B. 1 Pugs 300 and the decision of the Judicial Committee of the Privy Council in same case L. R. 6 P. C. 272 and judgment of Ritchie C. J. in European & N. A. Railway Company V. Thomas 14 S.C. N. B. 1 Pugs 42). Upon this question there is room for much divergence of opinion.

(2) If the Railway is not within the legislative authority

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authority of the Dominion, do the provisions of Section 16 of the Consolidated Railway Act 1879 or those of Section 194 of the Railway Act 1888 apply? The Consolidated Railway Act 1879 was incorporated in the special provincial Act of the Company. As to Dominion Railways it is repealed by the Act of 1888; but the question arises whether the Act of 1888 is substituted for that of 1879 as regards a railway incorporated by a Provincial Statute which incorporated that of 1879. Both the Dominion and Provincial Interpretation Acts in effect provide that where an Act incorporated by an other Act is repealed and other provisions substituted the substituted provisions are incorporated in lieu of the first named incorporated Act. It would seem however, that the Dominion Interpretation Act applies only to the case where both incorporating and incorporated Acts are Dominion and the Provincial Act to the case where they are both Provincial; and that it is necessary to fall back on the rules for interpretation of Statutes that "where the provisions of one Statute are incorporated by reference in another and the earlier Statute is afterwards repealed the provisions so incorporated continue in force so far as they form part of the second enactment." (Maxwell p. 590) and that "the adoption in a local law of specific regulations in a general law is not unless a contrary intention appears, an adoption of subsequent changes therein" (Endlich § 233). In this connection I may say that the Railway does not appear to come under chap. 163 of Revised Statute British Columbia, 1897, (the British Columbia Railway Act) which provides for fencing because by Section 4 that Act is confined to companies incorporated before Session of 1890, which give notice to the Provincial Secretary of intention to come under it. No such notice has been given as appears from letter of

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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letter of 23rd August, 1898, from Deputy Provincial Secretary on file.

(3) If Section 16 of the Comsolidated Railway Act 1879, applies is time as therein specified of the essence of the enactment ? The provisions of the Section are "Within six months after any lands have been taken for the use of the Railway, the Company shall, if thereunto required by the proprietors of the adjoining lands, at their own costs " etc.

(4) Can the lands which were set aside by the Ordersin Council of 13th December, 1892, and 30th January, 1895, be said to have been"taken" by the Railway Company, and can the Crown in right of the Dominion in trust for the Songees Indians be considered"proprietors of the adjoining lands" under Section 16 cited? By the Order in Council the Company obtained the consent of the Crown in right of the Dominion to take the land and the price was fixed. The Company has not paid the price but is in actual possession. I consider the first part of the question should be answered affirmatively For the solution of the second part of the question, it is necessary to consider the title to the Songee Reserve. Without discussing the evidence of title which is fully considered on file 13,886-2., I may express the opinion from careful perusal of the file, that the Province has no stronger right in the Songee Reserve than in any fee simple lands in the Province granted by the Crown and that the Songee Indians are in the position of beneficiaries of a fee simple estate to be administered by the Crown in right of the Dominion and that the true intention of the Treaty of Surrender of 30th April, 1850, was as understood by the Indians, that they were to have as large an Estate in the lands retained for

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for their use as the white men had in the land surrendered, and that no arrangement entered into by the Dominion and the Province at Confederation or in 1875-6 for settlement of reserves is to be construed to work injustice to the Songee Indians unless this intention is clearly shown (as is not the case so far as I can find by Statute or Order in Council or any other document). In short I consider the legal position of the title of the Songee Indians as strong as that of Indians interested in reserves in the older Provinces of Ontario or Quebec set aside before Confederation- (compare St. Catherines Milling & Lumber Company vs. the Queen 14 A. c. 46, The Pinsonnault Case Quebec 1897 and also Attorney General of Canada vs. Attorney General of Ontario, 1897 A. c. 199.)

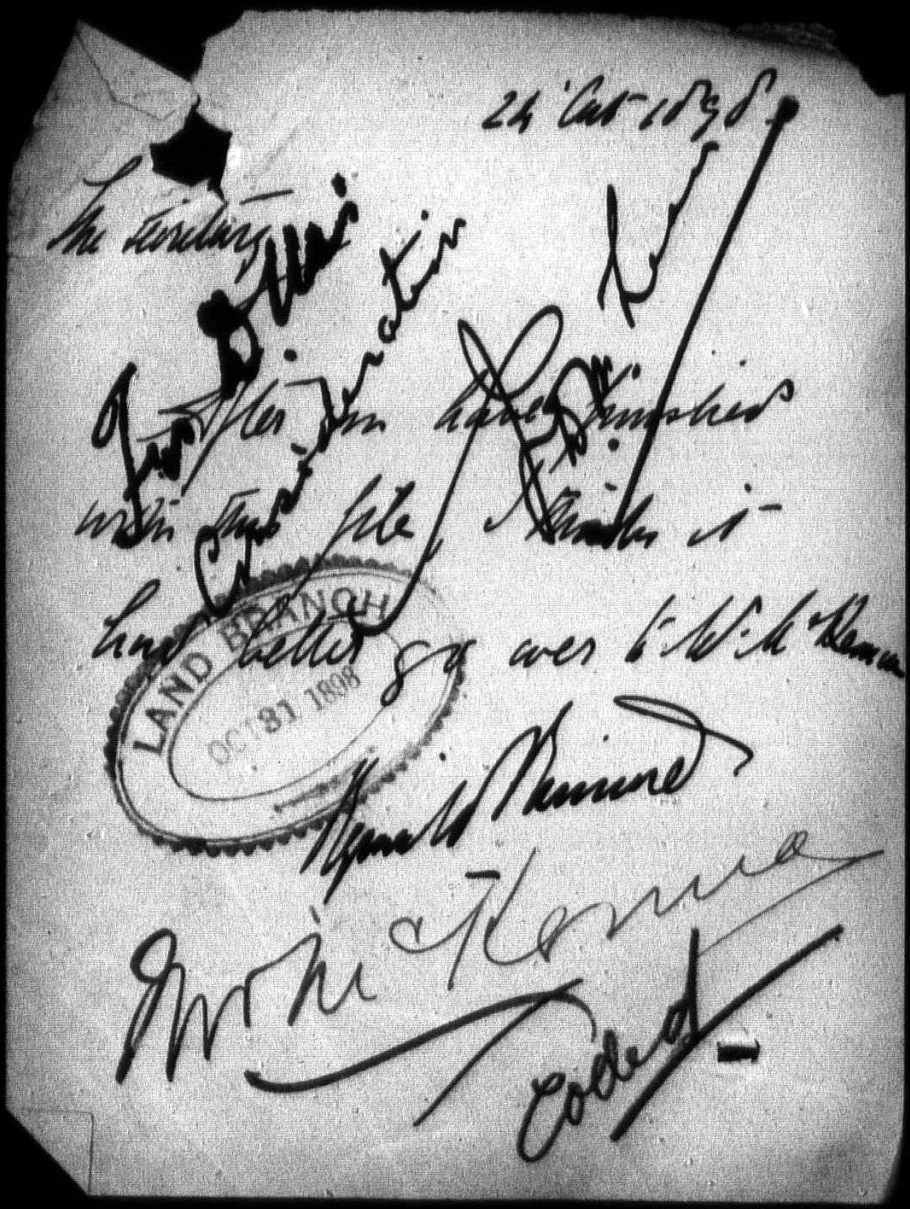
By way of summary I should say that any submission for opinion to the Department of Justice of the points of law raised would be useless unless followed by action to enforce the opinion, and that I consider that if any action is to be taken against the Esquimalt and Nanaimo Railway Company it should be in the direction of securing payment for the portion of the reserve taken by the Company, after the Crown is in a position to legally vest the land in the Company.

The Superintendent General's decision is necessary to determine if all prospect of an amicable settlement of the questions relating to the Songee Reserve is now impossible between the Dominion the Province and the Railway Company and if it is consequently desirable to secure a settlement with the Company without further regard to the Provincial claims.

Law Clerk.

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Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

R.E.

Ottawa, 9th November, 1898.

Sir,

I am directed by the Honourable the Superintendent General of Indian Affairs to call your attention to the fact that on the 13th December, 1892, the authority requisite under Section 35, Chapter 43, Revised Statutes of Canada, as amended by Section 5 of Chapter 33, 50-51 Victoria, was given by his Excellency the Governor General in Council to the occupation by your Company of 6.91 acres of land for Railway right of way through the Songhees Indian Reserve.

Draft for signature

Section 35, above quoted, provides that the Superintendent General shall act for the Indians in any matter relating to the settlement of compensation: and as the first step in that direction a valuation was made by a competent local valuator of the land taken for the right of way for your Company. The value which he placed upon it was $20,730. Up to the present no offer of payment has been received from you Company: and on the instructions of the Superintendent General I have now the honour to demand payment of the amount of $20,730 with interest at 6 per cent. from the date of your occupation of the land

James Dunsmuir, Esq.,
President,
Esquimault and Nanaimo Railway Co.,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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land until the date of payment, as compensation for the Indians. And I am to add that if payment is not made within thirty days from the date of this communication the steps provided by law will be taken for the fixing and collecting of the amount of compensation to which the Indians are entitled.

You will remember that in addition to the land occupied by the right of way your Company applied for land for terminal purposes, and that by Order of his Excellency in Council of the 13th December, 1892, authority was given for the occupation by your Company of fifteen additional acres. Your Company, however, demurred to the sel ection made by the Chief Engineer of the Department of Railways and Canals: and on the matter being placed before him he reconsidered the selection, and recommended that in lieu of the fifteen acres aforesaid authority be given your Company to expropriate nineteen acres lying between the right of way and the water front. The recommendation of the Chief Engineer being concurred in, an Order was made by his Excellency in Council on the 13th January, 1895, authorizing the alienation of the said nineteen acres. You were advised of the issue of the Order in Council; but the Department has had no intimation from you as to whether you purposed availing yourself of the permission accorded by the said Order. By direction of the Superintendent General I have now the honour to ask you to advise me whether you have occupied the nineteen acres, or any portion thereof,

or

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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of purpose availing yourself of the permission accorded by the said Order: and I am to add that if the Department is not, within 30 days from the date of this communication, advised of your intention to avail yourself of the Order, the Superintendent General will take the necessary steps to have the same cancelled. If you have availed, or purpose availing, yourself of the Order, you will be duly apprised of the compensation which the Department will demand on behalf of the Indians.

I have the honour to be,

Sir,

Your obedient servant,

J. D. McLean

Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

R.E.

Encd.

DEPARTMENT OF INDIAN AFFAIRS CANADA.

Ottawa, 9th November, 1898.

Sir,

Referring to your letter of the 19th September last and the previous correspondence on the subject of the railway right of way through the Songhees Indian reserve I have the honour to inform you that as the Company has refused to comply with the wishes of the Indians as to the fencing, after careful consideration the Minister has decided that if any action is to be taken against the Company it would be more in the interests of the Indians to take action in the direction of securing payment for the portion of the reserve occupied by it. A letter is, therefore, being dispatched by this mail to the President of the Railway Company, demanding payment within thirty days of the sum of $20,730 with interest at the rate of 6% from the date upon which the Company entered into occupation of the 6.91 acres of land occupied by it within the Songhees reserve for right of way; and it has been intimated to the President that if his Company fails to pay the amount within the specified time the steps provided by law will be taken for the fixing and collecting of the amount of compensation to which the Indians are entitled for the said land.

The attention of the President has been at the same time called to the fact that by Order in Council of the

A.E.Vowell, Esq.,
Indian Superintendent,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
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the 30th January/1895, permission was accorded his Company to acquire 19 acres of the reserve for terminal purposes. He is being asked to advise the Department whether his Company has occupied the 19 acres, or any portion thereof, or purposeavailing itself of the permission accorded by the said Order. It is being intimated to him that if his Company has availed, or purpose availing, th itself of the Order, he will be duly advised of the compensation which the Department will domand on behalf of the Indians for the 19 acres of land; but that if his Company does not within thirty days advise the Department of its intention to avail itself of the Order, the necessary steps will be taken to have the same cancelled.

I am, Sir,

Your obedient servant,

(Sgd) J. D. McLean

Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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718 C3 British Columbia,

177966

Indian Superintendent's Office,

NOV 23 1898

Victoria 18th November 1898

Sir,

I have the honour to acknowledge the receipt of your letter of the 9th instant No. ——. R.E. in reference to the Songhees Reserve and to the action of the department in regard to the payment by the E & N. Railway Company of arrears due on account of the portion of the Reserve occupied by the Co.

I have not informed the Indians of the above but feel sure that when I do so it will afford them much satisfaction as they never could understand why it has not been paid, and even went so far at one time as to believe that the money had been paid into this Office and was in the hands of the Officials. I shall dispose white people I have no doubt be informed them.

I have the honour to be

Sir

Your Obedt Servt

A. W. Vowell

Indian Dept. B.C.

The Secretary
Dept. of Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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ESQUIMALT AND NANAIMO RAILWAY CO.

1945(

Victoria, B. C. 30th November, 1898 188

178538

The Honourable
The Superintendent General
of Indian Affairs
Ottawa

DEPT OF INDIAN AFFAIRS
DEC 9 1898
DEPT

Sir./

I am directed to acknowledge receipt of despatch from your office dated the 9th instant with reference to the right of way &c., of the Esquimalt and Nanaimo Railway Company over the Songhees Indian Reserve at Victoria.

I am directed to call your attention again to the agreement made by the late Sir Alex.Campbell, and the late Mr Robt.Dunsmuir in August, 1883, by which the Esquimalt and Nanaimo Railway Company should either be allowed to take the whole of the Reserve at $60,000 or take the choice of half of the Reserve for $20,000.

A great deal of correspondence has taken plame on this subject copies of which have been forwarded to your department, but I wish particularly to call your attention to the letter of Mr Van Koughnett, the Deputy Superintendent General of Indian Affairs, dated 22nd October, 1887, in which he recognises the agreement and authorizes Mr Dunsmuir to carry it out, and states the terms.

The late Mr R.Dunsmuir made arrangements with the Indians for

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

ESQUIMALT AND NANAIMO RAILWAY CO.

178558

OFFICE OF THE PRESIDENT.

30th November Victoria, B. C. 30th November 1898. 188

-2-

their improvements which would be affected by the construction of the line through their Reserve, and paid them $1800.

You now suggest that the Company should pay $20,730., for the 6.91 acres which is taken for right of way-more than the amount which the Company was to have paid for half the Reserve, under the aforesaid agreement.

The valuation placed upon the land by your valuator was placed upon it in November, 1892, when the price of land had been very largely increased since the building of the railway.

If this valuation had been made in 1883, the price would have been nominal compared with the amount which you now propose to charge the Company.

I think you must see the injustice of the claim you are making against the Company, and if the right of way is not allowed to them free, the price should be reduced to a nominal amount.

The Company is still prepared to carry out the original agreement to purchase the whole Reserve for $60,000., or take their choice of half for $20,000.-

As to the additional land mentioned in your said letter the Company have not availed themselves of it, as they consider the price fixed by your valuator was intended to prohibit them from

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

ESQUIMALT AND NANAIMO RAILWAY CO.

OFFICE OF THE PRESIDENT.

178558

Victoria, B. C. 30th November, 1898. *188*

-3-

taking it, as the price is absurdly large.

I have the honour to be,

Sir,

Your obedient servant,

Chas. E. Worley
Secretary Esquimalt & Nanaimo Ry Company

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Ottawa, 22nd December, 1898.

To

His Excellency

The Governor General in Council.

The undersigned has the honour to refer to the Order in Council of 30th January, 1895, whereby, after reciting that under an Order in Council of 13th December, 1892, the Esquimalt and Nanaimo Railway Company was allowed to expropriate fifteen acres of the Songees Reserve in Victoria, B. C., and that the Company on being advised of the said Order in Council signified its dissatisfaction with the portion of the reserve allowed it for terminal purposes, the consent of His Excellency in Council was given under Section 35 of the Indian Act, as amemded by Section 5 of 50-51 Victoria chapter 33, to the Company taking for terminal purposes, in lieu of the fifteen acres referred to in the Order in Council of 13th December, 1892, the portion of the Songhees Reserve, being about eighteen or nineteen acres, shown upon the plan attached to the Order in Council of 30th January, 1895, provided that compensation therefor was made in the same manner as is provided with respect to lands or rights of other persons.

The undersigned has the honour to report that on 23rd February, 1895, the Company was advised of the order in Council of 30th January, 1895, and that a valuation would

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

KODAK SAFETY FI

would be made of the land comprised therein and if the Company considered that valuation too high the amount of compensation would have to be settled by arbitration; that in March, 1895, the land, assuming it to be some 18 or 19 acres was valued by the valuer appointed by the Department of Indian Affairs at $45,000; that the Department up to 9th November, 1898, had not received payemnt for the land from the Company nor had the Company informed the Department whether it would avail itself of the consent granted by the Order in Council of 30th January, 1895; that on 9th November, 1898, by direction of the undersigned the Company was asked to state whether the nineteen acres or any portion thereof had been occupied by, or was proposed to be occupied by the Company and the Company was informed that if the Department was not within thirty days advised of the Company's intention to avail itself of the Order in Council the necessary steps to have the same cancelled would be taken; and that by letter of 30th November, 1898, the Company informed the undersigned that the Company had not availed itself of the land referred to; but the Company did not state any intention to avail itself of the Order in Council.

The undersigned respectfully recommends that the consent given by His Excellency the Governor General in Council to the Esquimalt and Nanaimo Railway Company taking the fifteen acres referred to in the Order in Council of 13th December, 1892, or in lieu thereof the land referred to in the Order in Council of 30th January, 1895, be withdrawn and that the Order in Council of 30th January, 1895, be cancelled.

Superintendent General of
Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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JAN 28 1899

PRIVY COUNCIL CANADA

Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on the 19th January, 1899.

On a Report dated 22nd December, 1898, from the Superintendent General of Indian Affairs, stating with reference to the Order in Council of 30th January, 1895, whereby, after reciting that under an Order in Council of 13th December, 1892, the Esquimalt and Nanaimo Railway Company was allowed to expropriate fifteen acres of the Songhees Reserve in Victoria, B.C., and that the Company on being advised of the said Order in Council signified its dissatisfaction with the portion of the reserve allowed it for terminal purposes, that the consent of Your Excellency in Council was given under Section 35 of the Indian Act, as amended by Section 5, of 50-51 Victoria, Chapter 33, to the Company taking for terminal purposes, in lieu of the fifteen acres referred to in the Order in Council of 13th December, 1892, the portion of the Songhees Reserve, being about eighteen or nineteen acres, shown upon the plan attached to the Order in Council of 30th January, 1895, provided that compensation therefor was made in the same manner as is provided with respect to lands or rights of other persons.

The Minister further states that on the 23rd February

To the Honourable

The Superintendent General of Indian Affairs.

The original of this document has been removed for reproduction in the Records of the Indian Lands Registry
Signature
Mar. 24 1972

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
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CANADA

February 1895, the Company was advised of the Order in Council of 30th January,1895, and that a valuation would be made of the land comprised therein and if the Company considered that valuation too high the amount of compensation would have to be settled by arbitration; that in March, 1895, the land, assuming it to be some eighteen or nineteen ~~or nineteen~~ acres was valued by the valuer appointed by the Department of Indian Affairs at $45,000, that the Department up to 9th November,1898, had not received payment for the land from the Company nor had the Company informed the Department of Indian Affairs whether it would avail itself of the consent granted by Order in Council of 30th January,1895; that on 9th November,1898, by direction of the Minister the Company was asked to state whether the nineteen acres or any portion thereof had been occupied by, or was proposed to be occupied by the Company and the Company was informed that if the Department of Indian Affairs was not within thirty days advised of the Company's intention to avail itself of the Order in Council the necessary steps to have the same cancelled would be taken; and that by letter of 30th November,1898, the Company informed the Minister that the Company had not availed itself of the land referred to; but the Company did not state any intention to avail itself of the Order in Council.

The Minister recommends that the consent given by Order in Council to the Esquimalt and Nanaimo Railway

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

Railway Company taking the fifteen acres referred to in the Order in Council of 13th December,1892, or in lieu thereof the land referred to in the Order in Council of 30th January,1895, be withdrawn and that the Order in Council of 30th January,1895, be cancelled.

The Committee submit the same for Your Excellency's approval.

John J. Gormully

Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
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CANADA

IN YOUR REPLY REFER TO
10451.
A[illegible] DATE OF THIS LETTER

ADDRESS REPLY TO THE
SECRETARY DEPT OF INDIAN AFFAIRS
OTTAWA

DEPARTMENT OF INDIAN AFFAIRS CANADA.

Ottawa, 8th March, 1899.

Sir:-

I have the honour to refer you to my letter of 9th November last, and to inform you that by Order in Council of 19th January last the consent given to the Esquimalt and Nanaimo Railway Company taking fifteen acres of the Songhees Reserve, or in lieu thereof the land referred to in the Order in Council of 30th January, 1895, was withdrawn, and the last mentioned Order in Council was rescinded.

I may further state with regard to the 6.91 acres of land taken for railway right of way through the Songhees Indian Reserve that the steps provided by law will be forthwith taken for fixing and collecting the amount of compensation to which the Indians are entitled.

James Dunsmuir, Esq.,
President,
Esquimalt & Nanaimo Railway Co.,
Victoria, B. C.

I have the honour to be,
Sir,
Your obedient servant,

Secretary.

smo'

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

32 Pbl

File 19451.

Department of Indian Affairs,

Ottawa, 9th March, 1899.

Memorandum:

Re the Esquimalt and Nanaimo Railway Company's Right of Way through the Songhees Indian Reserve.

I advise that this file be transmitted to the Department of Justice for the purpose of deciding and carrying out the steps necessary to give effect to the ruling of the Minister endorsed upon my memorandum of 21st October last so far as such ruling affects 6.91 acres taken for the Right of Way.

I do not think it necessary to prepare a very full submission to the Department of Justice in view of my previou memorandum on file to which the attention of that Department may be drawn. Matters therein considered which appear to be applicable to the present question of recovery of compensation from the Railway Company are:-

(1) Whether the Railway is within the legislative authority of the Dominion Parliament.

(2) If not, do the provisions of the Consolidated Railway Act, 1879 or those of the Railway Act 1888, and amendments, apply to the Company.

(3) Whether the title of the Dominion Government in the Songhees Reserve, in trust for the band, was such as to enable the Dominion by Order in Council to give the consent required by Section 35 of the Indian Act and the simila provi

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

provision of the Railway Act applicable, to the taking of the above land for Right of Way.

(4) Whether such title enables the Dominion to recover compensation.

Attention may be specially drawn to the following matters:-

(a) On 13th April, 1850, the Chiefs and people of the Kosamysom Tribe surrendered to James Douglas, Agent of the Hudsons Bay Company, certain lands in Vancouver Island the condition of the sale being expressed to be "that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us; and the land shall be properly surveyed hereafter. It is understood, however, that the land itself, with these small exceptions, becomes the entire property of the white people forever"; . . . . . .

(b) From report of the Chief Commissioner of land and works to the Colonial Secretary, dated 30th December, 1869, (prior to union of the Province and the Dominion) it appears that the Indians had taken up their residence upon land opposite Fort Victoria (about 90 acres in extent) set apart by the Company's Agent for their use and benefit and "Since formally laid out and established as an Indian reserve, and so held by the Crown in trust, being styled and known as the Songhees Reserve."

(c) Upon the principle of Ayles ford and Morris 42 L. J. Ch. 548 and similar cases it is considered that the intention of the Treaty must be interpreted to be to give the Indians in the Reserve at least a fee simple estate.

(d) Much negotiation has taken place between the Dominion and the Province and the Indians with the object of extinguishment

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

extinguishment of the title of the Indians; but I cannot find any legislation dealing specifically with this reserve or that the Indians have ever surrendered a reserve. It appears to me that their interest in the reserve remains unaffected.

(e) Prior to 30th September, 1886, the Company took 6.91 acres of the reserve for Right of Way; but it was not until 13th December, 1892, that the consent of His Excellency in Council was given to this appropriation, vide copy O. C. on file. The same Order in Council gave consent to an additional 15 acres being taken, under "Sections 106 et seq. of the Railway Act, 1888," as expressed in the Order in Council.

(f) By Order in Council 30th January, 1895, 19 acres was allowed to be taken in lieu of the 15 acres above mentioned.

(g) From valuation of Mr. J. W. Jones of 15th November, 1892, made on behalf of this Department, the 6.91 acres was valued at $20,730.00.

(h) On report of the Minister by O. C. of 19th January, 1899, the consent of the Company taking 15 acres or in lieu thereof the land referred to in O. C. of 30th January, 1895, was withdrawn and the O. C. of 30th January, 1895, cancelled, the Company not having availed itself of such consent.

(i) It would appear from correspondence in the Department that if Mr. Vankoughnet wrote as alleged in letter of 30th November, 1898, from the Secretary of the Company recogmizing the alleged agreement between Sir Alexander Campbell and Mr. Dunsmuir such recognition was conditional on

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

on a surrender from the Indians which has not been obtained.

If further information or explanation than is contained in my memoranda together with the file is required by the Department of Justice I shall be glad to furnish it, if possible.

Reginald Pinnow

Law Clerk.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

22152-21 E. & N.

CLOSED

FROM 2/4/1885

TO 9/3/1899

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Indian Affairs. (RG 10, Volume 7670, File 22152-21 E.&N.)

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CANADA

Indian Affairs
Headquarters Files

(RG 10, Volume 7670)

File 22131-3	(Grouard) - Lesser Slave Lake Agency - Right-of-way for the Edmonton, Dunvegan and British Columbia Railway Company through reserves in the Agency (plans). 1913 - 1964
File 22150	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. 1885 - 1912
File 22150-1	British Columbia - Right-of-way for Canadian Pacific Railway through various reserves in British Columbia. (Indian Land Sale - Grant) 1911 - 1933
File 22151-16 G.T.P.	Babine Agency - Right-of-way for the Grand Trunk Pacific Railway through various reserves in the Agency. 1909 - 1928
File 22152-21 E.&N.	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (map, plans, surveys). 1885 - 1899
File 22152-21 2	Cowichan Agency - Right-of-way for the Esquimalt and Nanaimo Railway Company through part of the Songhees Indian Reserve (maps, plans). 1898 - 1913

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

No. 22152

Department of Indian Affairs

19...

COWICHAN

RAILWAYS

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PUBLIC RECORDS CENTRE
30670

22152-21 E&N
Vol 2 179176

Extract (Original on 96765)

Meeting of the Songhees Band of Indians held in the School house Songhees Reserve - Dec. 17th 1898

× × ×

2nd Moved by Charles Ka-mai seconded by Wm Se-muse and resolved - That the Department be respectfully asked if any steps have been taken to secure from Esquimalt and Nanaimo Railway Co. any amount as well as interest for compensation of Right of way used by their line through the Songhees Reserve at Victoria and Esquimalt -

The Band also consider that the line ought to be fenced, as at present cattle stray onto the line

× × ×

(Sgd) W. M. Lomas,
Ind Agent

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1945-1

Reds Pleasant Point Reserve
Victoria Esquimalt & Nanaimo Ry Co
Agreement (Original on 96765)

42 93 Exd.

Victoria BC. 19th Dec 1898

Sir,

I have the honour to submit herewith for your approval two resolutions passed at a meeting of the Songhees Band of Indians held in the School Room on the Songhees Reserve on the 17th instant.

× × ×

The second resolution would show the attitude of the Indians respecting those portions of their reserve which have been expropriated by the Esquimault & Nanaimo Ry Co. The agent is informed that the Dept has this matter under consideration and is directed to inform the Indians that their interests are not being lost sight of by the Dept.

(sgd) A.W. Vowell
Ind Supt

The Secy
D.I.A.
Ottawa.

This Question to be settled

Bill

DEPARTMENT OF INDIAN AFFAIRS DEC 27 1898 RECEIVED

DEPARTMENT OF INDIAN AFFAIRS JAN 3 1899 BRANTFORD

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451.

Make separate file temporary.

Ottawa, 6th March, 1899.

Sir:-

Re the Esquimalt and Nanaimo Railway Company's Right of Way through the Songhees Reserve.

I have the honour to forward you file 19451 and to request that you will carry out the purpose stated in the memorandum of the Law Clerk of this Department, dated to-day. I beg to draw your attention to that memorandum and also to that dated 21st October, 1898.

I have the honour to be,

Sir,

Your obedient servant,

E. L. Newcombe, Esq., Q. C.,
Deputy Minister of Justice,
Ottawa.

Secretary.

smo'

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Immediate
per Pinsent
15/3/99

R.E.

SUPERINTENDENT GENERAL OF INDIAN AFFAIRS CANADA

Ottawa, 11th March, 1899.

Memo: Mr.McLean,

Would you please have Mr.Vowell informed of the cancellation of the Order in Council allowing the Esquimault and Nanaimo Railway Company to acquire 19 acres of land in the Songhees reserve, and of the step taken to collect payment from that Comapny for the land occupied on the reserve for right of way.

J. A. J. McKenna

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,481

Ottawa,14th March,1899.

Sir,-

In reference to the Esquimalt & Nanaimo Railway Company,I have the honour to inform you that,the Department having been informed by the Railway Company that they had never availed themselves of the permission given by Order in Council of the 30th of January,1895,to expropriate 18 acres of the Songhees Reserve in lieu of 15 acres for the expropriation of which consent was given by order in Council of the 15th of December,1892,the consent given by both of these Orders in Council was withdrawn on the 19th of January last.

With regard to the 8.98 acres taken for right of way,I have to inform you that the papers have been transmitted to the Department of Justice for the purpose of deciding and carrying out the steps necessary for the collection of compensation.

Your obedient servant,

A.W.Vowell Esq.,
Indian Supt.,
Victoria,B.C.

Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

33 B

185295

copy

Vancouver B.C.

31st May 1899.

E.L.Newcombe Esq

etc

Sir,

On going through file 19451 it has occurred to us that as the title of the Dominion Government to the Songhees Reserve will almost necessarily arise, it would be advisable for you to forward us file No 13886-2 which contains according to the statement of Mr Reginald Rimmer, full evidences of title in this connection.

Under the Railway act of 1879 the arbitrator for the Indians has to be appointed by the Minister of the Interior. Under the Indian Act he is to be appointed by the Superintendent General of Indian Affairs. We understand however that both these positions are occupied by one and the same man, the Hon Mr Clifford Sifton. Will you kindly let us know if any arbitrator has been appointed by him ? It would appear from the correspondence that possibly Mr A.W.Jones of Victoria, who acted in this capacity before, has been appointed. Kindly inform us how this is and if none has been appointed please see that one is appointed at as early a date as possible and oblige,

We have

etc

(sgd)

Davis Marshall & MacNeill

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

33 B. Urgent

1945-1

DEPARTMENT OF INDIAN AFFAIRS JUN 8 1899

185295

Immediate

Ottawa, 7th June 1899. 189

Re Esquimalt and Nanaimo Railway Co :

Sir,

I have the honour to enclose herewith a report dated 31st ultimo received from Messrs Davis,Marshall & McNeill, of Vancouver,B.C. Mr Davis has been retained by this Department on the part of the Crown. It appears from his report that he requires file No 13886-2 which contains, according to the statement of Mr Rimmer full evidence of title. Will you please inform me whether the arbitrator for the Indians has been appointed. If not,kindly see that the appointment be made as soon as possible,as Mr Davis appears to think it important.

Enc.

I am

Your obedient servant

D. M. J.

The Secretary

Indian Affairs Department.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

T. D. Form 2.

Canadian Pacific Railway Co's Telegraph.

All Messages taken by this Company are subject to the following Terms:

It is agreed between the sender of the following message and this Company that said Company shall not be liable for damages arising from failure to transmit or deliver, or from any error in the transmission or delivery of an unrepeated telegram, whether happening from negligence of its servants or otherwise, or for delays from interruption in the working of its lines, for errors in cypher or obscure messages, or for errors from illegible writing, beyond the amount received for sending the same. To guard against errors, the Company will repeat back any telegram for an extra payment of one-half the regular rate, and in that case it shall not be liable for damages beyond fifty times the amount received for sending and repeating.

Correctness in the transmission of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon, at the following rates, in addition to the usual charge for repeated messages, viz:—One per cent, for any distance not exceeding 1,000 miles, and two per cent, for any greater distance.

W. C. VAN HORNE, President.
CHAS. R. ROSMER, Manager Telegraphs.

This Company shall not be liable for the act or omission of any other Company, but will endeavor to forward the telegram by any other Telegraph Company, necessary to reaching its destination, but only as the agents of the sender and without liability therefor. This Company shall not be responsible for messages until the same are presented and accepted at one of its transmitting offices; if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the sender's agent, if by telephone, the person receiving the message acts therein as agent of the sender, being authorized to assent to these conditions by the sender. This Company shall not be liable in any case for damages, unless the same be claimed in writing, within sixty days after receipt of the telegram for transmission. No employes of the Company shall vary the foregoing.

B. S. JENKINS, Supt., Winnipeg.
HOMER PINGLE, Supt., Toronto.
J. WILSON, Supt., Vancouver, B.C.
JAMES KENT, Supt., Montreal.

Sent No.	Sent By	Rec'd By	Time Sent.	Time Filed.	Check.

Send the following Message, subject to the above terms, which are hereby agreed to:

189

To

Ottawa, 9th June, 1899.

A.W.Vowell,
Indian Superintendent,
Victoria, B.C.

Has anyone to your knowledge been hired as interpreter at Songhees right of way. Answer quickly.

J.D.McLean.

(Charge Indian Dept.)

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

T. D. Form 1 B.

Canadian Pacific Railway Company's Telegraph

TERMS AND CONDITIONS.

All messages are received by this Company for transmission, subject to the terms and conditions printed on their Blank Form No. 2, which terms and conditions have been agreed to by the sender of the following message. This is an unrepeated message, and is delivered by request of the sender under these conditions.

SIR WILLIAM C. VAN HORNE, President.
CHAS. M. HOSMER, Manager Telegraphs.
B. S. JENKINS, Supt., Winnipeg, Man.

HOMER PINGLE, Supt., Toronto, Ont.
J. WILSON, Supt., Vancouver, B. C.
JAMES KENT, Supt., Montreal, Que.

133 Ra.Md.Gi. 8:20P

16 Paid

Victoria B.C. 9th June'99

The Secretary Dept. of Indian Affairs.

Ottawa.

No one to my knowledge named Arbitrator re Songhees right of way shall I make inquiry.

A.W.Powell.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa July 10

Hon E. Dreboin
Minister Interior

Dear Mr Dreboin

I beg to recommend Mr Frank G. Richards, real estate agent, Victoria, BC. as Govt. arbitrator in the matter of the land taken by the E. & N. R. Co. for right of way thro' the Songhees Indian Reserve Victoria.

Yours truly
W Templeman

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, 13th July, 1899.

In the matter of an Arbitration respecting compensation to be made by the Esquimalt and Nanaimo Railway Company for their Right of Way through the Songhees Indian Reserve I hereby appoint and name Mr. Frank G. Richards of Victoria, British Columbia, as Arbitrator on behalf of the Indians.

Minister of the Interior and
Superintendent General of
Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MINISTER OF THE INTERIOR
CANADA

Private Secretary's Office

July 11 - 99

My Dear McLean -

I enclose letter from Templeman recommending that Mr Frank G. Richards be appointed Arbitrator re Songhees right of way - Please see that the appointment is made immediately -

Yours faithfully
H. Collier
Private Secy

J. D. McLean
Sec. Indian Dept.
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451-1A Ty.

Ottawa, 13th July, 1899.

Sir:-

Referring to your letter of the 7th June last enclosing report of 31st May from Messrs. Davis, Marshall & McNeill of Vancouver, B. C., in relation to the claim against the Esquimalt and Nanaimo Railway Company for compensation for Right of Way through the Songhees Reserve, I have the honour to inform you that the above gentlemen are mistaken in their remark that Mr. Rimmer described file 13386-2 as containing full evidence of title of the Reserve. The file in question contains some documents referring to the title, but the title itself is based on the Surrender of 13th April, 1850, referred to in Mr. Rimmer's memorandum of 5th March, 1899, on the file now in the possession of your Agents. The Surrender in question is not in the possession of this Department; and it is probably either in the possession of the British Columbian Government or of the Hudsons Bay Company to whose Agent, James Douglas, the Surrender was made. A copy of the Surrender is published in Parliamentary papers of British Columbia connected with the Indian Land Question 1850 to 1875 at page 6. These papers were published in 1875 at the Government Printing Office, Victoria. There are only one copy in the possession of this Department, and it is probable that your Agents will have access to one in Victoria. They contain the report of the Chief Commissioner of Lands and Works referred to in Mr. Rimmer's memorandum.

E. L. Newcombe, Esq., Q.C.,
Deputy Minister of Justice,

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The file referred to is one in constant use in this Department and it would be inconvenient for it to be removed. It is doubtful if it contains direct evidence of title ; but careful perusal of it will be made and copies will be furnished of matter relevant to the present issue.

In the meantime I enclose you formal appointment of Mr. F. C. Richards as Arbitrtor on behalf of the Indians, which it is conceived will meet the requirements of your Agents.

I have the honour to be, Sir,
Your obedient servant,

J. D. Mc LEAN

Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY FILM

19,451-1A Ty.

Ottawa, 25th July, 1899.

Sir:-

Referring to letter of 13th instant to you in relation to the claim against the Esquimalt and Nanaimo Railway Co. for compensation for Right of Way through the Songhees Reserve, I have the honour to enclose a memorandum by the Law Clerk in the nature of an abstract of the title to this reserve. It will be observed that very few original documents are in the possession of this Department; and Mr. Rimmer suggests that your Agents specify such of the documents referred to in his memorandum as can be produced by this Department of which they require production or copies.

I have the honour to be,

Sir,

Your obedientservant,

Sgd J. Stewart

Asst. Secretary.

E. L. Newcombe, Esq., Q. C.,

Deputy Minister of Justice,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File 19451 -1A Ty.
" 13886 No.2
" 3756
" 3756 No.2
" 3102
" 1780
" 221
" 1241
" 3100
" 2479

Department of Indian Affairs,

Ottawa, 25th July, 1899.

Memorandum:

Title to the Songhees Indian Reserve.

The following is an abstract of documents of Title bearing on the question of the Title of the Dominion to recover compensation for Right of Way of the Esquimalt and Nanaimo Railway:-

13th January, 1849, Hudson Bay Company's Charter

13th April, 1850, surrender by the Kosampson Tribe to James Douglas, Agent of the Hudson's Bay Company subject to the proviso "that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and those who may follow after us; and the land shall be properly surveyed hereafter." Vide Parliamentary papers, B. C., connected with the Indian Land question 1850 to 1875 at page 6.

13th August, 1862, appointment by James Douglas, then Governor of Vancouver Island of certain Commissioners for the management of the Indian Reserve at Victoria with authority to grant lease, recover and receive rents to be applied to and for the benefit of the Indians. Parliamentary papers, Idem p. 68.

3rd April, 1867, Transfer by Hudson Bay Company of land on Vancouver Island to the Imperial Government as from 1st January, 1862.

30th

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30th December, 1859, letter and memorandumby Hon. Joseph W. Trutch, Chief Commissioner of Lands and Works, to the Colonial Secretary (Parliamentary papers above cited p. 64 to 68) stating p. 64 "It is certain that the tract of land owned by the Songish Indians was formerly set apart by the competent authority of the Hudson's Bay Company's Agent, acting on behalf of the Crown, for the perpetual use and benefit of the Indians of that tribe; and this land is now held in trust by the Crown, acting under a solemn obligation, as guardian of the rights of the Indians in this respect;" Also stating, at p. 66, that under the condition contained in the Surrender "the tract of land upon which the Indians have taken up their residence opposite Fort Victoria (about 90 acres in extent), as stated in an official return made in 1879 to the House of Assembly, was set apart by the Company's Agents of the Colony for their use and benefit, and since has formerly been laid out and established as an Indian Reserve, and so held by theCrown in trust, being styled and known as the Songhees Reserve;" Also stating at p. 66, that upon petition of Sir James Douglas, then Governor for the Colony, to remove the Indians he replied "As this reserve and others had been set apart by solemn engagement entered into by himself, as Agent for the Hudson Bay Company, on behalf of the Crown, specially for the use and benefit of the Indians respectively interested therein, it would be unjust and impolitic to remove the Indians from them summarily; but he intended to lease portions of the Songish Reserve, and to apply whatever revenue might be obtained from this source to the benefit of the Indians of the Songish Tribe and particularly to the improvement of their social and moral condition"

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conditions:" And also referring to letter of Colonial Secretary, dated 26th July, 1869, by which the charge of the reserve was made over to the Lands and Works Department.

16th May, 1871. Imperial Order in Council (Statutes of Canada 1872, LXXXIV) admitting British Columbia into Confederation on theterms of the addresses contained in the schedule which provided Clause 13. "the charge of the Indians and thetrusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the Union." Clause 10 of the addresses embodied in the shedule, made applicable to British Columbia, Section 91 of the B. N. A. Act, 1867, which particularly assigned to the exclusive legislatige authority ofthe Parliament of Canada, s. s. 24, "Indians and Lands reserved for Indians."

16th October, 1871, letter from B. W. Pearce, Chief Commissioner of Lands and Works and Surveyor General, B. C., transmitting a series of tracings, lettered from A. to Q. inclusive, showing all the Indian Reserves which had been surveyed together with a schedule showing the locality, number of section, general description, acreage, name of tribe in whose favour each reserve had been made, also an appendix I showing what portions of any particular reserve had been leased to white men, together with the terms of lease: Also stating, "parts of the Songhees Indian Reserve opposite Victoria, have been so leased by Commissioners appointed by Sir James Douglas. These leases

have

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have all expired or been cancelled. A certain sum of money $1,084.82, is now lying in the Treasury to the credit of this reserve and is constantly increasing. The leases shown in the appendix were executed by me in virtue of the authority of the late Government and are only binding in so far as the Government may have the power * * * * * * * the Land Ordinance, 1870, under which alone lands can be acquired by intending settlers specially exempts all Indian Lands and settlements from its operation. It generally has been the practice to lay out on the ground the Indian Reserve synchronously with the settlement of the district by the whites."

Copy of the above letter and appendix is on file 1241. The tracings are in this Department. The schedule shows a reserve at Victoria Harbour, acreage 112 belonging to the Songhees Tribe with the remark that part of this reserve had been leased to white men. The $1,084.82 referred to in the above letter was transferred to the credit of the Songhees Indians in the books of the Department on 7th October, 1873. (Vide letter from Finance Department on file 2478, dated 29th September, 1873.)

3rd November, 1871, copy letter from the Hon. Joseph W. Trutch to the Secretary of State for the Provincestransmitting the above named letter of 16th October, 1871, and accompanying tracings and stating "as to the title by which thevarious reservations in this Province are held I may add to Mr. Pearce's letter that all these lands have been severally set apart at various time for the use and benefit of the Indians resident thereon or who being members of the particular tribe for which any such reservation was created are entitled to participate therein by order of the Governor, publicly notified in the Government

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"Government Gazette" or in such manner as was held to be sufficient advertisement of such notice previous to the establishment of the "Government Gazette" * * * * The Authority of theGovernment for creating such reservation was based, after 1865, on the main land portion of British Columbia and up to 1870 in Vancouver Island in the power conferred on him, to this effect, by his commission and the royal instructions and since those dates on the provisions of the land Ordinances 1865 and 1870 respectively.

28th March, 1874, Mr then Deputy Minister of Justice file 3100, advised that by Article 13 of the terms of the Union the Dominion Government became and were the managers and trustees of all lands reserved by British Columbia prior to the date of Union for theuse of the Indians and that no formal conveyance or transfer was required; but the Lieut. Governor should be requested to supply a schedule of reserves with description of lands and how and when each was made. There appears to be no record of any schedule furnished beyond that referred to in letter of 16th October, 1874, before mentioned.

14th October, 1874, File 3756, letter of Sir James Douglas to I. W. Powell, Indian Superintendents' stated "the principle followed in all cases was to leave the extent and selection of the land entirely optional with the Indians who were immediately interested in the reserve. The surveying officers having instructions to meet their wishes in every particular, and to include in each reserve, the permanent village sites, the fishing stations and burial grounds, cultivated land and all the favorite resorts of the tribe; and, in short, to include every piece of ground, to

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to which they had acquired an equitable title, through continuous occupation, tillage, or other investment of their labour. This was done with the object of securing to each community their natural or acquired rights; of removing all cause of complaint on the ground of unjust deprivation of the land indispensible for their convenience or support and to provide as far as possible, against the occurence of agrarian disputes with the white settlers." The letter also referred to the survey of several of the reserves before the retirement of Sir James Douglas. The original of this letter is probably in the office of the Superintendent at Victoria.

4th December, 1874, letter by Lord Dufferin, Governor General of Canada, to Lord Carnarvon transmitting in accordance with O. C. of 4th November, 1874, papers relating to the settlement of the Indian Reserve question in British Columbia which by the terms of Union, Paragraph 13 was required in a case of disagreement to be referred for the decision of the Secretary of State.

5th February, 1875, letter from Lord Carnarvon to Lord Dufferin expressing the intention of the former of abstaining from action pending negotiations between the Provincial and Dominion Governments.

10th November, 1876, Order in Council (Dominion) approving recommendations for settlement of the Indian Reserve question in British Columbia by reference of the whole matter to three Commissioners one to be appointed by the Government of the Dominion, one by the Government of the Province and one by the two Governments conjointly. This Order in Council was not expressed to extend to the Songhees Reserve particularly. It contained a Clause

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5 providing that in the event of any material increase or decrease thereafter of the number of the members of a nation occupying a reserve such reserve should be enlarged or diminished as the case might be so that it would bear proportion to the members of the nation occupying it.

6th January, 1876, Order in Council(B.C.) accepting the proposals embodied in the last mentioned Order in Council.

4th May, 1878, decision by the Commissioners appointed in accordance with the arrangements effected between the Dominion and the Province which decision is in the following terms "The land reserve of these Indians in the Harbour of Victoria appears to be the private property of the tribe by a written agreement made on 30th April, 1850, between the Chiefs and the people and the Agent of the Hudson's Bay Company acting on behalf of the Crown and by the land having been formerly set apart for their perpetual use and benefit, but the Commissioners so far as they have authority in the matter confirm this reserve as surveyed to the Songish Indians together with Deadman's Island in the Victoria Harbour and also the Northern part of Discovery Island and thewhole of Chatham Island and of the Island immediately West of same, which three latter were reserved for these Indians by Governor Douglas on 10th June, 1863. It was part of the above Agreement that these Indians should be permitted to carry on their fisheries as formerly." This decision is signed by Alexander C. Anderson, Dominion Commissioner, Archibald McKinley, Provincial Commissioner and George Malcolm Sproat, Joint Commissioner.

30th September, 1886, sometime prior to this dat the

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The Esquimalt and Nanaimo Railway Company took 6.91 acres of the Songhees Reserve for Right of Way.

13th December, 1892, Order in Council (Dominion) consented to this appropriation.

It does not appear that any legislation of the Province prior to Confederation affected the title to Indian Reserves; but it rather appears that the reserves were fully recognized by theProvince.

From theterms of the Treaty it appears evident that the band or tribe was to have as good a title as a body to theland as was being acquired in the land which they surrendered. The legal estate might remain in the Crown; but it was clearly subject to a trust which for all practical purposes deprived the Crown of any benefit in theland beyond a right of escheat on failure of any descendant of any member of the tribe. By the terms of the Union and Section 91 s. s. 24 of the B. N. A. Act the administration of the trust of theCrown passed to the Dominion. By the terms of the Treaty the Indians had certainly an interest in theland "other than that of the Provinces in the same" within the meaning of Section 109 of the B. N. A. Act. There is a remarkable similarity between this Treaty and those effected prior to Confederation in Upper Canada where theIndians have a legally recognized tenure of defined lands. Refer particularly to judgment of Boyd C, 4 B, N. A. Act, Cases p. 236, Bastien V. Hoffman 17 L. C. R. 238 Mowat vs. Casgrain decided by the Court of the Queen's Bench, Quebec, 20th January, 1897. Compare Atty. Gen. V. Mercer 8. App. Cas. 767, St. Catherines Milling and Lumber Company vs. the Queen 4 B. N.A. Act,

cases

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cases 107 to 240, Atty. Gen. of Canada v. Ontario and Quebec, 1897, A. C., 199.

Particular attention isdrawn to the fact that the Commissioners in 1878 did not attempt to alter thereserve or the title to the reserve but merely confirmed the reserve at the sametime expressing a doubt of their authority in the matter. Whatever interest or title was given to the Indians in the reserves by Sir James Douglas at the time of treaty it is evident that under the Indian Acts of the Dominion at no time since Confederation could the Dominion Government alter or affect that title without the surrender of the bands. TheGovernment of British Columbia cannot by an Agreement entered into with the Dominion since Confederation, defeat the title of the Indians without their surrender under Section 38 of the Indian Act; and even were this possible the Agreement for the settlement of the reserve question in British Columbia is not to be construed to interfere with the vested rights of the Songhees Indians if such a construction can be avoided. Maxwell, p. 208.

Whatever may be the issue between the Dominion and the Province in regard to the title to this reserve. It does not seem to be open to contention that the Indians have no interest in it which must be compensated under Section 35 of the Indian Act. Even if, as seems to be far from thecase, the interest of theIndians is affected by the Agreement of 1875, theinterest of the Province is of so remote a nature as not to not materially affect the value of the land.

It may be mentioned that an able article by the present Hon. Mr. Justice Martin appears in the "Province" of 20th February, 1897, at p. 111, in which the view is expressed expressed

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expressed that the Songhees have afee simple in the present reserve and attention is drawn to the length of their possession.

In my memorandum, dated 21st October, 1898, I expressed " the opinion from careful perusal of the file, that the Province has no stronger right in the Songhee Reserve than in any fee simple land in the Province granted by the Crown and that the Songhee Indians are in the position of beneficiaries of a fee simple estate to be administered by the Crown, in right of the Dominion, and that thetrue intention of the Treaty of Surrender of 30th April, 1850, was, as understood by the Indians, that they were to have as large an estate in the lands retained for their use as the white man had in the land surrendered, and that no arrangemententered into by the Dominion and the Province at Confederation or in 1875-6 for settlement of reserves is to be construed to work injustice to the Songhee Indians unless this intention is clearly shown (as is not the case so far as I can find in Statute or Order in Council or any other document.) In short I consider the legal position of the title of the Songhee Indians as strong as that of Indians interested in the reserves in the older Provinces of Ontario or Quebec set aside before confederation."

To the opinion expressed in the above memorandum I adhere.

Ewald Rimmer

Law Clerk.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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Inquire Indian Law Clerk

187 In British Columbia, 185660

DEPT. OF INDIAN AFFAIRS JUN 27 1899

Indian Superintendent's Office,

Victoria, 10th June 1899

Sir

I have the honour to acknowledge the receipt of your telegram dated 9th instant as follows:-
"Has any one to your knowledge been named as arbitrator re Songhees right of way answer quickly".
to which I made the following reply promptly on the same date as your message
"No one to my knowledge named arbitrator re Songhees right of way shall I make inquiry".
and would beg to support my averment to the effect that no information has reached me respecting the appointment of an arbitrator in the matter under consideration

I have the honour to be
Sir
Your obedient Servant
A. W. Vowell
Indian Superintendent BC

The Secretary
Department of
Indian Affairs
Ottawa

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-: C O P Y :-

Telephone 170
P. O. Box 768

Vancouver, B.C., 20th July, 1899.

33 B.

E. L. Newcombe, Esq., Q. C.,

Deputy Minister of Justice,

Ottawa, Ont,

Dear Sir:- re Esquimalt & Nanaimo Ry, Co.

Your favour of the 14th inst.with enclosures stated duly received. We note that File 13886-2 will be examined and copies of any documents of use to us will be forwarded.

The Railway Company wish us to state what amount the Government ask for the land, suggesting that the matter may possibly be settled without further litigation. We have told them that we have no instructions to make any offer, but if the Railway Company chose to make an offer themselves we would submit it to the Government, although we thought that the latter would much prefer that the question of the value of the land should be settled by arbitration.

We are inclined to think that the Railway Company are under the impression that if negotiations as to the price to be asked for the land be once opened up, the matter may stand over for another two or three years.

We have the honour to be, Sir,

Your obedient servant,

(Sgd) Davis, Marshall & McNeill.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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Ottawa. July 26 1899

33B

law Clerk

re Esquimalt & Nanaimo Ry Co

Sir

I have the honour to enclose herewith a report dated the 20th instant received from messrs Davis marshall & Mc. Neil who have this matter in hand from the Crown, from which it appears that the company desires to know the amount the Crown is willing to accept for the land. Kindly send me your instructions as to this at your earliest convenience. Be good enough to return the report when you have finished with it.

The Secretary
Dept of Indian affairs

Your obedient Servant
A. Burgess
for D.I.G.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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File 19451-1A Ty.

Ottawa, 15th August, 1899.

The Honourable Clifford Sifton, Q. C.

Memorandum:-

Esquimalt and Nanaimo Railway Company and Songhees Reserve.

The Department of Justice letter below and enclosed letter from Messrs. Davis, Marshall & McNeill, dated 20th July, have been brought to my notice on my return from Parry Sound.

I recommend that Messrs. Davis, Marshall & McNeill be allowed to proceed, unless some good reason, unknown to me, has been brought to your attention for opening up negotiations as to price.

Law Clerk.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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DEPARTMENT OF INDIAN AFFAIRS
AUG 16 1899

33 B

Ottawa. Aug 15th 1899

Sir

Referring to the letter of Mr Stewart of the 25 ultimo and the memorandum of the law clerk of your Department, I have the honor to state that our agent requires at present the following documents mentioned in such memorandum:-

(a) Parliamentary Papers B.C. connected with the Indian land question 1850 to 1875.

(b) Dominion Order-in-Council

The Secretary
Department Indian Affairs
Ottawa

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of 10th November 1875 including recommendations for settlement of the Indian Reserve question in B.C.

188349

(c) B.C. Order in Council dated 16th January 1876 accepting proposals embodied in above Order-in-Council.

Kindly furnish me with these papers at your earliest convenience; and also a statement of the amount of compensation which your department will accept.

Yours obedt. servt.

I. W. Powell
Supt.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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19,451-1A Ty.

Hxd.

Sept 1899

Ottawa, 31st August, 1899.

Sir:-

Songhees Indian Reserve and Esquimalt and Nanaimo Railway Company.

Referring to your letters of 30th ultimo and 15th instant, I have the honour to return letter of 30th ultimo from Messrs. Davis, Marshall & McNeill to you; and to point out that, in accordance with the recommendation contained therein, it is considered proper that the question of the value of the land be settled by arbitration; and that as stated in my letter of the 13th ultimo, Mr. F. G. Richards of Victoria, has been appointed arbitrator.

I enclose for transmission to Messrs Davis, Marshall & McNeill Papers connected with the Indian Land Question 1850 to 1875, (British Columbia); and I shall be glad if you will particularly request these gentlemen to return the papers to this Department as early as possible. There is only one additional copy in this Department; and these papers are constantly required for use in connection with the Indian reserve question in British Columbia.

It will be observed that amongst the papers above referred to there is, at page 160 copy of the Order in Council

E. L. Newcombe, Esq., Q. C., of
Deputy Minister of Justice,
Ottawa.

smo'

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of 10th November, 1875, followed on page 161 by memorandum of the then acting Minister of the Interior referred to in the Order in Council. There is also on page 169 copy of the Order in Council of 6th January, 1876, (British Columbia) accepting proposals embodied in the above mentioned Order in Council.

It has already been suggested that Messrs Davis & Marshall & McNeill may be able to obtain a copy of these papers at Victoria. If they can do so and return the copy sent herewith it will be greatly to the convenience of this Department.

If any further evidence of the Dominion Order in Council referred to is required it can be furnished under Section 8 clause C, of the Canada Evidence Act.

I have the honour to be,

Sir,

Your obedient servant,

J. D. McLEAN

Secretary.

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Extract from Acting Agent MacLaughlin's letter of 23rd.November and also accompanying Minutes of Council.

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DEPARTMENT OF INDIAN AFFAIRS. DEC 7 1899

Extract from letter from Indian Superintendnent Vowell dated 27th.November 1899. (106810)

266 Victoria 27 Nov 1899

Sir:—

I have the honour to submit herewith for your approval Mr.Acting Agent MacLaughlin's letter dated 23rd.instant covering sundry Resolutions passed by the Songees Band of Indians in his presence wherein they request permission to expend from monies standing to their credit with the Department the sum of $190. 00 in fencing their lands which extend along the line of the Esquimalt and Nanaimo Railroad and authority to close a public road which crosses a portion of the Songees Reserve.

ACCOUNTANTS DEC 9 1899 BRANCH

I would recommend the expenditure of $190.00 as requested & your favourable consideration.

(Sgd) A.W.Vowell.

Ind. Supt. B.C.

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10451/10

Ottawa, 13th December, 1899.

Sir,

With reference to your letter (No 366/L 3) of the 27th ultimo, I beg to inform you that the Department approves of an expenditure of $100.00 being incurred from the funds at the credit of the Songees Indians towards fencing their lands along the line of the Esquimault and Nanaimo Railway ~~, and in closing a public road which encroaches a portion of their Reserve~~.

Your obedient servant.

Secretary.

A. W. Vowell, Esq^r.,
Indian Supt.,
Victoria, B.C.

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MEMORANDUM.

Ottawa, 14th December, 1899-

To the Secretary-

In reply to your enquiry, I beg to say that unless there is special legislation affecting the Esquimault and Nanaimo Ry. Co., I think that Company should erect at its own expense, the necessary fences along each side of its Right of Way.

I would recommend that the Secretary of the Company be communicated with on the subject, and meanwhile action on the request of the Indians to expend their own money in the construction of this fencing, might be held in abeyance.

S. Bray

Chief Surveyor-

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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Ottawa,I5th December,I899-

Sir,

Referring to your letter of the 27th Ultimo,No.266I.$. and the Resolution of the Songhees Indian Council,to the effect that the sum of $I90.00 be authorized to be expended from their funds in the erection of fences on each side of the Esquimault and Nanaimo Railway,which passes through their Reserve,~~I would say~~ it would appear that unless there is special legislation affecting the Esquimault and Nanaimo Railway Company,that Company should erect at its own expense,the necessary fences along each side of its Right of Way.

I shall feel obliged if you will look into the matter and communicate with the Secretary of the Company on the subject. Action on the request of the Indians, will ,in the meantime,be held in abeyance.

Your obedient servant,

J. D. McLEAN

Secretary-

A.W.Vowell,Esq-
Indian Superintendent,
Victoria,
B.C.

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-: C O P Y :-

Victoria, B. C., Dec. 8th, 1899.

Messrs. Davis, Marshall & Macneill,

Vancouver, B. C.,

Dear Sirs:- re Songhees Indian Res. Arbit.

I am requested by the arbitrators herein to notify you that the award is lodged with me to be handed over on payment of the sum of $375.00 arbitrator's fees by the party taking up the award.

Yours truly,

"F. G. Richards."

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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-: C O P Y :-

Vancouver, 11th December, 1899.

E. L. Newcombe, Esq., Q. C.,
Deputy Minister of Justice,
Ottawa, Ont.

re Songhees Indian Reserve Arbitration.

Dear Sir:-

We have just received this morning a letter from Mr. F. G. Richards, the Government Arbitrator in above matter, a copy of which we enclose herewith.

Kindly instruct us(by wire if you think fit) whether we are to pay this $375. and take up the award. If you wish us to do this, kindly send us cheque for same.

Yours truly,

(Sgd) Davis Marshall & Macneill,

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DAVIS, MARSHALL & MACNEILL.
BARRISTERS, SOLICITORS &c.
E. P. Davis, Q.C. C. B. Macneill.
D. G. Marshall.

CABLE ADDRESS "DAMARELL"
A1 Telegraphic Code
Bedford McNeil's Mining Code.

192546

Offices
615 Hastings St. West.

TELEPHONE 170.
P.O. BOX. 798.

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Vancouver, B.C. 6th December, 1899.

E.L.Newcombe, Esq., Q.C.,
Deputy Minister of Justice,
Ottawa, Ont.

Dear Sir,- re Songhees Indian Reserve Arbitration.

We enclose herewith certain accounts in connection with this arbitration, which it is necessary for us to pay at once, and we would therefore ask you to have cheques sent us for same. Kindly also return us the enclosed originals, keeping copies if you wish them.

The first item is one of $50.20 for stenographer's fees, as shown by letter to us of Messrs. Davis, Pooley & Luxton solicitors for the E.& N. Ry. Co. This is one half of the stenographer's fees herein, covering his attendance and copies of evidence for the arbitrators, ourselves and the solicitors for the E.& N.Company. Of curse if we should obtain a favourable award this sum would have to be paid by the other side.

The next item is fee of Beaumont Boggs for $50. in connection with his services and evidence as expert witness. We think his account very reasonable.

The next item is an account by J.B.McKilligan for services endeavoring to obtain witnesses, amounting to $50. We may say that Mr. McKilligan sent in his bill without entering any amounts, leaving us to fix these. We think that $50. is very reasonable for the work which he did. As we wrote you

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DAVIS, MARSHALL & MACNEILL.
BARRISTERS, SOLICITORS &c.
E. P. Davis, Q.C. C. B. Macneill.
D. G. Marshall.

CABLE ADDRESS "DAMARELL"
A1 Telegraphic Code
Bedford McNeill's Mining Code.

Offices
615 Hastings St. West.

TELEPHONE 1170.
P.O. BOX. 700.

192546

Vancouver, B.C. _____

R.L.N. 2.

before, it was almost absolutely impossible to get any witnesses and Mr. McKilligan and ourselves together ransacked the town.

The next item is Mr. A.W. Jones' account for giving evidence before the arbitration, amounting to $50. It was Mr. Jones, as you will remember, who gave a valuation of this and adjoining property in 1892 and again in 1895, on each of which occasions he charged $100. for his services, which was paid. Compared with the amounts paid then, $50. at the present time would seem very reasonable.

The next item is a charge of $155. by D.R. Harris for services in the same connection. Mr. Harris was certainly a very important witness, as he was the man who purchased the right-of-way for the E. & N. Railway Company at the place where it adjoins the Indian reserve, and his evidence was therefore very much to the point. We were only able to get him owing to the fact that he has since had a good deal of unpleasantness with the Dunsmuirs. We think however that his account is too high altogether. $100. or indeed $75. ought to be ample for him.

Kindly have cheques for these different amounts sent us at once, and greatly oblige.

Yours truly,

DAVIS, MARSHALL & MACNEILL.

Dist. E.P.D.
Encs.

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DEPARTMENT OF INDIAN AFFAIRS
DEC 14 1899

192546

Ottawa. Dec 12th 1899

Saugheen Reserve

ACCOUNTANT'S BRANCH
DEC 15 1899

Sir

I have the honor to enclose herewith accounts received from our agents in this matter which I have certified as follows:-

The Stenographer	1817	$50.20
Beaumont Boggs & Co	1818	50.00
J. B. McKilligan	1819	50.00
Geo. Jones	1820	50.00
D. R. Harris	1821	75.00

Kindly send one cheques in payment of these accounts to the various parties. The name of the Stenographer is not given, and I suggest that

The Secretary
Dept of Indian Affairs

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192546

that the cheque for his account be made payable to messrs Davis, Pooley and Knudson. 1817

I also enclose the report received from messrs Davis Marshall & Mc. Neil our agents in this matter in explanation of their accounts. Please return it to me.

Yours obedt. servt.

D. M. J.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

DEPARTMENT OF INDIAN AFFAIRS
DEC 27 1899

192744

33 B

Ottawa. Dec 20th 1899

Re Loughees Reserve

Sir

I have the honor to enclose herewith copy of a letter received by our agents from Mr F. G. Richards the arbitrator appointed by the Minister of the Interior under the provisions of the Consolidated Railway Act 1879 for determining the compensation to be paid by the Esquimalt and Nanaimo railway for lands of the Reserve taken by it for the purposes of its railway. It appears that the Secretary of the Department of Indian affairs

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that the award has been prepared by and deposited with Chief Richards to be handed over on payment of the arbitrators fees $375.00 by the party taking up the award. Our agent-s desires to know whether they are to pay the amount and take up the award, and if so, they ask for a cheque to cover the amount. Kindly send one a cheque payable to our agents messrs Davis marshall & MacNeil our agents, if you wish to have the award taken up.

Yours truly

Secretary

D.G.J.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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192744

(Copy) Victoria, B.C., Dec. 8th, 1899.

Messrs. Davis, Marshall & Macneill,

Vancouver, B.C.

Dear Sirs,- re Songhees Indian Res. Credit.

I am requested by the arbitrators herein to notify you that the award is lodged with me to be handed over on payment of the sum of $375.00 arbitrator's fees by the party taking up the award.

Yours truly,

"F. G. RICHARDS."

DEPARTMENT OF INDIAN AFFAIRS DEC 1899

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

File 13,886-3A.

Department of Indian Affairs,

Ottawa, 21st December, 1899.

Memorandum:

192827

Re Songhees Reserve.

I think that cheque for $375.00, arbitrators fees, should be forwarded to the Deputy Minister of Justice; and that the amount will be included with the other items referred to in his letter of 12th instant as disbursements on taxation of costs in accordance with Section 9 s. s. 19 of the consolidated Railway Act, 1879, I draw attention to this Section because evidently the arbitration has been conducted under the Act referred to, and no offer was made by the Company prior to the arbitration so far as known to the Department. Therefore all costs as taxed should ultimately be payable by the Company. I also draw attention to the fact that $375.00 evidently includes the fees of all arbitrators.

It is very desirable that the award should be taken up; and I think the cheque should be transmitted to the Deputy Minister of Justice in order that the fees should be paid unless he considers the matters to which attention has been drawn any reason for withholding payment. Copy of this memorandum may be sent with the cheque.

Law Clerk.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

13-886/3 A

Immediate

Ottawa 22nd December, 1899.

With Cheque, etc.

Sir,

Referring to your letter of the 20th instant, with enclosure, I have the honour to transmit herewith cheque No 1840 for $375.00 ,in favour of the Agents of your Department ,Messrs Davis ,Marshall & MacNeil ,being the amount of the fees of the Arbitrators appointed to determin the compensation to be paid by the Esquimault and Nanaimo Railway Co for lands taken by it onthe Songhees Indian Reserve for railway purposes .

I think it well to also enclose a copy of a memorandum made by the Law Clerk of this Department in regard to this matter..The memorandum is dated the 21st instant.

Your obedient servant.

F.A. McGibbon

Secretary.

The Deputy Minister of Justice,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

192938

Ottawa 23rd Dec 89.

DEPARTMENT OF INDIAN AFFAIRS
DEC 28 1889
ACCOUNTANT'S BRANCH.

Enc. 3 3 B

Sir

Re Songhees Indian Reserve.

I have the honour to acknowledge receipt of your letter of the 22nd inst enclosing cheque for $375 to pay the Arbitrator's fees.

I have however also received a letter from Mr Davis enclosing copy of the award from which I infer that the other side have taken up the award and paid the fees. I am therefore returning your cheque herewith. I may say that Mr Davis has sent me a report marked "Private and Confidential", a copy of which I am sending confidentially, together with a copy of the award to the Superintendent General of Indian Affairs.

Ck cancelled 4/1/91

I am

Sir

Your obedt servant

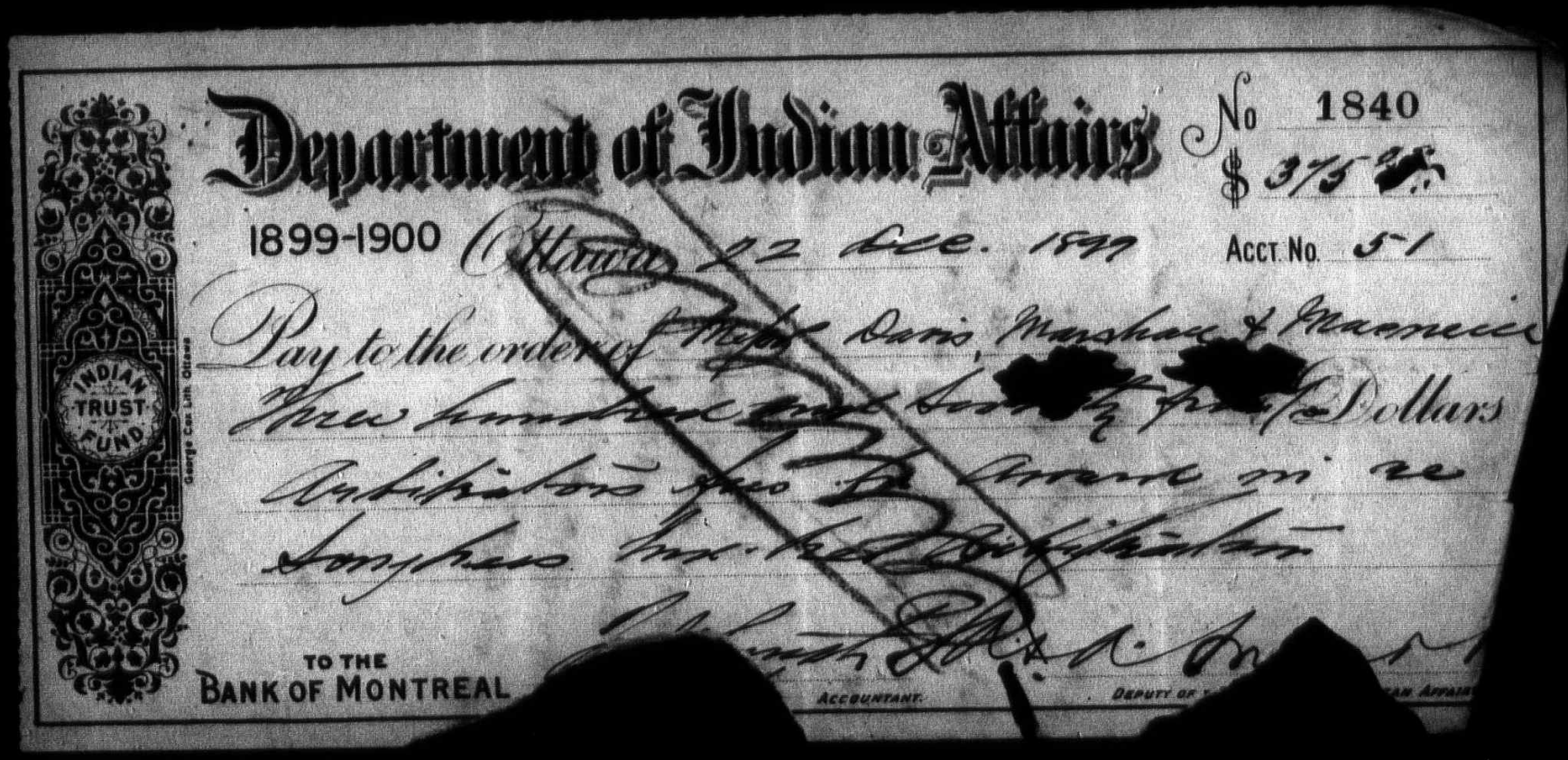
D.M.J.

The Secretary

Department of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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Department of Indian Affairs

No 1840

$ 375

1899-1900 Ottawa 12 Dec. 1899

ACCT. No. 5-1

Pay to the order of Messrs Davis, Marshall & Maconnell

Three hundred and seventy five Dollars

Arbitrators fees re Award in re

Songhees Inst. Reserve

TO THE

BANK OF MONTREAL

ACCOUNTANT.

DEPUTY OF

INDIAN TRUST FUND

George Cox Lith Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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193027

A W A R D .

THE ESQUIMALT AND NANAIMO RAILWAY COMPANY.

KNOW ALL MEN BY THESE PRESENTS that George Riley and Francis G.Richards of Victoria and Eli Harrison Junior of Nanaimo being the arbitrators appointed pursuant to the provisions of the Railway Act to ascertain the compensation to be paid by said Company for the following parcel of land taken by the said Company for the purpose of its railway that is to say Commencing at thecentre line of railway at Station 159+ on the western boundary of the Songhees Indian Reserve having a width of 50 feeton each side of said centre line thence on an 8° curve to theright 440 feet having a width of 50 feet on each side of said centre line thence in a South Easterly direction 374 feet having a width of 50 feet on each side of said centre line thence on an 8° curve to the left 867 feet having a width of 50 feet on each side of said centre line thence in a North Easterly direction 1239 feet to a point at High Water Mark in Victoria Harbour having a width of 50 feet on each side of said centre line and containing by admeasurement 6 91/100 acres more or less DO HEREBY ORDER AWARD AND ADJUDGE that the sum of Two thousand four hundred and nine dollars and seventy five cents ($2,409.75) shall be paid by this Company as and for and in full of such compensation for the said land and all damages in respect therefor.

AS WITNESS OUR HANDS AND SEALS THIS 8th DAY OF DECEMBER,1899.

SIGNED SEALED AND DELIVERED)
IN THE PRESENCE OF)
"John Hepburn.")

"GEORGE RILEY" (SEAL)
"FRANCIS G.RICHARDS (SEAL)
"E.HARRISON JR. (SEAL)

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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IN THE MATTER of the Esquimalt and Nanaimo Railway Company and IN THE MATTER of an arbitration as to the value of 6.9[illegible] acres of the Songhees Indian Reserve required by the Esquimalt and Nanaimo Railway Company for right of way.

This arbitration is for the purpose of determining the amount of compensation to be paid by the Railway Company for 6.91 acres expropriated by the said Company for right of way through the Songhees Indian Reserve.

Considerable evidence has been given as to the value of said lands as 1886 the date at which the Railway Company claim to have entered into possession of the lands. Evidence has also been given as to the value of the lands in 1892, the date of the Order in Council granting the Company permission to expropriate some 15 acres of the Reserve for terminal facilities in addition to 6.91 acres right of way. The evidence as to the values at these prices is most conflicting in the first instance [illegible]125 to $750 per acre and in the second instance [illegible]250 to $5,000 per acre. In estimating the value question many things must be taken into con- the land was isolated from the City the only o it being way of Point Ellice bridge and the by ferry across the harbour.

nce shows the lands to be of little or ial purposes the only portion that could al value whatever being that part front- ch forms part of what might be called a at high tides is surrounded with water the Main Reserve. Before it could be uch money would have to be expended lands in question, other than the parties to have a value as be of such a character that

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

its value cannot be determined on any basis of inco
property. It is also in evidence that the land being
of an Indian Reserve and surrounded by Indian huts its val
even for residential purposes is greatly reduced.

As the lands comprising the right of way are of different classifications we have for the purpose of this valuation divided it into four sections A.B.C. & D,as indicated on the accompanying plan.

Section A contains 2 acres and is the Western portion of th right of way. It is arable land but somewhat wet and requires draining,immediately in front of and adjoining this portion is the Indian Pest House and the Indian burial ground.

Section b contains 2.60 acres and is all rock with the exception of a small portion at the Eastern end which consits of soil having a slope eastward to section C tidal lands. The rock is on the southern slope of a high rocky ridge is not desirable even for building purposes.

Section C contains 1.50 acres and ismlands subject to o at high water.

Section D contains .81 acres. It rises about twe at the water line and slopes off to the westward tidal lands. This could be used for commercial such as wharves ar warehouses,but even before it placed to such purpose considerable money would expended on it to adapt it for commercial purpos

In arriving at our values we do so in the first the assumption that the whole Reserve is the pro individual owner and that the Indians and their are removed therefrom. In the second instance a certain percentage of such values for depre consequence of the lands being portion of an I and practically surrounded by Indians.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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The following is a summary of our values:-

Section A contains	2 acres	at $750	per acre	$1500
" B "	2.06	" $300	"	780
" C "	1.50	" $100	"	150
" D "	.81	$1250	"	1012.50
	6.91 acs			$3442.50
Deduct 30 per cent for Indian Reserve Lands				1032.75
Amount to be paid by Railway Company				$2409.75

We find that the inconvenience and damage suffered or sustained by reason of the Company taking possession of and using the lands through which the railway passes fully offset by the increased value which attached to/the said lands by reason of the passage of the railway through the same and by reason of its construction.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

1930

Ottawa, 29th December, 1899.

Memorandum: Mr. Smart,

The Minister has accepted the award of the arbitrators in the matter of the land occupied for right of way on the Songhees Reserve by the Esquinalt and Nanaimo Railway Company. This fact should be noted by the Department and a copy of the award which is placed herewith filed.

LAND BRANCH JAN 2 1900

INDIAN AFFAIRS. DEPARTMENT JAN 1899

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

19457 1/2

D 44 10

Private Londr.

193642

DEPARTMENT OF INDIAN AFFAIRS
JAN 18 1901

Ottawa. 16th January 1901

Sir,

Re Songhees Indian Reserve.

I have received a letter from Mr. Davis, Q.C. stating that although the award is against us in this case and the other party will be entitled to costs under ordinary circumstances he presumes that no costs can be obtained from the Crown if the Crown does not choose to pay them, the matter being one of statute, and the statute not specifically mentioning the Crown. Mr. Davis states that he certainly does not think it is a case where the Crown should pay anything which it is not obliged to pay.

Will you be good enough to inform me as soon as convenient - so that I may instruct Mr. Davis - whether in these circumstances you desire him to resist the payment of costs?

I have the honour to be,

Sir,

Your obedient Servant.

E. Newcombe

D.M.J.

The Secretary,

Department of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

Department of Indian Affairs.

Immediate

Ottawa, 16 — 1 — 1912

Sum Clerk please see letter 193642

Lands Please see 193627.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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193856

File 19451.

Ottawa, 17th January, 1900.

Memorandum:- The Minister.

Re Songhees Reserve.

Annexed hereto is a letter of the Deputy Minister of Justice, dated 16th instant, which, I think, calls for your decision. I agree with the opinion of Mr. Davis as therein stated; but I also think that unless some arrangement with regard to costs be made with the E. & N. Railway Company, that Company will not pay the amount of the award until proceedings are taken to enforce it. Section 35 of the Indian Act seems to me to give to the Superintendent General discretionary powers generally with regard to the terms of settlement of compensation.

193857

As the award is a recital in the agreement above referred to I do not see how we can enforce payment.

E. Smith Pinnet

Law Clerk.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

19451-1A Temporary.

LAND BRANCH
JAN 22 1900

Ottawa, 20th January, 1900.

Sir:-

Re Songhees Indian Reserve.

In reply to your letter of 16th instant I have the honour to inform you that the Superintendent General considers that as the award is against the Crown the Crown should pay taxed costs.

LAND BRANCH
JAN 26 1900

I am, Sir,

Your obedient servant,

J. D. McLEAN

Secretary.

E. L. Newcombe, Esq., Q. C.,
Deputy Minister of Justice,
Ottawa.

smo'

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
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CANADA

44 B

19451

194123

Ottawa. 29th Jan 1900 189

Re Songhees Indian Reserve.

Sir,

I have the honour to state that I have received a report from our agent in this matter from which it appears that all the litigation has now been finished and that if we desire to have the papers returned he will send them back. It is stated in the report that the Railway Company will probably pay the money into court to be paid out upon order, and our agent desires to know whether this would be satisfactory or whether we desire to have the railway company turn over this money to the Department, receiving in exchange therefor a conveyance of the land in question. Would your Department be willing to have such a conveyance executed ? Please send me instructions at your early convenience.

Your obedt servant

D.M.J.

The Secretary

Indian Affairs Department.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

19451 194137

L. 60 W

British Columbia,

Indian Superintendent's Office,

Victoria 22nd January 1902

Sir,

I have the honour to acknowledge the receipt of your letter of 18th ultimo - No. 19,401, in reference to the creation of fences on each side of the Esquimalt and Nanaimo Railway which passes through the Songhees Reserve and to inform you that upon its receipt the Secretary of the Company was communicated with, as directed, on the subject, but as yet I have received no written reply. I may state, however, that in course of conversation the Secretary has once informed me that Mr Dunsmuir, when his attention was called to the matter by the Secretary, said that he was quite willing to comply with the request if limited upon it also he did not think it necessary - that the Secretary must be and better inform me to that effect in writing which he has not

The Secretary
Dept. of Indian affairs
Ottawa

LAND BRANCH MAR 7 1902

DEPARTMENT OF INDIAN AFFAIRS. 1902

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

not been good enough to do.
as yet.

I have applied to
the Surgeon Chief, Cooper,
that the matter is being
attended to and the Indians
are satisfied.

I have the honour to be
Sir
Your Obed^{t} Serv^{t}
A. W. Vowell
Indian Supt. B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,451-1A Ty.

LAND BRANCH
FEB 7 1900

Ottawa, 5th February, 1900.

Sir:-

Re Songhees Indian Reserve.

In reply to your letter of 28th ultimo I have the honour to inform you that the Department does not desire the amount of compensation to be paid into Court. Under the Consolidated Railway Act, 1879, such a proceeding only appears to be necessary when conveyance of the land is refused, and the parties entitled to convey cannot be ascertained. Unless you otherwise advise the Department would be quite prepared to procure the issue of the patent in the same way as in other cases. Under Section 9, Clause 37 of the Consolidated Railway Act there appears to be no question that the amount of compensation is payable to the Superintendent General for the use of the Indians. I shall be glad to have all the papers returned as soon as possible.

I have the honour to be,

Sir,

Your obedient servant,

J. D. McLEAN

Secretary.

E. L. Newcombe, Esq., Q. C.,
Deputy Minister of Justice,
Ottawa.

enc'

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
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CANADA

Copy to be put on 19451 21

19451-2

195629

INDIAN AFFAIRS. DEPARTMENT OF JUSTICE. MAR 9 1932

THE DOMINION GOVERNMENT (DEPARTMENT OF JUSTICE)

TO

E.P.DAVIS.....DR.

1899.	RE SONGHEES INDIAN RESERVE.		
May 25-	To retainer herein (as arranged)	$ 100.00	
30-	To perusing Government File No.19451, 600 Folios.....	30.00	
31-	Letter to Deputy Minister of Justice advising re arbitrators and Dominion title to Indian Reserve.....	1.00	
	Further letter to Deputy Minister of Justice re proceeding with arbitration,	1.00	
	Letter to Messrs.Bodwell & Duff asking them to give the necessary notice and proceed with arbitration.....	1.00	
	Letter to agents in Victoria- Messrs. Drake,Jackson & Helmcken,asking them to make necessary searches and ascertain date when plans were filed by the E.& N. Railway Company.....	1.00	
June 3-	Received letter from agents at Victoria advising us that no plan or book of reference had been filed at Victoria by the E.& N. Ry. CO.and sending memo of their charges.....		
	Letter to them enclosing fees....	1.00	
	Cash paid amount of their bill.....		4.00
	Letter to the Deputy Minister of Railways at Ottawa asking as to date on which E. & N. Ry. Company filed their map and book of reference and for further information.....	1.00	
		$ 136.00	$ 4.00

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	Forward.....136.00		4.00
June 10-	Instructions to sue.....	2.00	
	Preparing writ of summons.....	2.00	
	Cash paid issuing same.....		.50
	Copy for service.....	1.00	
	Copy for affidavit of service...	1.00	
.50	Letter to Messrs. Davie, Pooley & Luxton Solicitors for the E.& N.Ry. Co.enclosing writ and asking them to accept service.	1.00	
50 " 16-	Received letter from Messrs. Davie,Pooley and Luxton re appearance to writ,		
	Letter to them in reply	1.00	
50 " 20-	Attending on Mr. Luxton at his office in Victoria and arranging with him as to return of writ of summons.....	1.00	
" 21-	Letter to Messrs. Davie, Pooley & Luxton that writ must be served by 1st. of July unless arbitration agreed to by their clients.....	1.00	
July 12-	Having received letter from Messrs. Davie Pooley & Luxton suggesting that question of price be arranged with the Government and leave be given by the Government to perfect Company's title.....		
	Considering same and long letter to them in reply.....	1.00	
.50	Letter to Messrs. Bodwell & Duff at Victoria, enclosing writ of summons and copy for service on the Company,	1.00	
" 14-	Having received letter from Bodwell & Duff, enclosing writ.....		
.50	Letter to them enclosing their fees	1.00	
	Cash paid them their charges re service of writ.....		2.02
" 15-	Received letter from defendants' solicitors asking us to make an offer,		
	Letter to them in reply re our position as to arbitration..	1.00	
2.00		$150.00	$6.52

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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		Forward.....150.00		6.52
2.00	July 20-	Received notice of entering appearance,		
		Attending to examine and sign admission,	.50	
		Received letter from Department containing memorandum from J.D.McLaren, also fromal appointment of Mr.F.G.Richards of Victoria as arbitrator on behalf of the Indian Department.....		
		Perusing letter and documents and letter to Department in reply acknowledging and stating that the Railway Company desire to know what price the Government set on land in dispute.....	1.00	
	Aug. 8-.	Received letter from Department enclosing papers.....		
.20		Letter acknowledging receipt of same -	1.0$	
	Sept.11-	Instructions for statement of claim -	2.00	
		Drawing statement of claim -	2.50	
		Counsel fee settling and revising same- of claim	10.00	
	" 12-	Making copy Statement to file-	.60	
		Attending to file Statement of claim and paid.....	.50	.10
		Copy statement of claim to serve	.60	
		Attending to serve and get admission	1.00	
	13-	Praecipe and attending to amend statement of claim.....	1.00	
		Paid.....		.30
.50	Oct. 4-	Letter to defendants' solicitors asking them to file statement of Defence at once.....	1.00	
	6-	Received letter from Messrs. Bodwell & Duff proposing arbitration....		
		Perusing same and long letter to them in reply agreeing to same arbitrate, but that notice of arbitration must be delivered on or before 11th.	1.50	
3.00			$ 173.20	$ 6.92

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		Forward.....	$173.20	$6.92
3.00	Oct. 7-	Received telegram from Messrs. Bodwell & Duff asking if necessary that Defence should be delivered on Monday,		
		Attending to wire them in reply....	1.00	
	" 9-	Attendance on Mr. Bodwell and arranging for expropriation notice to be served on Thursday following,.....	1.50	
	18-	Received plan and notice re expropriation		
		Attending to sign admission.....	.50	
		Drawing notice appointing arbitrator	.50	
		Copy to serve.....	.25	
.20		Letter enclosing same to Messrs. Davie, Pooley & Luxton for service...	1.00	
		Letter to arbitrator at Victoria advising him that notice had been given and asking him to arrahge date for holding arbitration suitable to Mr. Davis,	1.00	
	Nov. 6-	Received letter from Mr. Richards, re appointment of a third arbitrator...		
		Letter to him in reply....	1.00	
	" 11-	Attending on Mr. F.C.Richards in Victoria and long interview with him respecting the appointment of third arbitrator, and time for taking evidence.....	5.00	
	" 17-	Letter to Messrs. Bodwell & Duff arranging re appointment of third arbitrator and as to date of hearing.....	1.00	
	" 21-	Received telegram from Messrs. Bodwell & Duff, asking if the 27th. November would suit for arbitration,		
		Attending to wire them agreeing to 27th.	1.00	
		Letter to them re same.....	1.00	
	" 22-	Letter to Mr. J.B.McKilligan, Victoria, re obtaining evidence, etc.....	1.50	
		Counsel fee advising on evidence,..	25.00	
3.50			$ 215.95	$6.92

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KODAK SAFETY FILM

		Forward.....	213.95	6.92
3.50	Nov.27-	Counsel fee to Mr. Davis attending at Victoria obtaining evidence and attending on arbitration, engaged 5 1/2 full days, at $50. per day as arranged.....	275.00	
		Cash paid expenses.....		40.00
.50		Letter to Mr. Beaumont Boggs, for his account.....	1.00	
.50		Do. to Mr. A.W.Jones.....	1.00	
	Dec. 4-	Long letter to Deputy Minister of Justice, reporting and advising re evidence given on arbitration...	1.00	
.50	" 5-	Letter to Mr. Jones at Victoria asking for copy of evidence...	1.00	
		Received letter from Messrs. Davie, Pooley & Luxton enclosing copy of letter which they propose to hand tp arbitrators,		
		Letter in reply objecting to their doing so.....	1.00	
	" 7-	Received letter from Messrs. Davie, Pooley & Luxton re stenographers fees.		
.50		Letter to them re same.....	1.00	
		Long letter to Deputy Minister enclosing various accounts for witnesses and asking for cheques to cover same.....	1.00	
	" 8-	Received evidence from Victoria...		
		Paid expressage on same.....		.25
		Letter to Davie, Pooley & Luxton asking as to arrangement with stenographer re evidence.....	1.00	
	" 11-	Received letter from Mr. Richards stating that award ready to be given out on payment of $ 375 amount of arbitration fees,		
		Letter to him re same.....	1.00	
.50		Letter to Deputy Minister of Justice, enclosing copy of Mr. Richard's letter and asking for instructions.....	1.00	
6.00			$ 498.95	$47.17

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		Forward.....$498.95		47.17
6.00	Dec.13-	Received letter from Mr. Richards stating that award had been taken up by the E. & N. Railway Company.....		
.50		Letter to him re same.....	1.00	
		Letter to Messrs. Davie,Pooley & Luxton asking them for copy of award	1.00	
.50	" 16-	Received copy award,		
		Letter to Messrs. Davie, Pooley & Luxton re same.....	1.00	
		Making copy of award to send to Deputy Minister,- 12 folios.....	1.20	
		Letter to Deputy Minister enclosing copy of award and giving reasons for appeal,.....	1.00	
.30	" 21-	Letter to Messrs. Davie,Pooley & Luxton,returning extra copy of evidence.....	1.00	
		Instructions for appeal	2.00	
		Drawing notice of appeal.....	1.00	
		Counsel fee settling and revising same	5.00	
		Copy notice of appeal to serve...	.60	
		Attending to serve notice of appeal and get admission.....	1.00	
		Instructions for brief on appeal..	5.00	
		Preparing brief on appeal- 506 folios	52.10	
		Preparing five appeal books,2530 fols. in all.....	253.00	
	" 29-	Received telegram from Deputy Minister of Justice asking us to abandon appeal-		
		Attending to wire Messrs. Davie, Pooley & Luxton re same.....	1.00	
		Cash paid same.....		.30
	" 30-	Received letter from Deputy Minister enclosing cheque in full of witness fees,		
		Letter to him acknowledging.....	.50	
		Letter to Deputy Minister advising re costs of appeal already incurred,&c	1.00	
7.50			$337.35	$47.47

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

195629

		Forward.....	$827.35	47.47
7.50	Jany.2-	Letter to Messrs. Bodwell & Duff enclosing cheques and receipts for		
.50		various witnesses.....	1.00	
		Drawing five receipts to accompany same.....	1.00	
		Cash paid Messrs. Bodwell & Duff their fee in connection with paying witnesses and obtaining receipts.....		7.00
.50		Not having received receipt from D.R.Harris.....		
		Letter to Bodwell & Duff asking for same.....	1.00	
.50	" 4-	Drawing notice of abandonment of appeal and copy.....	.50	
		Letter enclosing same to Victoria for service.....	1.00	
	" 10-	Letter to Department re costs...	1.00	
	" 16-	Letter to Messrs. Bodwell & Duff asking if defendants will pay our costs.....	1.00	
.50	" 17-	Letter to Messrs. Davie, Pooley & Luxton re costs.....	1.00	
1.00	" 18-	Letter to Department asking if we shall return files and as to mode of payment of money.....	1.00	
.50	- Feb. 7-	Letter to Department returning all papers.....	1.00	
			$ 836.85	$54.47
10.50			54.47	
			$ 891.32	

Vancouver, February 7th., 1900.

Our bill.

(Sgd) E.P, Davie.

Feb. 26th.1900.

I hereby certify that I have examined this acc't. and taxed the same at the sum of....$ 880.82.

(Sgd) E.L.Newcombe.

Dep- Minister of Justice.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44 B C

195232

INDIAN AFFAIRS. DEPARTMENT OF FEB 27 1900

Ottawa, 26th Feb 1900 189

1 Acct
2 Letter Clerk

Songhees Indian reserve :

ACCOUNTANT'S BRANCH FEB 27 1900

Sir,

I have the honour to enclose herewith the account of Messrs Davis, Marshall & McNeill certified for $880.82, and am to request you to send me a cheque in payment of this amount. I also return all the papers relating to the matter.

Enc
Returned under Sep Cover

I am

Your obedt servant

D.M.J.

The Secretary

Indian Affairs Department.

o/c 51
Ptd
1/3/1900
2609
5 March

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,451-2.

Ottawa, 6th March, 1900.

LAND BRANCH
MAR 7 1900

Sir:-

Songhees Indian Reserve.

Referring to your letter of the 28th ultimo in relation to Messrs. Davis, Marshall & McNeill's account, I have the honour to draw your attention to the fact that this Department has not yet received payment of the amount awarded by the Arbitrators against the E. & N. Railway Company. I am to request you to ascertain from the Solicitors named the cause of the delay in settlement. In this connection I may refer to Department's letter of 5th ultimo to you.

I have the honour to be, Sir,

Your obedient servant,

J. D. Mc[illegible]

Secretary.

E. L. Newcombe, Esq., Q. C.,
Deputy Minister of Justice,
Ottawa.

smo'

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44 B

19451-2

Ottawa, 7th March 1900. 189

Songhees Indian Reserve.

Sir,

Referring to your letter of the 6th inst I have the honour to state that I received a report on the 27th ulto from our agent in which he states that he communicated to the solicitors of the company the fact that the Crown was prepared to grant letters patent to the land in question upon the company paying to the Minister of the Interior the amount awarded, and he asked the solicitor to let him know at once if this would be satisfactory. I presume the company will notify him within a few days. In the meantime you might send me a cheque in payment of Messrs Davis Marshall & McNeill's account, as they are entitled to it without waiting for the compensation money to be paid over by the company.

I am

Your obedt servant

The Secretary

Indian Affairs Department.

D.M.J.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

195939

Esquimalt And Nanaimo Railway Co.

Victoria B.C. 7th March, 1900.

A.W. Vowell Esq
Indian Superintendent
British Columbia
Victoria B.C.

Sir

I have the honour to acknowledge receipt of your letter of the 5th instant referring to to your letter of the 2nd of January last with reference to the fencing of the Songhees Indian Reserve by the Esquimalt and Nanaimo Railway Company.

I referred your letter to the President, Mr James Dunsmuir, and he has instructed me to reply that he has had the matter of fencing the Reserve carefully considered, and he is of the opinion that the animals belonging to the Indians and the publick who make a very great, and general use of the railway track for walking purposes would be better safeguarded by not fencing the line, as the Engineers of the Company are strictly enjoined to proceed through the Indian Reserve at a very slow pace, so that any foot-passengers using the line may have ample opportunity of getting off the right of way, and any animals belonging to the Indians that have strayed on the line, may have every opportunity of escaping.

Should

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

195939

Should the line be fenced and any animals from any cause get on to the right of way with a fence on either side they would become so confused by the approach of an engine and cars that there would be a great probability of their being injured,

However I am instructed to say that if you insist upon the work being done, the fence will be constructed as soon as possible

Your's truly
(sgd.) Chas E Pooley
Secretary Esquimalt & N.
Nanaimo Railway Company

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

195939

22152-21 E+N
Vol 2

Cowichan Agency, B. C.,

Indian Office,

634 J. Quamichan, March 8th 1900.

Sir:-

I have the honor to submit for your information that at the request of the Songhees Indians I held a meeting of that band on the evening of the 5th instant at which resolutions were passed asking that the Department authorize the expenditure therein named for the purpose of erecting fencing on their reserve as well as for the purchase of 1 set of harness and a waggon, also a Canadian Flag.

I would recommend that, in each case, the outlay requested to be incurred be authorized. The fencing will prove of benefit to the Indians in preventing trespass by cattle, dogs, etc. on their reserve and will keep the Indians' horses and cattle within the bounds of the reserve. The harness and wagoon will

OFFICE OF INDIAN SUPERINTENDENT MAR 9 1900 B.C.

A. W. Vowell Esqre.,

Indian Superintendent,

Victoria, B. C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

will be utilized in hauling wood from the sea-beach for the various members of the band, in carrying hay from their fields to the barns and in carrying refuse from the vicinity of the Indians' houses.

The band regret the fact that they have no flag to hoist on appropriate occasions and would be much pleased were the Department to consent to the expenditure required to secure one. The approximate cost of the fencing, waggon and harness and flag will be found annexed.

I have the honor to be

Sir,

Your Ob't. Servant,

Wm MacLaughlin

Acting Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

195939

(3)

Cost of [redacted] Waggon, Harness and Flag for Songhees Indians of Cowichan Agency, B. C.

These items are cancelled being unnecessary see letter from Secretary of the E and N Railway Company herein & Thakur

2550	feet of lumber required for fencing in a portion of the Songhees Indian Reserve, Victoria, opposite Chief Michael Cooper's house, length of fence to be 450 feet. Fence desired is one 5 boards high (4 feet, 9 inches) supported by stout cedar posts set 8 feet apart and the boards to be firmly nailed thereto by 3 inch nails and a board 6 inches wide to be well nailed against the five boards in front of each post, 2550 ft. of rough lumber 6 inches wide at $8.00 per thousand feet ---	$20.40
60	Cedar Posts at 10 cents each ----------	6.00
1	100 lb. keg of 3 inch Nails ----------	5.00
2	Extra heavy Hinges for 1 gate required ---	1.75
1	Lock and lock fixtures for gate ----------	1.50
	Allowance of $10.00 for purchase of provisions for Indians whilst engaged in work of erecting fence.	10.00
1	Waggon with 3 inch tires, box and brake	$100.00
1	Set of double waggon Harness, complete.	35.00
1	Canadian Flag 10 feet, 6 inches X 5 feet 3 inches, complete with halyards.	7.50
		187.15

Wm. Macdaughlin
Acting Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Minutes of a meeting held by the Songhees Indians in the school-house on the Songhees Indian Reserve on the evening of March 5th 1900 at which the Acting Indian Agent, Wm. MacLaughlin, was present -

Moved by George Cheetlam, seconded by Sam Kulamult and resolved that a 5 board fence be erected by the Songhees Indians on that portion of the Songhees Reserve opposite Chief Michael Cooper's house, so as to prevent trespass by the cattle of whitemen on our reserve and to keep our stock within the bounds of the reserve, the cost of erecting the said fence to be taken from the funds to our credit in the hands of the Department and we estimate the cost of the said fence to be $44.65

Moved by Peter Whaoth, seconded by August Jackson and resolved that a 3 inch tire Skein Waggon, with a box and a brake, and suitable for hauling wood, hay and for the purposes of the reserve generally and to cost $100.00, be supplied us also a set of double harness complete, costing $35.00, payment for the same to be made from the funds of the band in the hands of the Department.

Moved

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(5)

Moved by Chief Michael Cooper, seconded by Sam Kulamult and resolved that a Canadian Flag 10 feet, 6 inches X 5 feet, 3 inches, complete with halyards and costing $7.50 be supplied us, the cost of the same to be taken from the funds to our credit in the hands of the Department.

Wm. Macdaughlin
Acting Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

195939

362 M 3 **British Columbia,**

Indian Superintendent's Office,

DEPARTMENT OF INDIAN AFFAIRS. MAR 21 1900

Victoria 16th March 1900

ACCOUNTANTS MAR 20 1900 BRANCH.

Sir

I have the honour to submit herewith Mr Acting Agent MacLaughlin's letter dated 8th instant covering a Requisition made by the Songhees Band of Indians in Council assembled for the grant of certain sums therein mentioned to be taken from funds standing to the credit of the Band with the Department.

In connection with the aid called for towards erecting a fence along the right of way of the Esquimalt and Nanaimo Railway running through the Songhees Indian Reserve I beg to state that the President of the Company Mr Jas Dunsmuir has promised to have such a fence placed there at an early date. A copy of a letter Letter from the Secretary of the Company dated 7th instant is herewith forwarded and I would add that he has been requested to have the fence completed as soon as posible

In view of these facts I would recommend that no action be taken in respect to the Supplies requested for the fencing mentioned and that the other three items for Waggon, Harness and Flag be favourably considered

I have the honour to be
Sir
Your obedient Servant
A. W. Vowell
Indian Superintendent BC

The Secretary
Department of
Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

10451/3

22152-21 E+N
vol 2

Ottawa, 31st March, 1909.

303/M /3

Sir,

Referring to your letter of the 10th instant, with enclosures, I beg to inform you that the Department approves of the purchase of a waggon , set of double harness ,and also of a Dominion Flag for the Songhees Indians.

With regard to the other matter ,viz the fencing of the Reserve along the right of way of the Esquimault and Nanaimo Railway ,to which reference is made by Mr Agent MacLaughlin ,I beg to say that in view of Mr Pooley 's letter , and your report thereon, the Department does not consider it necessary for the Department to incur on behalf of the Indians ,any expenditure in this direction.

Your obedient servant.

J.D. McLean

Secretary.

A.W. Vowell, Esqr,
Indian Supt,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451-2 196019

385 M's

British Columbia,

Indian Superintendent's Office,

Victoria B.C. 14th March 1900

ACCOUNTANT'S BRANCH MAR 22 1900

Sir

In further reference to the Requisition from the Songhees Indians forwarded under cover of my letter dated 10th instant and more especially in respect to the items for fencing material therein contained amounting to $44.65 I have the honour to explain that in subsequent correspondence with the acting Indian Agent I ascertain that the ground proposed to be inclosed therewith is not connected with the E and N Railroad right of way I beg therefore to withdraw my Requisition thereof and would recommend that the Indians' request be allowed The items included in this connection are as follows :-

2530 ft B.M. rough lumber 6 x 1 @ $8.00 per M	20.40
60 Cedar Posts at .10	6.00
1 Keg nails 3 ins (100 lbs)	5.00
2 Extra heavy Hinges for 1 gate required	1.75
1 Lock and Lock fixtures for gate	1.50
Allowance of $10.00 for purchase of provisions for Indians whilst engaged in work of erecting fence	10.00
	$44.65

I beg herewith to enclose duplicate of the Act'g Agents letter dated 12th instant explaining the location of the ground proposed to be fenced

I have the honour to be
Sir
Your obedient Servant
A. W. Vowell
Indian Superintendent B.C.

The Secretary
Department of
Indian Affairs
Ottawa

362 M's

660 J

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA.

196019

(N)

Cowichan Agency, B. C.,

660 J. Quamichan, March 12th 1900.

Sir:-

I have the honor to acknowledge the receipt of your letter of the 10th instant, No. 364. M. 3. and with respect to that portion of it relative to the items for fencing a portion of the Songhees Indian Reserve would state that the proposed fence has no connection with the fencing which the Indians previously asked (see my letter of the 23rd of November last) to have erected for them along the line of the Esquimalt & Nanaimo Railway. The fence now desired by the Songhees Indians is intended to inclose a piece of ground opposite Chief Michael Cooper's house. In this connection I would respectfully refer you to page 3 of my letter of the 8th instant, No. 634 J. Referring to the latter part of your letter in which you state that it would have been well to advise the Indians that there was a likelihood of the E. & N. Railway Company building the fence along its line passing through the

OFFICE OF INDIAN SUPERINTENDENT B.C. MAR 1900

W. Vowell Esqre.,

Indian Superintendent, B. C.,

Victoria, B. C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

the Songhees Reserve I may state that I advised them to that effect - as you requested me to do - at the meeting held in their school house on the evening of the 5th instant,and the meeting expressed its appreciation of your efforts in this respect.

I have the honor to be

Sir,

Your Ob'dt. Servant,

Wm. MacLaughlin

Acting Indian Agent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451 /3

22152-21 E+N vol 2

383/M 3 Ottawa 26th March, 1900.

Sir,

Referring to your letter of the 14th instant, with enclosure, in further reference to the request of the Songhees Indians to be allowed to incur an expenditure of $44.65 in the purchase of fencing material ,I beg to inform you that in view of the representations which you now make in the matter ,the Department approves of the fencing material being bought ,in order that a fence may be erected around the piece of ground opposite Chief Michael Cooper's house.

Your obedient servant.

D. McLEAN

Secretary.

A.W. Vowell, Esqr.
Indian Supt,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Duplicate.

Voucher No. _____

Date of Payment _____ 1900.

DEPARTMENT OF INDIAN AFFAIRS,

British Columbia.

W. Duncan.

Service Harness supplied to destitute Songhees Indians

$ 35 00/100

A W Vowell
Indian Superintendent.

Cowichan
Agency.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Implements & Seeds.

Voucher No. 652 Vote No.

GOVERNMENT OF DOMINION OF CANADA.

Authority No. 19,45½ dated 21st 1900

DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

Cowichan Agency.

To W. Duncan

Victoria, B.C., April 24th 1900

Mr Indian Department Quamichan B.C.

Bought of **W. Duncan,**

DEALER IN

Harness, Saddles, Trunks and Valises

Curry-Combs, Brushes, Whips, Blankets, Robes, Shawl Straps, Etc.

Terms Cash. 92 Douglas Street.

April	10	To 1 S.t Double Harness including Buckles Lines Collars & Breechings		35	00 ✓
	Duplicate				
				35	00 ✓

I hereby Certify that this Voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also, that all the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada.

Indian Agent.

APPROVED,

Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Duplicate.

Voucher No. _____

Date of Payment _____ 1900.

DEPARTMENT OF INDIAN AFFAIRS,

British Columbia.

Service Sped Bros. provisions supplied to destitute Songhees Indians whilst erecting fence.

$ 10 00

A.W. Vowell
Indian Superintendent.

Cowichan
Agency.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Relief 98262

Voucher No. 651. Vote No.

GOVERNMENT OF DOMINION OF CANADA.

Authority No. 1945 1/2, March 26/1900 Mar 29/1900

DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

Cowichan Agency.

To Speed Bros.

Folio.

VICTORIA, B. C., May 1st 1900

M Indian Dept

Bought of **SPEED BROS.,**

GROCERS AND PROVISION MERCHANTS,

Duplicate

Telephone 178. Corner Fort and Douglas Sts.

April	For 17	Songhees Indians To 50# Potatoes 75 17# Sugar 100 31# Bread 150 30# Rld Oats 100 3# Coffee 75 3# Tea 75 3# Butter 75 5# Rice 25 40# Fresh Beef 305		10	00 ✓
				10	00 ✓

I hereby Certify that this Voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also, that all the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada.

Indian Agent.

APPROVED,

Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Duplicate.

Voucher No. .....

Date of Payment ..... 1900.

DEPARTMENT OF INDIAN AFFAIRS,

British Columbia.

E B Marvin & Co.

Service Hardware supplied to destitute Songhees Indians

$ 15 75/100

A. W. Vowell
Indian Superintendent.

Cowichan
Agency.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19826½

Implements & Seeds

Voucher No. 650. Vote No.

GOVERNMENT OF DOMINION OF CANADA.

Authority No. 19,451/2 dated March 26/1900

DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

Cowichan Agency.

To E. B. Marvin & Co

SHIP CHANDLERY, TENTS, FLAGS, ETC., ETC.

P. O. DRAWER 27.
TELEPHONE No. 15.

Victoria, B. C., April 30th 1900

Indian Department

Bought of E. B. MARVIN & CO.,

IMPORTERS OF AND DEALERS IN

Anchors, Chains, Manilla and Hemp Cordage

Tar, Pitch, Rosin, Oakum, | Spikes, Wrought, Spikes, Cut, Nails, Cut, Paints, | Boiled Oil, Turpentine, Lard Oil, Cylinder Oil, | Neats Foot Oil, Machine Oil, Rubber Packing, Hemp Packing, | Asbestos Packing, Tucks Packing, Window Glass, Brushes, | Mixed Paints, Plaster Paris, Lime, Cement, | Fire Clay, Tarred Paper, Roofing Felt, Blocks, Etc.

TERMS: 60 DAYS. AGENTS FOR SKIDEGATE OIL. 74 WHARF STREET.

1	Keg 10d cut Nails		5 —	1
1	pr extra heavy Hinges + Bolts		1 75	1
1	heavy Galv Latch		1 50	1
X 1	Canadian Flag		2 50	1
	10 ft, 6 in x 5 ft. 3 in, complete			15 75
	with halyards			
	For Songhees Indians.			

MAY 1 1900 SUPERINTENDENT INDIAN AFFAIRS B.C.

X Authority No. 19,451/2, March 21/1900.

15. 75

I hereby Certify that this Voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also, that all the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada.

Indian Agent.

APPROVED,

Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Duplicate.

Voucher No. .....

Date of Payment ..... 1900.

DEPARTMENT OF INDIAN AFFAIRS,

~~British Columbia.~~ J.B. Hayward.

Service Lumber supplied to Destitute Songhees Indians

$ 25 20/100

A. W. Vowell
Indian Superintendent.

Cowichan
Agency.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19826

Voucher No. 649. Miscellaneous. Vote No.

GOVERNMENT OF DOMINION OF CANADA.

Authority No. 19457 2 dated March 26/1900.

DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

Cowichan Agency.

To J A Sayward

DATE.	DETAIL.	AMOUNT.

Duplicate

J. A. SAYWARD,

TELEPHONE 25.
P. O. BOX 190.

MANUFACTURER OF AND DEALER IN
LUMBER, LATH, SHINGLES, SPARS, ETC.

LUMBER MERCHANT.

32 CONSTANCE STREET, VICTORIA, B. C. May 4 1900

M Indians Smgua Reserve Dr.
Victoria BC

TERMS
INTEREST CHARGED AFTER MATURITY.
ACCOUNTS RENDERED MONTHLY.

May 2	2 5-10 & 6' Lumber	8M	20	40	
	60 8 Plet pickets		4	80	
					$25 20
				25	20

I hereby Certify that this Voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also, that all the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada.

Indian Agent.

APPROVED,

Approved

Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY FILM

62

198262

SCHEDULE No. 103,669

Authority No. 19,45 1/2, March 21/1900 & No. 19,45 1/2, Mar. 26/1900.

VOUCHER.	IN WHOSE FAVOUR.	CHEQUE No.	AMOUNT. $	c.
	Cheques to be sent as under :-			
	Indian Office, Victoria, B. C.			
649	J. A. Sayward	2892	25	20
650	E. B. Marvin & Co.	3	15	75
651	Speed Bros.	4	10	00
652	W. Duncan	5	35	00

approved
Indian Superintendent, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451 2. 198262

INDIAN AFFAIRS. MAY 1900 DEPARTMENT OF

British Columbia.

66. N. 3.

Indian Office,

Victoria, May 7th 1900.

File No. 19,451/2, March 21st & March 26/1900.

Sir:-

I have the honor to forward herewith for payment sundry Accounts from 649 to 652 - both numbers inclusive - as per enclosed schedule.

I have the honor to be

Sir,

Your Ob'dt. Servant,

ACCOUNTANTS MAY 17 1900 BRANCH.

Indian Superintendent, B. C.

2892 & 2895 Sent 1 May

The Secretary

Department of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Duplicate.

Voucher No. .....

Date of Payment 1900

DEPARTMENT OF INDIAN AFFAIRS,

British Columbia.

Nicholles & Renouf.

Service Waggon & fixtures supplied to destitute Songhees Indians.

$100.00/100.

A W Vowell
Indian Superintendent.

Cowichan
Agency.

1899-1900

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1899-1900 198340

Voucher No. 660 Vote No.

GOVERNMENT OF DOMINION OF CANADA.

Authority No 19,45 ~~42~~, March 21/1900

DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

Cowichan Agency.

To Nicholles & Renouf

Cor. Yates and Broad Victoria, B. C., 7 day 1900

AMOUNT.

The Dominion Government

Bought of **NICHOLLES & RENOUF, Limited.**

Importers of and Dealers in

HARDWARE, IRON, FARM, MILL AND MINING MACHINERY

Telephone 82. P. O. Box 86.

Terms: Interest Charged on Overdue Accounts.

	Indian Department			
	1 Waggon 3 Skein, 3" tire Spring Set, Brake & Box	3		100 00
	544			
	DUPLICATE.			

APPROVED,

Indian Superintendent.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

198340

SCHEDULE No. 103,669

File No. 19,451/2, March 21/1900

Voucher.	IN WHOSE FAVOUR.	Cheque No.	Amount. $	c.
	Cheque to be sent as under:-			
	"Indian Office, Victoria, B.C."			
660	Nicholles & Renouf	"449	100	00

Approved

Indian Superintendent, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451-2

British Columbia.

102 N. 3.

Indian Office, 198340

Victoria, May 10th 1900.

File No. 19,451/2, March 21st 1900.

Sir:-

I have the honor to forward herewith for payment Voucher, in duplicate, No. 660, in favor of Nicholles & Renouf, for the sum of $100.00 for 1 Waggon supplied for the use of the Songhees band of Indians as authorized by your letter of the 21st of March 1900, File No. 19,451/2. The address to which the cheque is to be sent is given on the enclosed schedule.

I have the honor to be

Sir,

Your Ob'dt. Servant,

Indian Superintendent, B. C.

The Secretary

Department of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

O. H. M. S.

The Deputy Superintendent General of Indian Affairs,

Langevin Block,

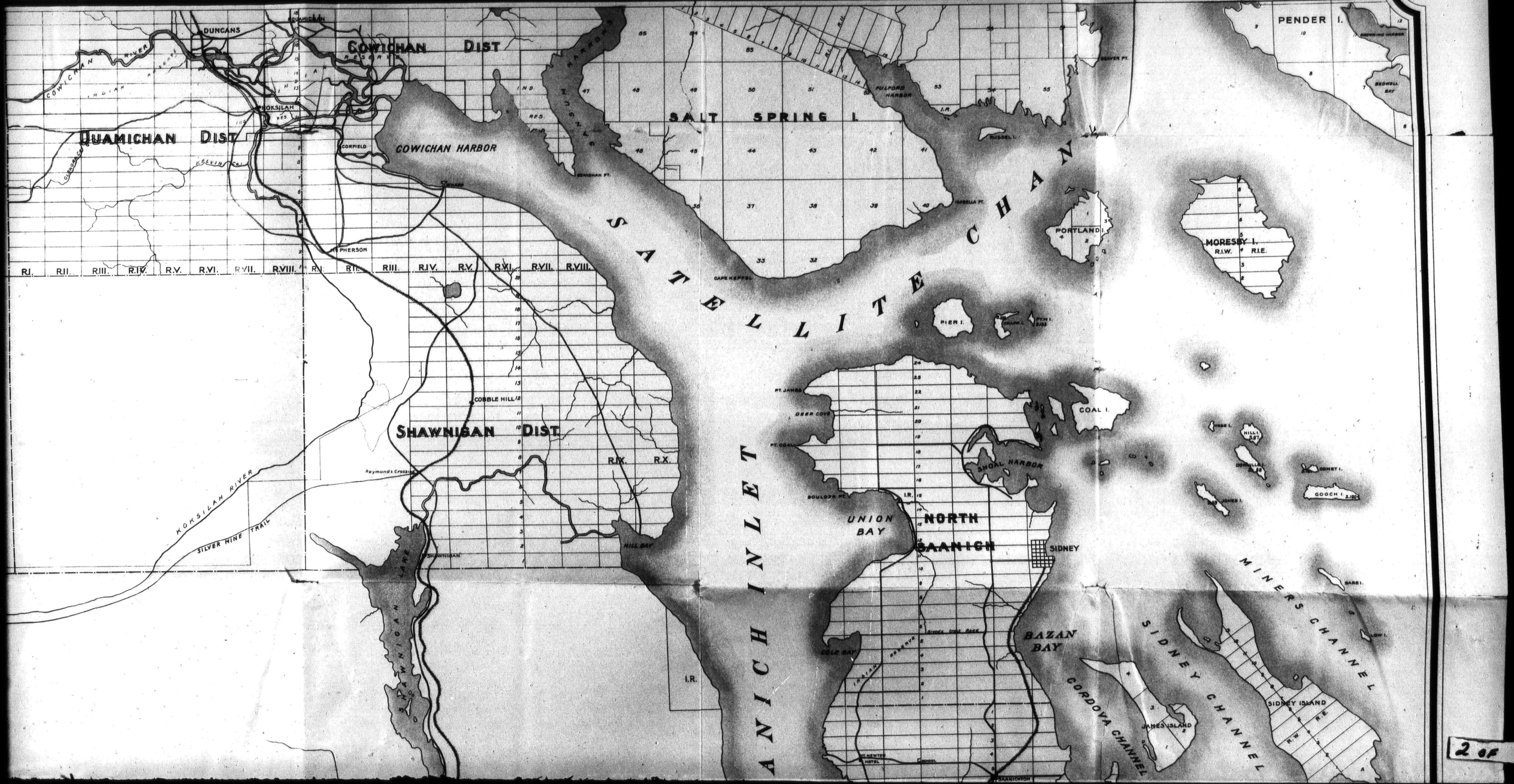
OTTAWA.

DEPARTMENT
OF INDIAN AFFAIRS.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DUNCANS
COWICHAN RIVER
COWICHAN INDIAN RESERVE
COWICHAN DIST
KOKSILAH
QUAMICHAN DIST
CORFIELD
COWICHAN HARBOR
COWICHAN BAY
PHERSON
R.I. R.II. R.III. R.IV. R.V. R.VI. R.VII. R.VIII.
COBBLE HILL
SHAWNIGAN DIST
R.IX. R.X.
Raymonds Crossing
KOKSILAH RIVER
SILVER MINE TRAIL
SHAWNIGAN LAKE
SHAWNIGAN
HILL BAY
I.R.
SALT SPRING I.
FULFORD HARBOR
BEAVER PT.
RUSSEL I.
ISABELLA PT.
CAPE KEPPEL
PORTLAND I.
PENDER I.
MORESBY I.
R.I.W. R.I.E.
SATELLITE CHANNEL
PIER I.
PT. JAMES
DEER COVE
PT. COAL
BOULDER PT.
COAL I.
SHOAL HARBOR
THRUM I.
HILL I. 597
DOMVILLE I. 210
COMET I.
COOCH I. 1,100
JONES I.
I.R.
UNION BAY
NORTH SAANICH
SIDNEY
ANICH INLET
COLE BAY
BAZAN BAY
CORDOVA CHANNEL
SIDNEY CHANNEL
MINERS CHANNEL
JAMES ISLAND
SIDNEY ISLAND
R.I.W. R.I.E.
BARE I.
SAANICHTON
1 OF

201301


DUNCANS
COWICHAN RIVER
COWICHAN INDIAN RESERVE
QUAMICHAN
COWICHAN DIST
RESERVE
KOKSILAH
RES.
QUAMICHAN DIST
CORFIELD
COWICHAN HARBOR
DEWDNEY
KOKSILAH RIVER
McPHERSON
R.I.
R.II.
R.III.
R.IV.
R.V.
R.VI.
R.VII.
R.VIII.
COBBLE HILL
SHAWNIGAN DIST
R.IX.
R.X.
Raymond's Crossing
SILVER MINE TRAIL
SHAWNIGAN LAKE
SHAWNIGAN
HILL BAY
I.R.
SALT SPRING I.
FULFORD HARBOR
BEAVER PT.
RUSSEL I.
ISABELLA PT.
PORTLAND I.
PENDER I.
BROWNING HARBOUR
BROWELL BAY
MORESBY I.
R.I.W.
R.I.E.
SATELLITE CHANNEL
PIER I.
PT. JAMES
DEER COVE
PT. COAL
BOULDER PT.
SHOAL HARBOR
COAL I.
UNION BAY
NORTH SAANICH
SIDNEY
BAZAN BAY
CORDOVA CHANNEL
JAMES ISLAND
SIDNEY CHANNEL
SIDNEY ISLAND
R.IW.
R.IE.
MINERS CHANNEL
GOOCH I.
SAANICHTON

2 of

SAANICH

BAZAN BAY

CORDOVA CHANNEL

SIDNEY CHANNEL

SIDNEY ISLAND

JAMES ISLAND

DARCY I.

COLE BAY

I.R.

SAANICHTON

SOUTH SAANICH

BRANUS I.

MILLS PT.

TURN PT.

MITCHELL PT.

COWICHAN HD.

YOUNG

ELK LAKE

LAKE DIST.

HIGHLAND DIST.

E. & N. R. R.

FINLAYSONS ARM

GOLDSTREAM LAKES

LEECH TOWN

NORTH FORK

LEECH RIVER

SOUTH FORK

SOOKE RIVER

SOOKE LAKE

SOUTHERN BOUNDARY OF ESQUIMALT AND NANAIMO RAILROAD LAND

GOLDSTREAM DIST

OTTER DIST

MT. SHEPHERD

MT. DOUGLAS

GORDON HEAD

MT. TOLMIE

CADBOROUGH BAY

ESQUIMALT

ESQUIMALT HARB.

VICTORIA HARB.

VICTORIA CITY

OAK BAY

ROYAL BAY

II W. I W. I E. II E. II I E. IV E. V E. VI E.

R IV W. R III W. R II W. R I W. R O W.

3 OF

SAANICH

BAZAN BAY

CORDOVA CHANNEL

SIDNEY CHANNEL

CHANNEL

I.R.

COLE BAY

SAANICHTON

SOUTH SAANICH

SIDNEY ISLAND

JAMES ISLAND

DARCY I.

SOOKE LAKE

MITCHELL PT.

TURN PT.

WILLIS PT.

SENANUS I.

II W. I W. I E. II E. II E. IV E. V E. VI E.

CORDOVA BAY

HIGHLAND DIST.

LAKE DIST.

ELK LAKE

GLENORA

FINLAYSONS ARM

E. & N. R.R.

GOLDSTREAM LAKES

LEECH TOWN

LEECH RIVER

SOUTH FORK

SOOKE RIVER

R.IV.W. R.III.W. R.II.W. R.I.W. R.O.W.

GOLDSTREAM

GOLDSTREAM DIST.

SOUTHERN BOUNDARY OF ESQUIMALT AND NANAIMO RAILROAD LAND

OTTER DIST.

MT. SHEPHERD

ESQUIMALT

ESQUIMALT HARBOUR

VICTORIA HARBOUR

VICTORIA CITY

MT. DOUGLAS

MT. TOLMIE

GORDON HEAD

CADBOROUGH BAY

CADBORO PT.

OAK BAY

BEACON HILL PARK

GONEALES PT.

ROYAL OAK

HAYWOOD PO.

4

MAP
OF THE
South-eastern Districts
VANCOUVER ISLAND

COMPILED BY DIRECTION OF
THE HONOURABLE G.B. MARTIN
CHIEF COMMISSIONER OF LANDS AND WORKS

1895

SCALE
CHAINS 40 30 20 10 0 2 MILES

COMPILED AND DRAWN BY
G.E. JORGENSEN, C.E.

THE COLONIST LITHO. VICTORIA, B.C.

5 OF

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MAP
OF THE
South-eastern Districts
VANCOUVER ISLAND

COMPILED BY DIRECTION OF
THE HONOURABLE G.B. MARTIN
CHIEF COMMISSIONER OF LANDS AND WORKS

1895

SCALE
CHAINS 0 10 20 30 40 50 60 70 80 0 1 2 3 MILES

COMPILED AND DRAWN BY
G.E. JORGENSEN, C.E.

THE COLONIST LITHO. VICTORIA, B.C.

Indian Affairs. (RG 10, Volume 7870, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

201301

H. MAURICE HILLS,
Barrister-at-Law,
Solicitor and Notary Public.

VICTORIA,
BRITISH COLUMBIA.

7th April 1900

J. D. J. McKenna Esq.
Department of Interior
Ottawa.

Dear Sir,
I am directed by Lt. Indian Commissioner to forward to you their plan of the Forks Eastern part of Vancouver Island on which are coloured in red Sections 52. 53. 60. 61. 62 & 66 Nanaimo District — together with a declaration by H. H. Parker of the character of their forests. If any particular information not covered by this declaration is required I shall be glad if you will inform me.

Yours faithfully
H. Maurice Hills

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

R.E.

SUPERINTENDENT GENERAL OF INDIAN AFFAIRS CANADA

Ottawa, 3rd May, 1900.

Dear Sir,

I beg to acknowledge the receipt of your note of the 22nd ultimo and the plan and papers enclosed therein respecting a certain tract of land in Metchosin District. I do not think it would be possible to take any action in the matter until the return of the Hon.Mr.Sifton from Europe.

Yours very truly,

(Sd) J. A. J. McKenna

Private Secretary.

H.Maurice Hills,Esq.,
Barrister, etc.,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

201360

R.E.

Ottawa, 3rd May, 1900.

Memo: Acting Supt. General,

When Mr. Bodwell was here he discussed with me the question of the removal of the Songhees Indians from their present Reserve, and when I stated to him the position of the matter at present he intimated that if the Order in Council rescinding the authority under which the Esquimault and Nanaimo Railway Company (of which he is counsel) were concelled the Company would be prepared to give in exchange for the land desired for terminal purposes the tract of land at Beecher Bay owned by the Company.

This land at Beecher Bay was mentioned as a suitable location for the Indians when I was endeavouring to make an arrangement with the Provincial Government in 1897 for their removal; but as such negotiations did not result in an agreement I did not seek detailed information as to the land at Beecher Bay or its desirability

as

LAND BRANCH MAR 27 1901

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

as a location.

Mr.Bodwell subsequently had forwarded to me the attached plan of the land and a declaration in reference thereto. He stated that the Company would be quite ready to accept without question such title as the Dominion can convey, without reference to the claims of the Province. It will be remembered that when proceedings were taken to collect for the land actually occupied by the Railway for right of way it was thought that the Company would raise the point that the Dominion could not convey a good title, and, therefore, could not press for payment. The Company, however, ignored the claim of the Province and went to arbitration and accepted the result without calling in question the Dominion's title. This they are prepared to do in respect to land for terminal purposes in regard to which Mr.Bodwell made the suggestion as to an exchange.

The first steps to be taken would be to ascertain whether the Indians themselves would be satisfied to remove to Beecher Bay, whether there is sufficient land for their requirements, and

whether

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

201300

whether the land at Beecher Bay would be an adequate exchange for the land required for terminal purposes.

Supposing these three points are satisfactorily met, the question then to decide would be whether, without further reference to the claim of the Province, the Dominion should proceed to effect the removal of the Indians and dispose of the residue of the Reserve in their interest.

As Mr.Sifton is familiar with the subject, and the matter is not immediately pressing, it might be well to let it stand for his consideration on his return.

J. D. McLean

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Statutory Declaration
of H. H. Parker as
to character of Lands
in Kamloops District
British Columbia.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

201301

I Harry Helmcken Parker of Metchosin District, Vancouver Island in the province of British Columbia Farmer solemnly declare

1. That I know the lands comprised in Sections fifty two, fifty three, Sixty, Sixty one, Sixty two and Sixty six Metchosin District aforesaid

2. The total acreage of the said lands is Eight hundred and nineteen acres of which 114 acres are in Section 52; 100 in Section 53; 239 in Sections 60 and 61; 266 in Section 66; and 100 in Section 62.

3. For upwards of the past two years I have been farming the lands in Sections 52. 53 and 60.

4. In Sections 52 and 53 which adjoin each other there are altogether some eighty acres more or less cleared and under cultivation

5. In Section 60 there are about fifty acres cleared and under cultivation

6. In Sections 61. 62 and 66 there are plenty of good natural open places where my cattle are in the habit of pasturing

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act 1893.

Declared before me at Victoria British Columbia this 7th day of April A.D. 1900

H. Maurice Hall

A Notary Public for the Province of British Columbia.

H. H. Parker

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa 27th March 1901.

Sir,

In connection with the expropriation of right of way by the Esquimault & Nanaimo Railway Co., on the Songhees Indian Reserve, as to value of which the arbitrators decided that the Company should pay $2400.75 Cts and for and in full of compensation for the land and all damages in respect thereof, I am directed to request you to call upon the Company to pay this amount, so that the matter may be closed.

Your obedient servant

Secretary-

A.W.Vowell, Esq.,
Indian Superintendent,
Victoria, B.C.-

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19 451/21-

Ottawa 27th March 1901-

Sir,

In connection with the expropriation of right of way by the Nanaimo & Nanaimo Railway Co., on the Songhees Indian Reserve, as to value of which the arbitrators decided that the Company should pay $2400.75 ~~to~~ and for and in full of compensation for the land and all damages in respect thereof, I am directed to request you to call upon the Company to pay this amount, so that the matter may be closed.

Your obedient servant

Secretary-

A.W.Vowell, Esq.,
Indian Superintendent,
Victoria, B.C.-

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19,451-2. Ex'd.

Ottawa, 28th March, 1901.

Sir:-

I have the honour to point out that the sum of $2,409.75 awarded, on 8th December, 1899, against the Esquimalt and Nanaimo Railway Company for compensation for land of the Songhees Indian Reserve taken for Right of Way has not been paid to this Department.

I shall be glad to be informed if you or the Agent of your Department ~~Ma~~ know any cause for the delay. Kindly press this matter and ~~oblige~~ advise me at your earliest convenience.

I have the honour to be, Sir,

Your obedient servant,

J. D. McLean

Secretary.

E. L. Newcombe, Esq., K. C.

Deputy Minister of Justice,

Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44 B 1945-1-2 C

212368

DEPARTMENT OF INDIAN AFF. APR 26 1901

Ottawa 25th Apl 1901. 1.90

Re E.E.& N.Ry, Songhees Indian Reserve.

Sir,

Referring to your letter of the 28th ulto I have the honour to state that I instructed our agents, Messrs Davis, Marshall & McNeill to collect the amount of the award, and I am now in receipt of a report from them stating that they were not aware that the Department expected them to take steps for the enforcement of the award, and as they heard nothing in the matter from anyone they supposed it had been settled between the railway company and your department long ago. They were then writing to the soliciters for the railway company advising them that if the amount of the award should not be paid immediately proceedings would be taken. They are to advise us of the result.

I am

Your obedt servant

E L Newcombe

D. M. J.

The Secretary
Department of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44 B 1945-1-2 C

212422

DEPARTMENT OF INDIAN AFFAIRS

Ottawa. 27th Apl 1901. 1.90

Re Sanghees Indian Reserve :

Sir,

Referring to previous correspondence I have the honour to state that I have received the following telegram from our agents in this matter :-

" Sanghees reserve. Railway ready pay amount award upon receiving crown grant land in question. Kindly issue and forward grant for same. Please wire. "

In your letter of the 5th February 1900 you stated that you were prepared to recommend the issue of a patent of the land in question to the company upon payment of the award. If your department is still willing to issue the patent to the company on this condition kindly let me have your instructions to that effect and proceed with the issue of the patent as speedily as possible. The matter appears to be urgent as you will observe.

I am

Your obedt servant

D. [illegible]

The Secretary
Indian Affairs Department.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19 451/2-

HXQ

Ottawa 29th April 1901-

Sir-

In reply to your letter of the 27th Instant I beg to say that upon payment of amount of award, the Department will issue Letters Patent to the Esquimalt and Nanaimo Railway Company for the Land taken for right of way on the Songhees Indian Reserve, B.C.

Your obedient servant

Secretary.

as you are aware Patent cannot issue until payment is made, and it is the failure to pay the amount of the award which has delayed the issue of patent.

~~The Deputy Minister of Justice,~~
~~Ottawa.~~

Sd J Du Lesm

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

213847

THE DOMINION GOVERNMENT,

(Department of Justice)

TO

DAVIS, MARSHALL & MACKILL.

1900 Re Songhees Indian Reserve.

Feb. 19,	Rec'd letter from Department re Grant of lands herein. Letter to Department in reply	1.00
	Letter to Messrs. Davie Pooley & Luxton advising that Grant will be given on payment iof the amount of the award	1.00
Mar. 15,	Rec'd letter from Davie, Pooley & Luxton re payment of their costs. Letter to them in reply	1.00
1901		
Apr. 17,	Interview with Mr. Luxton re costs	2.50
	Letter to Department re payment of Award	1.00
	Letter to Messrs. Davie, Pooley & Luxton asking for immediate payment of Award	1.00
23,	Further letter to Messrs. Davie, Pooley & Luxton insisting on immediate payment of Award	1.00
26,	Attg. to prepare and send telegram to Deputy Minister re Crown Grant	1.00
	Letter to him re same	1.00
	Letter to Davie, Pooley & Luxton re costs	1.00
May 1,	Rec'd letter from Department re Patent. Letter to Messrs. Davie Pooley & Luxton re same	1.00
9,	Rec'd Bill of Costs from Davie, Pooley & Luxton. Perusing same	.75
	Letter to our Agents at Victoria asking them to see Messrs. Davie, Pooley &Luxton and arrange for taxation of costs	1.00
	Letter to Davie, Pooley & Luxton asking them to have costs taxed at once and to confer with our Agents	1.00
	Forward	$ 18.25

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

		Forward	$ 15.25
May	14,	Letter to Agents at Victoria re taxation	1.00
	17,	Rec'd letter from Agents advising us that costs and fees of Arbitrators and witnesses taxed at $887.91 Letter to them enclosing cheque for amount their fees	1.00
		Cash paid Agents' fees	8.00
		Letter to Davie, Pooley & Luxton asking them to forward cheque for amount of the Award less taxed costs	1.00
	22,	Rec'd letter from Davie, Pooley & Luxton enclosing cheque for $1521.88 Letter to them acknowledging and advising that we will obtain and forward Grant as soon as possible	1.00
		Letter to Department advising and forwarding cheque for balance	1.00
		Our Bill;	$ 28.25

E. & O. E.

Vancouver, B. C.
May 22nd, 1901.

Davis Macleod Russell

Taxed at $28.25

May 30 1901

I hereby Certify that I have examined this acc't and taxed the same at the sum of $28.25

E. L. Newcombe
Dy. Min. of Justice.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

213847

S T A T E M E N T

RE SONGHEES INDIAN RESERVE ARBITRATION.

To Amount of Award herein		$2409.75
Amount E. & N. Railway Company's taxed costs including Arbitrators and witnesses fees		887.91
Amount our costs herein as per Bill enclosed		28.25
Cheque herewith (6 9/10 acres)		1493.59
	$2409.75	$2409.75

Sale
Pope 200
B.C. Sales Bk.

E. & O. E.

Vancouver, B. C.,
May 22nd, 1901.

916.16

Davis Marshall & Macneill

1493.59
55.52
612-77

chq #1493.59
3-6-01

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

77 B C

213847

DEPARTMENT OF INDIAN AFFAIRS JUN 5 1901

Agent Sale
See under Ottawa, 1st June 1901. 190

Re Sanghees Indian Reserve.

Sir,

I have the honour to state that I am in receipt of a report from our Vancouver agent from which it appears that the E.& N.Ry Co forwarded him a cheque for the amount of the award herein, less the taxed costs including arbitrators and witnesses' fees, amounting to $1521.84. Of this amount our agent forwards a cheque to me for $1493.59, the amount of the award less taxed costs $887.91, and his bill $28.25.

Enc I enclose his statement of the matter together with his bill certified for $28.05. The Company hopes to receive the grant at as early a date as possible, and I have therefore to request you to send me the particulars to enable me to draft the letters patent. I enclose the cheque indorsed to you.

I am

Your obedt servant

D.M.J.

The Secretary
Department of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ADDRESS REPLY TO THE SECRETARY DEPT OF INDIAN AFFAIRS OTTAWA.

DEPARTMENT OF INDIAN AFFAIRS CANADA.

19,451—

MEMORANDUM:

For the Secretary.

With reference to the letter from the Deputy-Minister of Justice enclosing a cheque for the balance of the award in the E. & N. Ry. Co's arbitration, I beg to point out that the Department has already paid from the funds of the Songhees Band, $880.82 for costs and that we are also charged for costs in a statement sent with this cheque the amount of $887.91, and, as well, the bill of Davis, Marshall & MacNeill for $28.25. I would ask whether there was any reason why we should be asked to pay the costs of both sides to the arbitration? Although the bill of costs of $880.82 has been charged to the Songhees Fund, I do not think that it should remain a charge there. It seems to me under the circumstances that it is a proper charge against Management Fund, and I propose to make the necessary transfer.

Accountant.

Dept. of I.A.,

Ottawa, June 7th—1901.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

BANK OF MONTREAL.

No. 605 Lands

Original, for the Depositor.

OTTAWA.

$ 1493 59/100 Bank of Montreal, JUN -8 1901

189

Received from Dept Justice

Indian Funds

on account of

the sum of fourteen hundred and ninety three 59/100 Dollars,

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate,

D W Saunders

Pro Manager.

Ent'd. J

BANK OF MONTREAL.

No. 605

Duplicate, for Department.

OTTAWA.

$ 1493 59/100 Bank of Montreal, JUN -8 1901

189

Received from Dept Justice

Indian Funds

on account of

the sum of fourteen hundred and ninety three 59/100 Dollars,

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate,

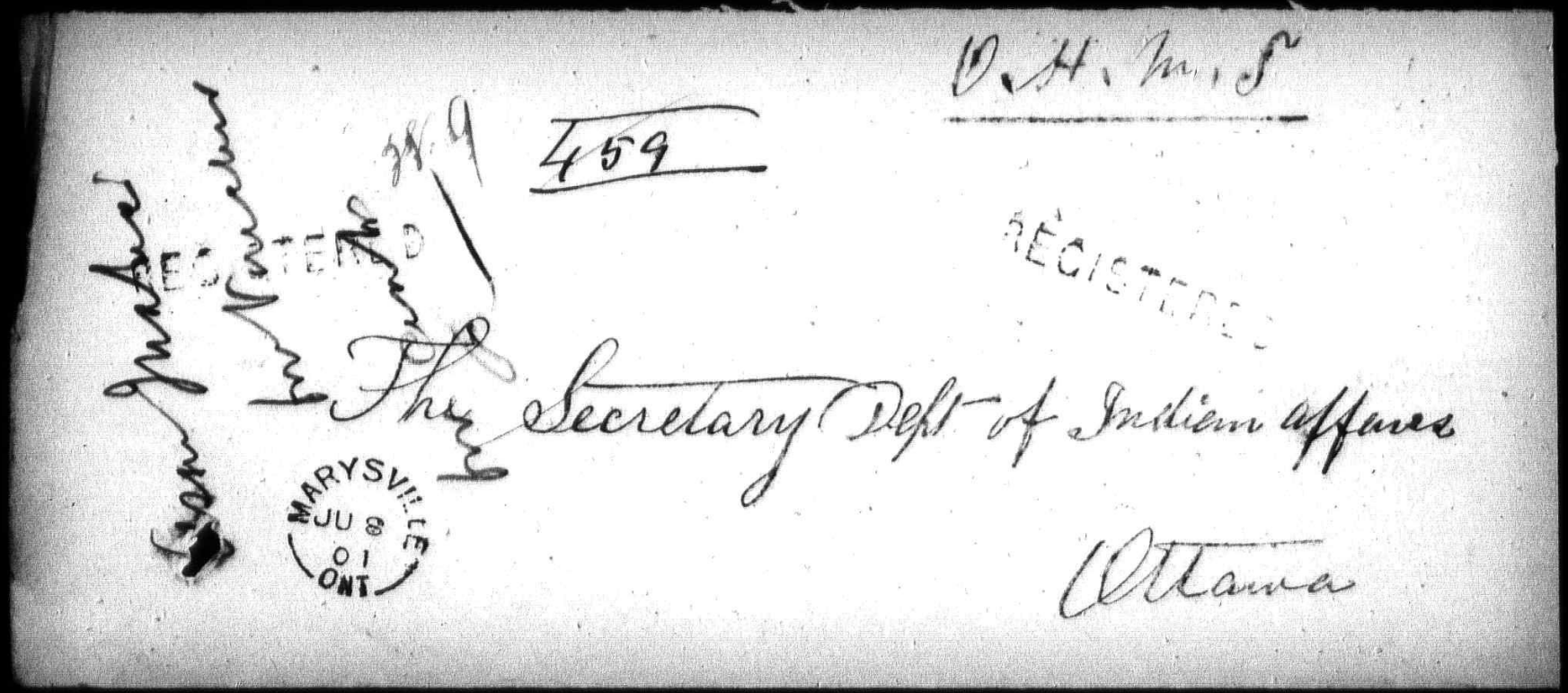
D W Saunders

Pro Manager.

Ent'd. J

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

10,451—2

Ans 13 May
For description of right
of way for
Public
Works

Ottawa, June 11th—1901.

Sir:-

I beg to acknowledge the receipt of your letter of the 1st. instant enclosing a cheque for $ $1,493.89. As the Auditor General will undoubtedly ask for the bill of costs amounting to $ 88[illegible].91. May I ask you to forward it to me?

Your obedient servant,

J. A. [illegible]

Secretary.

LANDS BRANCH
JUN 13 1901

E.L. Newcombe, Esqr.,
Deputy-Minister
of Justice,
Ottawa, Ont.

Lands

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451/2.

Ottawa, 20th June, 1901.

Sir,-

I shall feel obliged if you will be good enough to send me a copy of the plan of the Right of Way of the Esquimalt and Nanaimo Railway through the Songhees Indian Reserve, Victoria, and a description of the same to be used in preparing the patent about to be issued to your Company for the said land.

Your obedient servant,

J.D. McLean

Secretary.

C.E. Pooley, Esq.,
Secretary,
Esquimalt and Nanaimo Railway,
Victoria, B.C.

W.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

44 B

19451-2

C

214269

Ottawa, 13th June 1901. 189

Sanghees Indian reserve.

Sir,

Referring to your letter of the 11th inst I have the honour to state that the bill of costs of our agent was forwarded to your department on the 26th February 1900 certified for $880.82,not $887.91 as stated in your letter.

I am

Your obedt servant

D.M.J.

The Secretary

Indian Affairs Department.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ex'd.

10451/2

Ottawa 22nd June, 1901.

Sir,

With reference to your letter of the 13th instant, as the contents of which I have noted , I beg to say that the account taxed and forwarded with your letter of the 26th February , 1900 was the account of Messrs Davis,Marshall & McNeill ,the legal firm which acted for the Department in connection with the arbitration regarding the right of way of the Esquimault and Nanimo Railway Co through the Songhees Indian Reserve . The item of $887.91 referred to in my letter of the 11th instant, is the amount of the Railway Company's taxed costs , including arbitrators;fees, etc which is shown in the statement forwarded by you on the 1st instant. The Department desires to receive a detailed statement of the amount in question properly certified.

I may add that the necessary action will be taken in regard to the patent for the land.

Your obedient servant.

E.D. McLEAN

Secretary.

The Deputy Minister
of Justice,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

IN THE MATTER OF AN ARBITRATION

B E T W E E N THE ESQUIMALT AND NANAIMO RAILWAY COMPANY

AND

HER MAJESTY THE QUEEN

B I L L O F C O S T S.

I899.

July	6	Having received letter from Messrs Davis Marshall and Macneill that they were instructed by the Dominion Government to proceed herein to have compensation settled for right of way taken by the Railway Company-attending President of Company conferring thereon and for instructions	5 00
	2	Letter to Davis Marshall & McCeill in reply thereon	I 02
"	3	Further letter to Davis & Co thereon	I 02
"	I3	On receipt letter from Davis & Co. letter to them	
	4	in reply	I 02
"	I7	On receipt letter from Davis & Co attending client	
	5	consulting thereon and for instructions	5 00
	6	Letter to Davis & Co in reply	I 02
Octr	II	Instructions to initiate arbitration proceedings	2 00
		Drawing notice of the land required by Company for	
	7	right of way purposes and copy	I 00
	7	Fee to Counsel settling notice	5 00
	8	Drawing certificate of engineer and copy	I 00
		Attending Engineer to sign same	I 00
		Attending Company to sign same	I 00
		Preparing plans in triplicate	I0 00
Augt	I6	Letter to Davis & Co enclosing plan, notice and Certificate	I 04
"	23	On receipt letter from Davis & Co with notice and copy of appointment of F.G.Richards as Arbitrator on behalf of Dominion Government examining and	
	9	admitting service thereof	I 00
		Letter to Davis & Co in reply returning original	I 02
Novr	24	Drawing appointment of George Riley as Arbitrator	
	10	on behalf of Company	I 00
		Attending to have same signed by Company	I 00
		Attending retaining Mr Bodwell Q.C.as Senior Counsel on arbitration	I 00
		Copy appointment to serve	25
		Letter to agents with to serve	I 02
		Agents attending to serve same	I 00
		Agents letter to us in reply with original with service admitted	I 02
		Instructions for brief for Mr Bodwell Q.C.	2 00
	11	Drawing brief	5 00
		Instructions for brief for Mr Luxton	2 00
	12	Drawing brief	5 00
	13	Attending Mr Bodwell for appointment for consultation	2 00
"	25	Consultation with Mr Bodwell Q.C.	I0 00
	14	Fee to Mr Bodwell Q.C.on consultation	I0 00
	27	Preparing oath to be administered to arbitrators	50
		Forward	$80.93

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

IN THE MATTER OF AN ARBITRATION

between

THE ESQUIMALT AND NANAIMO RAILWAY COMPANY

and

HER MAJESTY THE QUEEN

BILL OF COSTS OF THE COMPANY.

I hereby appoint the day of April, 1900, at the hour of o'clock in the noon at my office at the Old Post Office Building, Government Street, Victoria as the time and place to tax the within bill of costs.

Dated April 1900.

Registrar.

See 154

Award W. nothing as to costs

Davie, Pooley & Luxton
Solrs. for Esquimalt & N.Ry. Co.

PUBLIC ARCHIVES
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CANADA

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

		Forward	$80.95
		Counsel fee Mr Bodwell Q.C.attending on arbitration	75 00
		Counsel fee to Mr Luxton attending arbitration	40 00
		Attending Mr Davis Q.C.arranging for attendance of Stenographer	I 00
Novr	28	Attending Secretary Board of Trade arranging for use of room for arbitration at 2. per day	I,00
		Counsel fee Mr Bodwell Q.C.on arbitration all day	35 00
		Counsel fee Mr Luxton attending arbitration	25 00
"	30	Counsel fee Mr Bodwell Q.C. attending arbitration all day	35 00
		Counsel fee Mr Luxton attending arbitration	25 00
Decr	I	Counsel fee Mr Bodwell Q.C. attending arbitration	35 00
		Counsel fee Mr Luxton attending arbitration	25 00
"	4	Letter to Davis & Co re putting in letter to arbitrators on behalf of Company	I 02
Decr	5	Attending Stenographer bespeaking transcript of testimony at arbitration	I 00
"	6	Attending Stenographer for same and gave him cheque for $I00.40 charges for same	I 00
		Attending arbitrators with copy evidence	I 00
		Letter to Davis & Co.with copy evidence and that $50.20 due thereon	I 02
"	8	Attending Arbitrator when notified Award ready and that fees due thereon are $375.,	I 00
		On receipt letter from Davis & Co re Stenographers fees letter to them in reply	I 02
"	I2	Attending Company for cheque for $375.,to take up Award	I 00
		Attending arbitrators with cheque and received Award	I 00
	16	Perusing Award	I 00
	17	Consultation fee thereon	I0 00
	I5	Letter to Davis & Co on the Award made and as to costs	I 02
"	I8	Having received letter from Davis & Co with cheque for share Stenographers fees letter in reply	I 02
"	23	On receipt letter from Davis & Co herewith notice of appeal and copy examining and admitting service of copy	I 00
	19	Letter to Davis & Co in reply with original	I 02
		Instructions to oppose appeal	2 00
	20	Consultation with Mr Bodwell on appeal	5 00
	24	Fee to Mr Bodwell on consultation	5 00
"	29	On receipt telegram from Davis & Co informing us	
I900		that appeal abandoned, letter thereon	I 02
Jany	8	Letter to Davis & Co	I 02
"	I6	On receipt letter from Davis & Co writing them in reply	I 02
Mch	I3	Letter to Davis & Co re costs	I 02
Apl	23	Notice of motion re costs	75
	24	Copy for service	25
	25	Letter to agents with same to serve	I 02
	26	Agents attending to serve and for admission	I 00
	27	Agents letter to us in reply	I 02
	29	Instructions to Counsel on motion	I 50
	29	Counsel fee on motion	I0 00
		Forward	$433.67

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

KODAK SAFETY FILM

	Forward	$433.67
30	Drawing order	I 00
31	Letter to agents with to have approved	I 02
32	Agents attending to have approved	I 00
33	Agents letter to us with	I 02
34	Attending to enter order	I 00
35	Attending fe order entered	I 00
36	Paid order	I 20
37	Copy order for service	50
38	Letter to agents with to serve	I 02
39	Agents attending to serve and for admission	I 00
40	Agents letter to us with	I 02
	Bill of Costs & copy	2 00
	Copy for service	I 00
	Appointment to tax & copy & attg for	I 00
	Letter to agents with bill & copy to serve and for admission	I 02
	Agents attending to serve and for admission	I 00
	Agents letter to us with	I 02
	Attending taxing	5 00
	Paid taxing	2 00
	Drawing Allocatur	I 00
	Attending to get signed	I 00
	Paid Allocatur	I 00
		$461.49

	Paid Arbitrators fees Costs Amount	~~$40.00~~ $75.-	240.
	" half charges Transcript evidence	50.20	
	" Board of Trade for hire of room	10 00	$300.20
			$761.69

	Witness fees		
	J.Hunter & Mr Daly	20.00	
	R.J.Russell	20.00	
	E.M.Johnson	20.00	
	Henry Saunders	20.00	
	W.Wilson	20.00	
	B.Williams	20.00	$120.00
	S.Lister	16.00	
			$881.69
	Taxed off		$ 16.00
			$1302.60
	Taxed & allowed at		$ 144.38
			$757.91

Taxed & allowed at $ 757.91
this 11th day of April, 1900.

[illegible]
Registrar.Supreme Court of
British Columbia.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

SUPREME COURT OF B.C.

RE "RAILWAY ACT"

and

RE ARBITRATION SONGHEES
INDIAN RESERVE and THE
ESQUIMALT & NANAIMO R.CO.

ORDER re Costs.

DAVIE, POOLEY & LUXTON
Solrs for Esqt.& Nanaimo R.Co

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CANADA

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

Victoria
May 2 - 1901
Registry

Entered Vol 21 folio 1196
3/5/01 "Wilson"

215380

IN THE SUPREME COURT OF BRITISH COLUMBIA.

IN CHAMBERS BEFORE THE HONOURABLE MR JUSTICE MARTIN.

Stamps
60.

IN THE MATTER OF THE "RAILWAY ACT"

and

IN THE MATTER OF THE ARBITRATION OF THE VALUE OF CERTAIN LANDS OF THE SONGHEES INDIAN RESERVE REQUIRED BY THE ESQUIMALT AND NANAIMO RAILWAY COMPANY.

THURSDAY THE SECOND DAY OF MAY 1901.

UPON THE APPLICATION of the Solicitors for the above named Company this day made and UPON READING the Affidavit of Arthur Philip Luxton sworn herein this day IT IS ORDERED that the costs of the above mentioned Arbitration be deducted from the amount of the Award.

R.S.R.

"Archer Martin"
J.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

1945-1-2

77 B

C

DEPARTMENT OF INDIAN AFFAIRS JUL 10 1901

215380

Ottawa, 9th July 1901. 190

Sanghees Indian reserve.

ACCOUNTANT'S BRANCH JUL 12 1901

Sir,

Enc

Referring to previous correspondence I have the honour to enclose copy/of the taxed bill of costs for the use of your department as requested, together with a copy of the Order which directed that these costs should be deducted from the amount of the award.

I am

Your obedt servant

Acting D.M.J.

The Secretary

Department of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

DEPARTMENT OF INDIAN AFFAIRS
APR 28 1904

C 1945 1

Ottawa, 27th Apl 1904. 190

257703

77 B.C.

Re Esquimalt & Nanaimo Ry Co & the Saughees Indian Reserve.

Sir,

I have the honour to state that I am in receipt of a letter from Messrs Davis,Marshall & McNeill our agents in this matter,enclosing a letter from Messrs Pooley,Luxton & Pooley of Victoria calling attention to the fact that although they had paid the amount of the award,no patent has yet been issued to the company.

LAND BRANCH
APR 28 1904

In this connection permit me to call your attention to your letter of the 22nd June 1901 - No 1945½ - in which you stated that you would take the necessary action in regard to the patent for the land.

Will you kindly look the matter up and let me know the cause of the delay in issuing the patent.

I am

Your obedt servant

E. L. Newcombe.

D.M.J.

The Secretary

Indian Affairs department.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19 481/2

OTTAWA,29th April,1904-

Sir-

I beg to acknowledge the receipt of your letter of the 27th Instant,No 77B.C.,regarding the issue of Patent to the Esquimalt and Nanaimo Railway Company,for land on the Songhees Indian Reserve,and in reply to say that the delay in the issue of Patent has been caused by the failure of Mr.C.E.Pooley, Secretary of the Company,to furnish copy of Plan and description of the right of way,for which he was asked on the 20th June 1901,but has not yet furnished.

Your obedient servant

J. D. McLEAN

SECRETARY.

E.L.Newcombe,Esq.,
Deputy Minister of Justice,
OTTAWA,
Ont.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
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Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

CITY OF
Victoria St.
Marina Hosp.
INDIAN RESERVE
SONGHEES
WEST
VICTORIA
Russell St.
Engine Shed
Boat House
The original of this Document has been removed for retention in the Records of the Indian Land Registry.
Mar. 24, 1972

259798

Commencing at the centre line of railway at Station I59 + 80 on the Western boundary of the Songhees Indian Reserve having a width of 50 feet on each side of said centre line thence on an 8° curve to the right 440 feet having a width of 50 feet on each side of said centre line thence in a South Easterly direction 374 feet having a width of 50 feet on each side of said centre line thence on an 8° curve to the left 867 feet having a width of 50 feet on each side of said centre line thence on a North Easterly direction I239 feet to a point at High Water Mark in Victoria Harbour having a width of 50 feet on each side of said centre line and containing by admeasurement ~~6.91/100~~ * 6.79/100 acres more or less.

* S.B.

Chas. S. Clarke

See amended description

S.B.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

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19451½

DEPARTMENT OF INDIAN AFFAIRS
JUN 14 1904

Ottawa 13th June 1904 190

259798

77 B.C.

Re Esquimalt & Nanaimo Ry.

Songhees Indian reserve.

LAND BRANCH
JUN 13 1904

Sir,

Referring to your letter of the 29th April last, I have the honour to enclose herewith a plan and description received by our agents from Messrs Pooley Luxton & Pooley, solicitors for the above railway, which they hope will be sufficient to enable them to obtain their grant.

I am

Your obedt servant

D. L. Macdonald

D.M.J.

The Secretary

Indian Affairs Dept.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

19 451/2-

Ottawa 21st June 1904-

Sir,

Referring to the latter portion of your letter of the 1st June 1901, No. 77B, asking to be furnished with particulars to enable you to draft Letters Patent to the Esquimalt and Nanaimo Railway Company, for land on the Songhees Indian Reserve in the City of Victoria, B.C., I beg to enclose copy of description of the land in question, and to say that the consideration is $2409.75.

Your obedient servant,

FRANK PEDLEY

Deputy Superintendent General of Indian Affairs.

The Deputy Minister of Justice-
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

260291

Ottawa 22nd June 1904

77 B-6

Esquimalt & Nanaimo Ry Co.

Songhees Indian reserve

Sir,

Referring to your letter of the 21st inst, asking for a draft of letters patent to the company of the lands in question, I have the honour to state that the ~~ordinary~~ usual form of patent will be sufficient unless there are facts connected with this reserve which distinguish it from the ordinary reserve.

I am

Your obedt servant

Acting D.M.J.

The Deputy Superintendent

General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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CANADA

Department of Indian Affairs.

Ottawa, ... *190*....

The Honourable Mr. Macdonald (Victoria) moved, seconded by the Honourable Sir George Drummond,

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency will cause to be laid before the Senate a Copy of any agreement or conditions under which the Esquimalt and Nanaimo Railway Company occupy a portion of the Songees Indian Reserve, if with power to purchase, for how much? If leased only, how much is the rental?

The question of concurrence being put thereon, the same was resolved in the affirmative, and it was

Ordered, That the said Address be presented to His Excellency the Governor General by such members of this House as are members of the Privy Council.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

271412

DEPARTMENT OF INDIAN AFFAIRS
FEB 28 05

Reference No. 2

Mr. Blair Dept. Ind. Affairs

Department of the Secretary of State.

CANADA.

SENATE

ADDRESS OF THE ~~HOUSE OF COMMONS~~.

Date 22/24 February, 1905. 19

Mover Hon. Mr. Macdonald (Victoria)

SUBJECT:

Agreement under which the Esquimalt and Nanaimo Railway Company occupy a portion of the Songees Indian Reserve.

Ottawa, 25 Feb., 1905.

Referred to the Hon. the ~~Minister of~~ Supt. Genl. of Indian Affairs, for Report.

By Command,

Under Secretary of State.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

RETURN to an Address of the Senate dated the 22nd February, 1905, calling for a copy of the agreement or conditions under which the Esquimault and Nanaimo Railway Company occupy a portion of the Songhees Indian Reserve.

Frank Pedley

Deputy Superintendent General of Indian Affairs.

Department of Indian Affairs,

Ottawa, 27th February, 1905.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

19,451-2

Ottawa, 27th February, 1905.

Sir :-

Incl. I have the honour to inclose herewith the Return asked for in the Address of the Senate, also in-

Incl. closed, dated the 23nd February, 1905, calling for the agreement under which the Esquimault and Nanaimo Railway Company occupy a portion of the Songhees Reserve.

Your obedient servant,

Frank Pedley

Deputy Superintendent General of Indian Affairs.

Joseph Pope, Esq., C. M. G.,
Under Secretary of State,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
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CANADA

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

A. Campbell Redden
Deputy Clerk, Executive Council.

344532

Certified Copy of a Report of a Committee of the Honourable the Executive Council, approved by His Honour the Lieutenant-Governor on the 3rd day of June, A.D., 1909.

TO HIS HONOUR

THE LIEUTENANT-GOVERNOR IN COUNCIL:

The undersigned has the honour to report for the consideration of Council:-

That a communication has been received from the Department of Indian Affairs of Canada requesting the Province of British Columbia to conclude an arrangement providing for the disposition of the Songhees Indian Reserve, at Victoria, by the Department of Indian Affairs upon the terms and conditions outlined during the discussion of the matter with the Department of Indian affairs in September, 1906.

The original of this Document has been removed for reproduction in the Records of the Registry
Signature
MAR 24 1922

That by an Order in Council approved January 24th, 1907, an agreement between the Corporation of the City of Victoria and the Government of British Columbia was approved whereby in consideration of certain covenants the Government of British Columbia agreed to grant and surrender to the Corporation of the City of Victoria all and every the reversionary interest and all other right title interest claim and demand of the Government of the Province of British Columbia in to and out of two parcels of land embraced in said Songhees Reserve, namely the twenty-five (25) acres more or less lying to the North of the Esquimalt Road, for park and school purposes only, and eighteen (18) acres more or less lying to the South of the Esquimalt and Nanaimo Railway for terminal railroad and wharfage purposes, to be used in aid of existing as well as other railroad companies seeking access to the City of Victoria.

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CANADA

AND TO RECOMMEND that, with a view to expediting the removal of the Indians from the said Reserve, the Government of British Columbia consents to the disposal of the remainder of the lands embraced in the said Reserve by the Department of Indian Affairs of Canada upon the condition that the reversionary interest of the Province of British Columbia in said reserve shall attach to the funds realised from the sale or lease of said lands by the Department of Indian affairs for Canada, after deducting therefrom the amounts necessary to secure the surrender from the Indians of their title in the said lands, the purchase of the lands necessary for the new reserve to be established, and the removal and rehabilitation of the Indians on such new Reserve; and upon the further conditions that the reversionary interest of the Province of British Columbia in such funds shall be dealt with and settled in respect thereto in the same manner and for the same period of time as if the lands in said Songhees Reserve had remained unsold; and upon the further condition that the reversionary interest of the Province of British Columbia shall be recognised with respect to such lands as may be purchased for the Songhees Indians out of the proceeds of the sale of lands embraced in the existing Songhees Reserve; and that a certified copy of this Minute if approved, be forwarded to the Hon. Frank Oliver, Minister of Interior.

Dated this 26th day of May, A.D., 1909.

(sgd) Fred. J. Fulton.
Chief Commissioner of Lands.

Approved this 26th day of May, A.D., 1909.

(sgd) F. Carter-Cotton.
Presiding Member of the Executive Council.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
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CANADA

BOARD OF RAILWAY COMMISSIONERS.

IN THE MATTER of the Railway Act, Section 175, and of the portion of the Songhees Indian Reserve on the Island of Vancouver

AND IN THE MATTER of the Esquimalt and Nanaimo Railway Co.

AFFIDAVIT OF H. J. CAMBIE.

J. E. McMULLEN.

327235

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

344532

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

344532

IN THE MATTER of the Railway Act, Section 175, and of the portion of the Songhees Indian Reserve on the Island of Vancouver;

AND IN THE MATTER of the Esquimalt and Nanaimo Railway Company.

AFFIDAVIT OF H. J. CAMBIE.

I, HENRY JOHN CAMBIE, of the City of Vancouver, in the Province of British Columbia, do solemnly declare and say:

1- THAT I am the Chief Engineer of the Esquimalt and Nanaimo Railway Company.

2- THAT the Esquimalt and Nanaimo Railway Company requires to acquire land at the City of Victoria for repair shops, round house, erection of coal bunkers and the storage of coal.

3- THAT the quantity of land required for these purposes is about thirteen - acres.

4- THAT the portion of the Songhees Indian Reserve shewn borderod in red on the plan hereto annexed, marked Exhibit "A" to this my declaration are suitable for the above purposes, and no other land suitable for such purposes can be acquired at the City of Victoria on reasonable terms and with less injury to private rights.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the City of Vancouver in the Province of British Columbia this 9th day of June, 1909.

H. J. Cambie

A Notary Public

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
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CANADA

1 1943-1

The Canadian Pacific Railway Company

Law Department
MM

A. R. Creelman, K.C.
General Counsel.
E. W. Beatty,
Assistant Solicitor.

2810 - F Montreal, June 17th., 1909.

DEPT. OF INDIAN AFFAIRS
JUN 21 1909
SURVEYS.

JUN 18 1909

344532

J. D. McLean Esq.,
Secretary, Department of Indian Reserves,
O t t a w a , Ont.

Ex'd

S I R :-

On behalf of the Esquimalt and Nanaimo Railway Company, I have the honor to make application for a grant of certain lands in the Songhees Indian Reserve adjacent to Victoria Harbor, Vancouver Island, British Columbia, as more particularly set out on the tracing, which I beg to submit to you herewith.

It is proposed to utilize the said lands for terminal purposes including round houses, repair shops, coal bunkers and storage of coal. The Company is without these facilities at Victoria and with the growth of its line and the constant increase in business resulting therefrom, it is found very necessary that they should be provided with the least possible delay. The proposed location is the only suitable one in the locality for the purpose.

In support of this application I enclose the following documents:-

1. Declaration of Mr. H. J. Cambie, Chief Engineer of the E. & N. Railway Company, setting out the necessity of acquiring these lands for Railway purposes.

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344532

2. Certified copy of an order of the Lieutenant-Governor-in-Council in which the consent of the Province is given to the disposal of the Reserve upon certain conditions.

I am informed that the Board of Trade of Victoria has also expressed its approval of the acquisition of these lands by the Company for the purpose of its Railway.

I shall be very much obliged if you will bring this matter before the Governor-in-Council at the earliest possible date, with a view to obtaining its consent to the grant asked for. We will then be able to take up the matter of the terms on which the lands will be acquired by the Company.

I trust that I may receive a favorable answer to this application in the near future.

I have the honor to be,

Sir,

Your obedient servant.

E.L. Beatty

Assistant Solicitor

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

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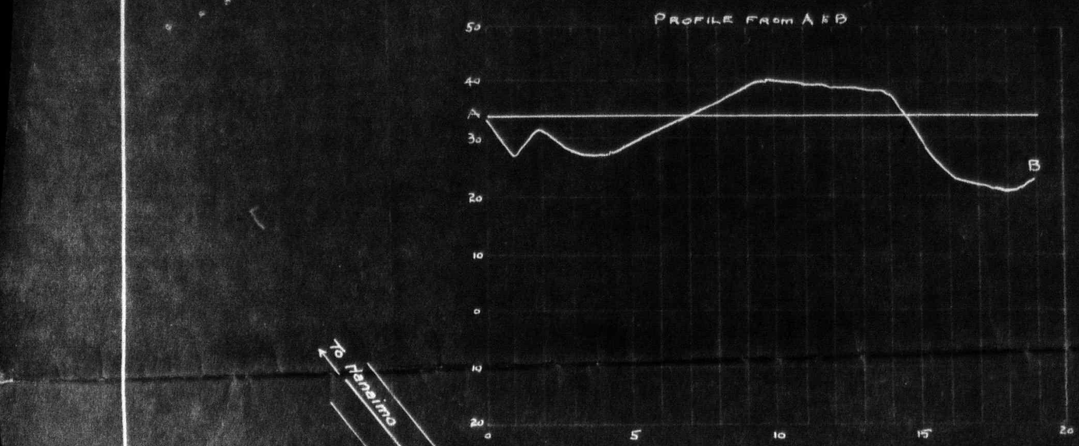
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ARCHIVES PUBLIQUES
CANADA



Profile Scales | Hor 400 = 1 inch
Ver 20 = 1 "

BOOK OF REFERENCE

Station		Description	Acres
0+00	3+00	E & N RY Right of Way	
3+00	19+00	Songhees Indian Reservation	12.3

E & N RY.

PLAN OF PROPOSED COAL BUNKERS AND TRACKS

VICTORIA HARBOUR

Scale 200' = 1 inch.

Soundings in feet below low water

R.A. Bainbridge
DIVISION ENGINEER
VICTORIA B.C.
May 1909

E & N Ry.

Plan of Proposed Coal Bunkers and Tracks
Victoria Harbour

Scale 200' = 1 inch

Soundings in feet below low water

Profile Scale { Hor 400 = 1 inch
Ver 20 = 1

To Nanaimo

S 45° W

Boundary of Right of Way

E & N. Ry.

Trestle Bridge

Indian Reserve

Turn Table

Round House

Repair Shop

Marine Hospital

Coaling Track

Bunkers for Coaling Locos

Coal Storage Tracks

Trestle

Bunkers for Coaling Ships

Rock

Channel

Victoria Harbour

Sehl's Point

Ally Island

R. A. Brembridge
Division Engineer

Victoria B.C.
May 1909

H. J. Cambie
Chief Engineer

Vice President

Exhibit A to declaration of H. J. Cambie declared June 4/09
before me
J. H. McMillan
A Notary Public

F 19451 c

2 of 2

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA


PROFILE FROM A TO B
Profile Scales Hor 400 = 1 inch
Ver 20 = 1
STORE STREET
VICTORIA
PASSENGER STATION
To Nanaimo
S 45° W
Boundary of Right of Way
E & N. Ry
Coal Storage Tank
Hospital
Rock
Victoria Harbour
Ogden Point
E·&·N·Ry·
PLAN OF PROPOSED COAL BUNKERS AND TRACKS
VICTORIA HARBOUR
Scale 200 = 1 inch
Soundings in feet below low water
1 OF



E & N RY.

PLAN OF PROPOSED COAL BUNKERS AND TRACKS

VICTORIA HARBOUR

Scale 200 = 1 inch

Soundings in feet below low water

Exhibit A to accompany Agreement dated the [illegible] day of [illegible] 1911 between [illegible]

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

PROFILE FROM A.P.D.

Scale of REFERENCE

Station	Description	Chart
0+00 3+00	[illegible] H.A.T. Right of Way	12.3
3+00 19+00	[illegible] Songhees Indian Reservation	

VICTORIA PASSENGER STATION

STORE STREET

E & N R'Y

SONGHEES RESERVE

Songhees Point Lighthouse

Songhees Point

Rock

Rock

Rock

Profile Scale | Hor. 400' = 1 inch / Ver. 20 = 1

E & N. Rt.

Boundary of Right of Way

Trestle Bridge

E.&N. RESERVE

SONG

Hospital

Coast Storage Tracks

Boundary of Quadra Field

Rock

Channel

Victoria Harbour

SAILOR'S POINT

H. Bamber
CHIEF ENGINEER

4.19451 2

2 of 2

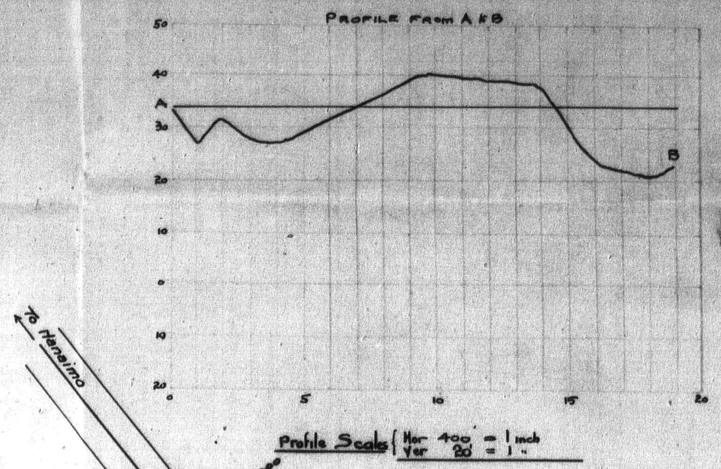
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

To accompany Letter
of the 24 June 1905 to Mr
Vowell

Mr Allen
Cancelled

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Profile Scales { Hor 400 = 1 inch
Ver 20 = 1 "

BOOK OF REFERENCE

Station	Description	Acres
0+00	3+00 A.-N.RY. Right of Way	
3+00	19+00 Songhees Indian Reservation	12.3

3 MAR 25

VICTORIA PASSENGER STATION

STORE STREET

To Nanaimo

S. 45° W.

Boundary of Right of Way

E & N. Rl.

Trestle Bridge

SONGHEES RESERVE

Round House

Repair Shop

Turn Table

Coaling Track

Bunkers for Coaling Vessels

Coal Storage Tracks

Marine Hospital

Indian Office

Rock

Rock

Dock

SONGHEES Pt.

Trestle

Dumpers for Coaling Ships

CLT

E. & N. RY.

PLAN OF PROPOSED COAL BUNKERS AND TRACKS
VICTORIA HARBOUR

Scale 200' = 1 inch.

Soundings in feet below low water

Channel

VICTORIA HARBOUR

SEALS POINT

N

R. A. Brutchridge
Division Engineer
Victoria B.C.
May 1909

1 OF

E. & N. Ry.

Plan of Proposed Coal Bunkers and Tracks
Victoria Harbour

Scale 200' = 1 inch.

Soundings in feet below low water

To Nanaimo

S. 45° W.

Boggs = once

Boundary of Right of Way

E & N. Ry.

Trestle Bridge

Indian Reserve

Sonchees Reserve

Town Gate

Roundhouse

Repair Shop

Marine Hospital

Coaling Track

Bunkers for Coaling boats

Coal Storage Tracks

Sonchees Point

Rock

Rock

Trestle

Bunkers for Coaling Ships

Channel

Victoria Harbour

Sehls Point

N

Belly Reef

R. Rashbridger
Division Engineer

Victoria B.C.
May 1909

H. J. Cambie
Chief Engineer

Vice President

Exhibit A to declaration of H. J. Cambie declared June 9/09
J. H. McMullen
A Notary public

2 of 2

19461.

1 Dft. Memde
2 Letts
for sign
D McLean

Ottawa, June 24, 1909.

Ex'd

Sir:-

2/

Enclosed herewith is a blue print copy (in duplicate) of a plan showing a tract of land lying south of the Right of Way of the Victoria and Nanaimo Railway in the Songhees Indian reserve at Victoria which is applied for by the said Railway for terminal purposes. You are aware that no action will be taken at present towards alienating any portion of an Indian reserve in British Columbia. It is however desired to have the usual and necessary valuations made.

This case is of more than ordinary importance. In addition to the valuations of Right of way and damages to Indian improvements, an examination and report is desired containing any information which should be given to the Department and especially if there are any leases or other claims in the said tract. You will notice on the plan of the reserve that a road allowance is provided for through a part of the said tract and that certain lots were laid out fronting on it. Also please bear in mind that the conveyance of the land will also convey the riparian interests in the foreshores, which perhaps in this case may have especial value orimportance. In the matter of valuations the views of the Indians should be obtained, also it is desirable to ascertain thatvin the event of its being decided to obtain a surrender of the said land from the Indians, whether they will execute a surrender and on what terms.

J.B.

A. W. Vowell, Esq.,
Indian Supt.,
Victoria, B. C.

Your obddient servant,

Secretary.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451.

1 Dy. Minister
2 Secty

Ottawa, June 25, 1909.

Ex'd

Sir:-

I beg to acknowledge the receipt of your letter of the 17th instant, containing an application in behalf of the Esquimault and Nanaimo Ry.,Co.,for a tract of land for terminal purpose situated in the Songhees Indian reserve Victoria, B. C., and of certain documents relating to the said application enclosed with the said letter. I have to say that the matter will receive the consideration of the Department and that you will be advised hereafter of the action that may be decided upon.

Your obedient servant,

Per J. D. McLean

Secretary.

S. B.

E. W. Beatty, Esq.,
Asst. Solicitor,
Canadian Pacific Ry.,
Montreal, Que.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451-2.

DEPARTMENT OF INDIAN AFFAIRS CANADA

Ottawa, June 24, 1909.

Memorandum for the
Deputy Minister.

Ex'd

I beg to submit for your special consideration the Order in Council hereunder, of the Prov. Govt. of B. C., dated 4th instant, relating to certain lands situated with in the Songhees Indian reserve.

Please also see two drafts of letters herewith.

DEPT. OF INDIAN AFFAIRS
JUN 1909
SURVEYS

Mr. Graham
Let C.P.R. reply
to this matter
will bring to Head
Office for return

C. Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19437

The Canadian Pacific Railway Company

Law Department
MA

F-2810 Montreal, 19th July, 1909.

346424

J. R. Cushman, General Counsel.
E. W. Beatty, Assistant Solicitor.

Ex'd

J. D. McLean, Esq.,
Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir,

Re Esquimault & Nanaimo Application,
Songhees Indian Reserve.

Referring to my letter of the 17th ulto., and your reply of the 23rd ulto.

I shall be much obliged if you will advise me by return mail whether the Department has yet dealt with this matter.

I have the honour to be,

Sir,

Your obedient servant,

E. W. Beatty

Assistant Solicitor.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

I945I-2

Ottawa July I9th. I909.

Sir ;

Ex'd

I beg to acknowledge the receipt of your letter of the I9th. inst.(7-28I0) regarding the application of the Esquimalt & Nanaimo Ry.Co. for certain lands in the Songhees Indian Reserve, and in reply beg to say that the Deputy Minister is at present away from headquarters, but the matter will be dealt with immediately upon his return.

Your obedient servant

Secretary.

E.W.Beatty Esq
Assistant Solicitor
Canadian Pacific Ry.
Montreal Que.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451-2

The Canadian Pacific Railway Company

Law Department

347481

A. R. Creen, K.C.
General Counsel.
E. W. Beatty.
Assistant Solicitor.

F-2810 Montreal, P.Q. 13th August, 1909.

DEPARTMENT OF INDIAN AFFAIRS
AUG 14 1909

J. D. McLean, Esq.,
Secretary,
Department of Indian Affairs,
OTTAWA.

Sir,

Re Songhees Indian Land Reserves,
E. & N. Application.

Will you be good enough to refer to your letter to me of the 19th ultp., and advise me when this matter will be dealt with by the Department?

Your file No. is 19451-2.

I have the honour to be,

Sir,

Your obedient servant,

E. W. Beatty

Assistant Solicitor.

DEPT. OF INDIAN AFFAIRS,
AUG 26 1909
SURVEYS.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451.

Ottawa, September 9, 1908.

Sir:-

Referring to your letter of the 13th ultimo and previous correspondence relating to certain lands in the Songhees Indian reserve, B. C., required for terminal purposes for the Esquimault and Nanaimo Rwy., I have to say that owing to various complications in connection with the determination of the interest claimed therein, and the action taken in connection therewith by the Provincial Government this Department that it is practically impossible to deal with them at present. Will you please make application further than to please to me file

Your obedient servant,

Sgd. F. Pedley.

Secretary.
Dy. Supt. Genl.

S. B.

E. W. Beatty, Esq.,
Asst. Solicitor,
Canadian Pacific Rwy.,
Montreal,
Que.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451

CANADIAN PACIFIC RAILWAY COMPANY.

EWART, SCOTT, MACLAREN & KELLEY, SOLICITORS

OTTAWA. November 28, 1910.

376280

DEPARTMENT OF INDIAN AFFAIRS
NOV 29 1910

The Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Sir:- RE SONGHEES INDIAN RESERVE.

We are instructed by the Canadian Pacific Railway Company to ask for copies of all orders in council with respect to grants to the Esquimalt and Nanaimo Railway Company of any portion of the Songhees Indian Reserve. We understand that there are such orders dated January, 1892; January, 1895; and January, 1899. We desire copies of these and also of any others that there may be.

We have the honour to be Sir,

Your obedient servants,

Ewart Scott Maclaren Kelley

Asst Sec
As this must
Copies should be
furnished
D Scott

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File 19481/3.

LXH

Ottawa, December 3, 1910.

Gentlemen,-

I beg to acknowledge the receipt of your communication of the 28th instant, making application for copies of Orders in Council dated January, 1892, January, 1895, and January, 1899, in connection with grants to the Esquimalt and Nanaimo Railway Company of part of the Songhees Indian Reserve in the Province of British Columbia, and in reply to say that Mr. Dunsmuir, the President of the Esquimalt and Nanaimo Railway Company was given information in regard to these Orders in Council, from whom, no doubt, you would be able to obtain same if the Canadian Pacific Railway has acquired the rights of the former Company.

I may say, however, that in no case could these copies be furnished without the consent of the Minister.

Your obedient Servant,

J. D. McLEAN

Asst. Deputy and Secretary.

Messrs. Stuart, Scott, MacLaren & Kelley,
Barristers etc.,
Ottawa.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Megs E. Pr...

EXD

19,451-2

Ottawa, January 4, 1911.

Sir,-

At your request and with the consent of the Minister I inclose herewith copies of Orders in Council dated December 13, 1892, January 30, 1895, and January 19, 1899, respectively, in connection with grants to the Esquimalt and Nanaimo Railway Company of part of the Songhees Indian reserve, in the Province of British Columbia.

Incls.

Your obedient servant,

E. Norton Taylor

Asst. Deputy and Secretary.

For ack.

A. R. Creelman, Esq., K.C.,
General Counsel, C. P. R. Company,
Montreal, Que.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

19451-2

378-76

The Canadian Pacific Railway Company

Law Department

A. R. Ames K.C. General Counsel
E. W. Beatty General Solicitor

Montreal, 6th January 1911.

The Secretary,
Department of Indian Affairs,
Ottawa.

Sir:-

Re SONGHEES RESERVE.

I have the honour to acknowledge letter of 4th instant (19451-2) from the Assistant Deputy and Secretary enclosing copies of Orders-in-Council dated 13th December 1892; 30th January 1895 and 19th January 1899 respectively in connection with grants to the Esquimalt and Nanaimo Railway Company of part of the Songhees Indian Reserve in the Province of British Columbia.

I have the honour to be,
Sir,
Your obedient servant,

A. R. Creelman

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Canadian Pacific Railway Company

Law Department

A.R. Creelman K.C.
General Counsel.

E.W. Beatty.
General Solicitor.

Montreal, 7th September 1910.

Hon. Frank Oliver,
Minister of the Interior,
O t t a w a.

S i r:-

381943

Re SONGHEES INDIAN RESERVE, VICTORIA.

On 26th April last I set forth in a letter to you a very full statement of the position taken by the Esquimalt & Nanaimo Railway Company in connection with its application to you for an Order-in-Council authorizing the expropriation, for railway purposes, of a portion of this Reserve.

On 5th May last you wrote me to the effect that you were taking the matter up with the Department of Justice with the view to dealing with it without delay and you stated that you would write me again shortly.

On 23rd May last you wrote to me stating that you were afraid you would not be able to get the Order-in-Council put through before you left for the West.

Since your letter of 23rd May I have not had any further communication from you on the subject.

I am being pressed by our representatives in Victoria to procure this Order-in-Council without delay so that our Company's contemplated work may be commenced.

Might I ask you to give the matter your early attention.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

I hope shortly to be advised that the requisite Order-in-Council has been passed.

If you think that an interview with me would be advisable and would facilitate the issue of the Order-in-Council I shall be very glad to go to Ottawa for the purpose at such time as will suit you.

I have the honour to be,

S i r,

Your obedient servant,

A. Ledeuc

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

R. Coulman, K.C.
General Counsel.
E.W. Beatty,
General Solicitor

The Canadian Pacific Railway Company

Law Department

Montreal, 1st November 1910.

INTERIOR
NOV 2
REGISTRY BRANCH

361949

Hon. Frank Oliver,
Minister of the Interior,
Ottawa.

Sir:-

I have the honour to call your attention to the application of the Esquimalt and Nanaimo Railway Compan y for an Order-in-Council authorizing the expropriation for railway purposes of a portion of The Songhees Indian Reserve in Victoria B.C. - about thirteen acres.

I also have the honour of reminding you of our interviews at Ottawa on this subject and particularly to the interview which took place on 21st ultimo when the question of legislation was fully discussed.

My reason for again troubling you in the matter is the announcement which I have observed in the newspapers, and which has been confirmed by letters from Victoria, that an agreement has been come to between the B.C. Government and the Indians, subject, as I understand, to ratification by the Dominion Government, for the purchase by the British Columbia Government of this Reserve from the Indians.

I beg to request that you will give me a further opportunity of discussing the matter with you before any definite action is taken by your Government unless you have already decided, as I, with due deference, submit you should, in view of the settlement to which I have referred, to pass the Order-in-Council without further delay.

In order that your records may be complete I might, in this connection, put in writing what I stated

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

in one of our interviews viz: that as far back as 1887 this Company procured the promise,both of the Dominion Government and the British Columbia Government,thatthe Company would get from this Reserve such lands as it required for the purposes of its Railway.

I do not,of course,set up any legal claim in consequence of these promises but I desire to bring to your notice the fact that ever since the construction of this Railway,and indeed before that event,the Company has looked upon this land as necessary for the proper working of its system and that the projects now in contemplation are not of recent origin.

I gathered from our conversation on 21st ultimo that you were not then aware of the length to which the negotiations between the British Columbia Government and the Indians had gone.

I have felt all along,and have so reported, that our Company might,with confidence,rely upon the pledges given by you that,ultimately,and so soon as the legal difficulties were removed,we would,in so far as the Dominion Government could go,be placed in a position to acquire these lands.

The changed circumstances seem to clear away the difficulties which have hitherto oppressed you.

I have the honour to be,

S i r,

Your obedient servant,

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1945-1

.O.

Ottawa, 18th November, 1910.

HED

Dear Sir,

Yours of November 1st regarding Songhees reserve is before me. I have not replied sooner as the conclusion of the matter is still in doubt.

The British Columbia Government will have to furnish a new reserve for the Indians as a part of the transaction. We have not yet been informed that they have succeeded. Until that point is settled the transaction cannot be closed even as a matter of policy. In any case it will require legislation to sanction the arrangement.

Yours very truly,

(sd) Frank Oliver

A. R. Creelman, Esq., K.C.,
Canadian Pacific Railway Company,
Montreal, Quebec.

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MMISSION ON INDIAN AFFAIRS FOR
ROYAL ROVINCE OF BRITISH COLUMBIA

ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY
P.O. BOX 758
TEL. 1302

BELMONT HOUSE.

VICTORIA. B.C.

e No. 19451/2

December 10th 1913

DEPARTMENT OF INDIAN AFFAIRS
DEC 16 1913
451092

The Secretary
Department of Indian Affairs,
Ottawa, Canada.

Sir:

I am directed by the Royal Commission on Indian Affairs for British Columbia to advise you that the Commission today having before it File No. 19451/2 of the Department of Indian Affairs, respecting right-of-way of the Esquimalt and Nanaimo Railway through the Nanoose I. R., found that the matter in question was disposed of by Order-in-Council of the 30th July, 1912, and it was therefore Ordered

That the File be returned by registered post to the Secretary of the Department of Indian Affairs, together with a copy of this Minute.

I have the honour to be,
Sir,
Your obedient servant

Secretary

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COMMISSION ON INDIAN AFFAIRS FOR THE
PROVINCE OF BRITISH COLUMBIA

BELMONT HOUSE.
VICTORIA, B.C.

DEC 13 1913

ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY

TEL. 1902

File No. 19451

December 11th 1913

The Secretary
Department of Indian Affairs,
Ottawa, Canada.

451090

Sir:

I am directed by the Royal Commission on Indian Affairs for British Columbia to advise you that the Commission today having before it File No. 19451 of the Department of Indian Affairs, referring to the right-of-way through the Songhees I.R. of the Esquimalt & Nanaimo Railway, found nothing thereon calling for action on the part of the Commission. It was therefore Ordered:

That the File be returned by registered post to the Secretary of the Department of Indian Affairs, together with a copy of this Minute.

I have the honour to be,
Sir,
Your obedient servant

J. G. H. Bergman
Secretary

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Vol. 2.

22152-21 E. & N.

CLOSED

FROM 17/12/1898

TO 11/12/13

Indian Affairs. (RG 10, Volume 7670, File 22152-21 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs
Headquarters Files

(RG 10, Volume 7671)

File 22153-16 B.C.E. — New Westminster Agency - Right-of-way through the Matsqui and Sahachum Reserves for the Vancouver Power Company and the British Columbia Electric Railway Company (plans). 1908 - 1919

File 22153-30 P.G.E. — New Westminster Agency - Right-of-way for the Pacific Great Eastern Railway through part of the Kapilano Reserve (plans). 1912 - 1917

File 22154-9 — Kamloops Agency - Right-of-way and Station Grounds at Tappen Siding, Salmon Arm Indian Reserve for the Canadian Pacific Railway. 1891 - 1919

File 22154-12 C.N. 1 — Kamloops Agency - Right-of-way for the Canadian Northern Railway through the Kamloops Reserve #1. 1912 - 1924

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

No. 22153-16 B.C.E.

Department of Indian Affairs

19.....

NEW WESTMINSTER

RAILWAYS

VANCOUVER ELEC. Ry.

Indian Affairs, (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY ▲ FILM

WEST-CHILLIWACK RAILWAY.

No. 33046

1438
330490
330490
8th Sept. 1908

Maple Grove Dairy Co
Lot 201
2.5 Ac

Canadian Pacific Railway

1 OF

WEST-CHILLIWACK RAILWAY.

No. 330490

1438
330490
330490
84 Sept- 1908

MAPLE GROVE DAIRY
Co
LOT 201
2.5 Ac

CANADIAN PACIFIC RAILWAY

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2 of 2

VANCOUVER POWER COMPANY

WEST-CHILLIWACK RAILWAY.

MAP SHOWING

RIGHT OF WAY

through

SAHHACUM INDIAN RESERVE.

Scale 1" = 400'

1908.

No. 330490

LOT 204

DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 1438
Ref. 330490
File 330490
Date 8th Sept. 1908

General Manager. W.H. Sperling Gen'l Mgr.

Locating Engineer. F.H. Sinclair
Agent for Indian Affairs.

LOT 357

SAHHACUM INDIAN RESERVE

J. MACLURE.
LOT 208
6.6 AC.

TOTAL ACREAGE
IN
RIGHT OF WAY 2 7/10

MAPLE GROVE DAIRY Co.
LOT 201
2.5 Ac.

MAPLE GROVE DAIRY Co.
LOT 202
5.1 Ac.

J. MACLURE
LOT 209

Spur to Clayburn

Maple Ridge Saw Mill Spur

Wood's Road

Road Crossing Gates Cattleguards

150' PILE TRESTLE

Ditch.

Stream 2±2

CANADIAN PACIFIC RAILWAY

Cunningham Trestle

1 OF.

VANCOUVER POWER COMPANY

WEST-CHILLIWACK RAILWAY.

MAP SHOWING

RIGHT OF WAY

through

SAHHACUM INDIAN RESERVE.

Scale 1" = 400' 1908.

No. 330490

LOT 204

DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 1438
Ref. 330490
File 330490
Date 8th Sept. 1908

General Manager. W. H. Sperling Gen. Mgr.

Locating Engineer. G. H. Sinclair

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LOT 357

SAHHACUM INDIAN RESERVE

J. MACLURE
LOT 208
6.6 AC.

TOTAL ACREAGE
IN
RIGHT OF WAY 2 7/10

MAPLE GROVE DAIRY
Co.
LOT 201
2.5 Ac.

MAPLE GROVE DAIRY Co.
LOT 202
5.1 Ac.

J. MACLURE
LOT 209

CANADIAN PACIFIC RAILWAY

Cunningham Trestle

150' PILE TRESTLE

Road Crossing
Cattle Guards

Sport to Clayburn

Maple Ridge Saw Mill Spur
Wooden Rails

Ditch.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

West Chilliwack Ry.
thro'
Sahhacam Ind. Res.

#1438

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

VANCOUVER POWER COMPANY

WEST-CHILLIWACK RY

MAP SHOWING

RIGHT OF WAY

through

MATSQUI INDIAN RESERVE

Scale 400 1908

Surveyed by [illegible]

Engineer.

Forwarding Engineer.

Dept. of Indian Affairs

DEPT. OF INDIAN AFFAIRS
SURVEY BRANCH.
No. 1437
Ref. 330490
Plan 330490
Date 8th Sept. 1908

FRASER RIVER

MATSQUI INDIAN RESERVE.

N.E. ¼ Sec 12 Highland Road 2.34 c

1 OF

VANCOUVER POWER COMPANY

WEST-CHILLIWACK RY

MAP SHOWING

RIGHT OF WAY

through

MATSQUI INDIAN RESERVE

Scale 400' 1908

FRASER RIVER

MATSQUI INDIAN RESERVE

32

DEPT. OF INDIAN AFFAIRS
SURVEY BRANCH.
No. 1437
Ref. 330490
File 330490
Date 8th Sept. 1908

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

VANCOUVER POWER COMPANY

WEST-CHILLIWACK RY.

MAP SHOWING

RIGHT OF WAY

through

MATSQUI INDIAN RESERVE

SCALE 1"=400' 1908

General Manager. W.A. Sterling

Locating Engineer. H. Sinclair

Agent for Indian Affairs

DEPT. OF INDIAN AFFAIRS
SURVEY BRANCH.
No. 1437
Ref. 31642.9.0
File 31642.9.0
Date 2 C. SEPT. 1908

FRASER RIVER

MATSQUI INDIAN RESERVE

Dwelling House

Barn

Stable

Fence

Road Crossing

Dyke

Old Trestle P/L

100 ft

S.E. ¼ Sec. 12
GRANT & KERR.
47 Ac.

TOTAL ACREAGE IN RIGHT OF WAY 9 11/10

LOT 414

ROAD.

ROAD NOT OPENED

VANCOUVER POWER COMPANY

WEST-CHILLIWACK RY.

MAP SHOWING
RIGHT OF WAY
through
MATSQUI INDIAN RESERVE

SCALE 1"=400' 1908

General Manager. W.A. Sterling

Locating Engineer. H. V. Sinclair

Agent for Indian Affairs.

DEPT. of INDIAN AFFAIRS
SURVEY BRANCH.
No. 147
Ref. 242490
File 242490
Date 24 SEPT. 1908

N.B. Ry. Sec. 18
RICHARD ROAD
S.E. ¼

MATSQUI INDIAN RESERVE

FRASER RIVER

32

SOUTH

Dyke

Mission Road Crossing

Mission Road

Dyke

S.E. ¼ SEC. 18
GRANT + KERR
47 AC.

TOTAL ACREAGE
RIGHT OF WAY 9 ¼/10

Dyke

Old Wells Pike

Old Wells Pike

ROAD NOT OPENED

SECTION 6.

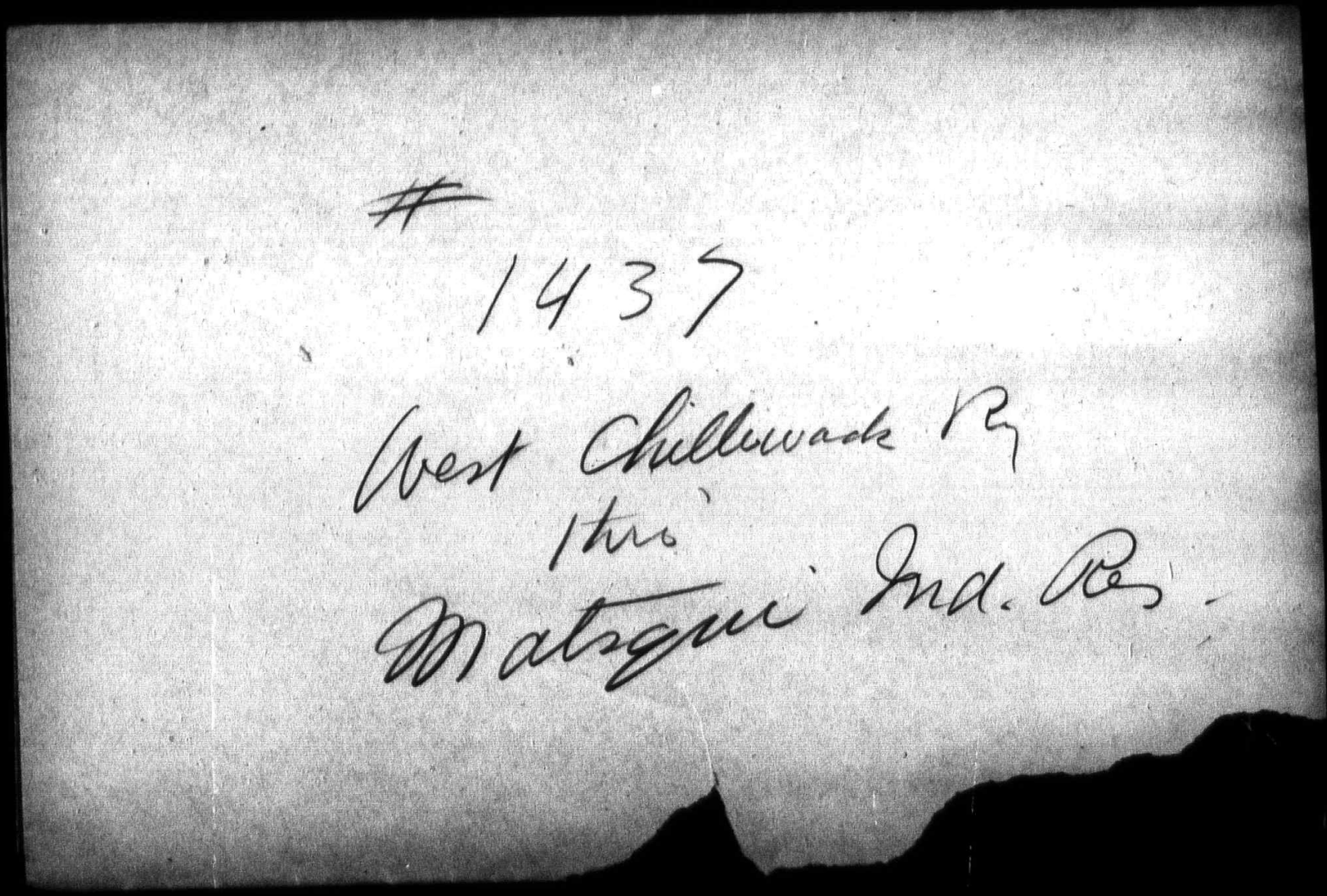
ROAD.

LOT 413

INDIAN OFFICE
SEP 24 1908
VICTORIA, B.C.

H. V. Sinclair A.C.E. Engr.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

Vancouver Power Company
Limited

ADDRESS ALL COMMUNICATIONS TO
THE GENERAL MANAGER

TELEGRAPHIC ADDRESS
"LASSANT," VANCOUVER

Vancouver, B. C., August 31st, 1908. 190

R. C. McDonald, Esq.,
Indian Agent,
New Westminster, B.C.

Dear Sir,

With reference to my communications to you of August 24th, making application for permission to run the line of Westminster-Chilliwack Railway through the two Indian Reserves at Matsqui, I beg to say that our Company is prepared to build gates and crossings wherever same may be necessary in our line where it passes through the said Reserves. We will put in these crossings wherever you may direct.

Yours truly,

[signature]
General Manager.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Vancouver P...

Limited

330490

Address all Communications to
THE GENERAL MANAGER

Telegraphic Address
"LASSANT," VANCOUVER

Vancouver, B. C., August 24th, 1...

R. C. McDonald, Esq.,
Indian Agent,
NEW WESTMINSTER, B.C.

Dear Sir,

I beg to enclose herewith map, in triplicate, shewing right of way of our proposed Westminster-Chilliwack Railway through the Matsqui Sahhacum Indian Reserve, and shall be obliged if you will take such steps as may be necessary to obtain for my Company the privilege of running the said line as indicated on plan.

The total area required for the right of way is 2 - 7/... acres.

We are prepared to pay the Indians reasonable compen... for all improvements included within the area of the rig...

Yours truly,

General Manager

Enclos.

OFFICE OF I... SEP 1 1908 B.C.
INDIAN OFFICE AUG 31 1908 NEW WESTMINSTER, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Matsqui B.C.
Aug. 26th 1908.

330490 22153-16 B.C.E

At a meeting of the male members of the Matsqui band of Indians held on their reserve this 26th day of August 1908 the following resolution moved by Chief Augustine and seconded by Frank, was carried unanimously: that we the undersigned being a majority of the male members of the Matsqui band of Indians of the full age of twenty one years, do hereby Consent to the Indian Department granting to the Vancouver Power Company Limited permission to purchase 9¼ acres of land on the Matsqui Main Indian reserve for right-of-way for its Electric Railway running from New Westminster City to Chilliwack, as shown on plan submitted by the said Company, on the following Conditions, Viz:- that the said Company shall pay to the Department, to be deposited to the credit of our band fund, the sum of $300.00 for the land; $50.00 to Chief Augustine for his improvements consisting of cleared land, and $85.00 to Edwin for 40 fruit trees and a quarter acre of cleared land.

Chief Augustine his + mark.
Frank his + mark.
Edwin his + mark.
Charley his + mark.
Julian his + mark.
Louie his + mark.
Tommy his + mark.
Witness
R. McDonald,
Indian Agent.

OFFICE OF INDIAN AGENT B.C. SEP 8 1908

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Malsqui, B.C. 22153-16 B.C.E
Aug. 26th 1908.

330490

At a Meeting of the Male Members of the Malsqui band of Indians held on their reserve this 26th day of August 1908, the following resolution, Moved by Chief Augustine 2nd seconded by Frank was carried unanimously; that we the undersigned being a majority of the Male members of the Malsqui band of Indians of the full age of twenty-one years, do hereby Consent to the Indian Department granting to the Vancouver Power Company Limited permission to purchase 2.70 acres of land on the Sahhaaem Indian Reserve No. 1, for right of way for its Electric Railway, running from New Westminster City to Chilliwack, as shown on plan submitted by the said Company, provided the Company shall pay to the Department for our benefit the sum of $200.00 for the said land.

Chief Augustine His + mark
Frank His + mark
Edwin His + mark
Charley His + mark
Julian His + mark
Louie His + mark
Barry His + mark

Witness-
R. McDonald,
Indian Agent,
Aug. 26th 1908.

SEP 1 1908 B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330/20

Indian Office, New Westminster, B. C.,
September 1st., 1908.

159/11

Sir;-

I have the honor to enclose herewith an application in duplicate, dated the 24th. ultimo, received from the Vancouver Power Company Limited, for permission to purchase 2.7 acres of land on the Matsqui Sahhaqum Indian Reserve No. 1, for right of way for its Electric Railway, as shown on plan enclosed herewith in duplicate; I also enclose the written consent, in duplicate, of a majority of the male members of the Matsqui Band of Indians of the full age of twenty-one years, to the Department selling to the applicants the said land for the sum of $200.00. This is prairie land, without any improvements, and I consider the sum agreed upon fair value for it, and same will be paid to the Department for the benefit of the band as soon as authority is granted the company to commence construction thereon. The company will construct one crossing with gates where shown on plan. This is all that is asked for by the Indians, and is considered sufficient for their convenience. They have only one crossing over the Canadian Pacific Railway which the Electric Railway will parallel through the reserve.

A. W. Vowell, Esq.,
Indian Superintendent,
Victoria, B. C.

OFFICE OF INDIAN SUPERINTENDENT B.C. SEP 1908

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

I recommend the application to the favourable consideration of the Department.

I may add that the contract for this section of the road has already been let, and the Company is anxious to obtain permission to enter upon the land applied for as soon as possible, and in order not to delay the work of construction, I recommend that permission be granted at as early a date as possible, pending the settlement of further details, if any, that may be deemed necessary by the Department.

I have the honor to be,

Sir,

Your obedient servant,

Reuedinaed

Indian Agent.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Vancouver Power Company
Limited

330490

Address all communications to
THE GENERAL MANAGER

Telegraphic Address
"LASSANT," VANCOUVER

Vancouver, B. C., August 24th, 1908. 190

R. C. McDonald, Esq.,

Indian Agent,

NEW WESTMINSTER, B.C.

Dear Sir,

I beg to enclose herewith map, in triplicate, shewing right of way of our proposed Westminster-Chilliwack Railway through the Matsqui Main Indian Reserve, and shall be obliged if you will take such steps as may be necessary to obtain for my Company the privilege of running the said line as indicated on the plan.

The total area required for the right of way is 9 - 4/10 acres.

We are prepared to pay the Indians reasonable compensation for all improvements included within the area of the right of way. Our engineers endeavoured to find some other entrance to Matsqui Prairie without passing through any portion of the Reserve, but after thoroughly exploring the whole hill side South of the Reserve no other available practicable grade could be found.

Yours truly,

R. H. Sharpe

General Manager.

Enclos.

OFFICE OF INDIAN AGENTS B.C. SEP 1908

INDIAN OFFICE AUG 31 1908 NEW WESTMINSTER B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330480

Indian Office, New Westminster, B. C.,
September 1st., 1908.

15C/11

Sir;-

I have the honor to enclose herewith an application in duplicate, dated the 24th. ultimo, received from the Vancouver power Company Limited, for permission to purchase 9.4 acres of land on the Matsqui Main Indian Reserve for right of way for its Electric Railway, as shown on plan which I enclose in duplicate. I also enclose in duplicate, the written consent of a majority of the male members of the Matsqui Band of Indians of the full age of twenty-one years, to the Department selling to the applicants the said land on the following conditions, viz;- The Company to pay to the Department for the land the sum of $300.00, to be placed to the credit of the Band fund; the sum of $50.00 to Chief Augustine for his improvements, consisting of cleared land, and the sum of $85.00 to Edwin for his improvements consisting of fruit trees, and about a quarter acre of cleared land. In view of the fact that this ground is very rough, and unimproved except two small peices belonging to Chief Augustine and Edwin, the above sums I consider ample compensation for the land and improvements to be acquired by the Company, and same will be paid by the Company as soon as permission is granted by the Department to enter upon the land. The Company also agrees to construct two crossings with the necessary gates where shown

A. W. Vowell, Esq.,
Indian Superintendent,
Victoria, B. C.

OFFICE OF INDIAN AFFAIRS SEP 1908 B.C. SUPERINTENDENT

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

shown on plan, which will be quite satisfactory to the Indians. The Company will also give them a station on the Reserve, and this they appreciate very much, as it will be a great convenience to them.

I recommend the application to the favourable consideration of the Department.

I may add that the contract for this section of the road has already ~~xxxxxxx~~ been let, and the Company is anxious to obtain permission to enter upon the land applied for as soon as possible, and in order not to delay the work of construction, I recommend that permission be granted at as early a date as possible, pending the settlement of further details, if any, that may be deemed necessary by the Department.

I enclose a letter in duplicate, dated the 31st. ultimo, from the Company agreeing to put in the necessary gates and crossings.

I have the honor to be,

Sir,

Your obedient servant,

R E McDonald

Indian Agent.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

692 K.5

Indian Office, Victoria, B.C.

September 9th 1908.

DEPARTMENT OF INDIAN AFFAIRS
SEP 16 1908

330430

Sir:-

I have the honor to forward herewith, letters (2) dated 1st inst., & numbered 158/11 & 159/11 from Mr. Agent McDonald, Fraser Agency, covering an application in each instance from the Vancouver Power Company Ltd., for permission to cross the Matsqui Main & Matsqui Sahhaoum Indian Reserves respectively, with an Electric Railway Extending from New Westminster to Chilliwack and offering to pay as compensation to the Indians for the land required (9.4 acres on the Matsqui Main, and 2.7 acres on the Sahhaoum reserves) the sum of $300. (plus $135. for improvements) in the first instance; and $200. in the second, which the Agent seems to consider ample.

The written consent of the Indians in both instances is inclosed, with plans showing the right of way required, and also a communication from the company touching the building of gates and crossings.

DEPT. OF INDIAN AFFAIRS
SEP 10 1908
SURVEYS.

I have written Agent McDonald as to the valuation of land, 9.4 acres, to be taken from the Matsqui Main reserve as I consider the price named too low; otherwise I can recommend the applications to the favorable consideration of the Department.

Your Obedient Servant.

Supt., of Indian Affairs, B.C.

The Secretary,
Dept., of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Sept 22,1908.

Memorandum for

Deputy Minister:-

Two applications are hereunder from the Vancouver Power Company to acquire Rights of way for an Electric Railway across the Matsqui and Sahhaeum Indian Reserves,B.C. The applications appear to be in order and the details show that they may be favourably considered.

As the Railway in question has not a Dominion charter,blank forms of surrender may be sent to the Indian Agent for execution. On the Power Company paying the Department the sums agreed upon by the Indian Agent (and approved by Mr.Vowell) the said company may enter on the land for the purpose of constructing its railway. The final issue of the patent to remain in abeyance until the question of the possible interest in Indian Reserves claimed by the Provincial Government is decided. I beg to submit the matter for your consideration and approval.

S.Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

331608

Indian Office, New Westminster, B.C.,

September 24th, 1908.

218/11

Sir;-

I have the honor to acknowledge receipt of your letter of the 9th instant, No. 692, K. 5., regarding the application of the Vancouver Power Company, Limited, for right of way through the Matsqui Main and Matsqui Sahhaoum Indian reserves, and I note that you consider $300. for 9.4 acres on the Matsqui Main Reserve very low.

In reply I beg to say that when recommending the price offered by the Company and approved of by the Indians of the band, I took into consideration the advantages it would be to the Indians to have the electric railway running through their reserve, with a station and shipping fascilities at their doors; also that the fact of such a railway running through the reserve would enhance the value of the property two or three hundred per cent.

The Company informed me that they secured twenty acres of right of way on the Matsqui prairie, which is much more valuable than land on the Matsqui Main reserve, for a total sum of $300., and other parts of the right of way have been given them absolutely free.

I may say that the high land at Matsqui being costly to clear, and of inferior soil, cannot be compared in value

to

A. W. Vowell, Esq.,

Indian Superintendent, B.C.,

Victoria, B.C.

SUPERINTENDENT • B.C. • OFFICE OF INDIAN AFFAIRS

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

331608

to land at Chilliwack and vicinity. However, as it is an absolute necessity for the Company to secure right of way through the reserve, they will no doubt have to pay a higher figure if the Department demands it.

I have the honor to be,

Sir,

Your obedient servant,

R. McDonald

Indian Agent.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330450

331608

DEPARTMENT OF INDIAN AFFAIRS
OCT 6
1908

British Columbia.

136- L. 5. Indian Office,

Victoria, September 29th, 1908.

Sir,-

With reference to letter from this office to the Department of the 9th instant, No. 691. K. 5., covering application of the Vancouver Power Company, Ltd., for right of way through the Matsqui main and Matsqui Sahhacum Indian reserves, I have the honor to enclose herewith, for the information and consideration of the Department, a further communication from the Agent dealing particularly with the question of the valuation of the 9.4 acres of land required for right of way on the Matsqui main reserve.

While, as pointed out by Mr. McDonald, it is, doubtless, correct to state that it will be an advantage to the Indians to have a station of the electric railway on the reserve, thus facilitating the shipping of farm produce and the receiving of supplies from the surrounding towns, as occasion requires, it is also true that the Indians personally will hardly be expected to share with the Whites of the locality similarly situated the enhance in land values which it is estimated the construction

The Secretary

Department of Indian Affairs,

Ottawa, Ont.

DEPT. OF INDIAN AFFAIRS
OCT 17 1908
REGISTRY

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

construction and maintenance of the proposed line will bring about. In the case of the White land-owners adjacent to the proposed electric railway any enhancement of land values will be so much profit to them in the event of their disposing of their property, while with the Indians similar reasoning can scarcely be said to apply, at least as long as the reserve remains as such.

Under all the circumstances it would seem that the Department would be justified in demanding a higher rate for the acreage in question.

I have the honor to be

Sir,

Your obedient servant,

A. W. Vowell

Indian Superintendent, B. C.

per W. MacLaughlin.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa Oct.27,1908.

Memorandum for

Deputy Minister:-

I beg to submit for your consideration the letter of the 24th ultimo from Agent R.C.McDonald received with letter from Mr.Vowell of the 29th ultimo. I think the Agent's valuation should be accepted.

Kindly refer to memorandum of the 22nd ultimo and I beg to add further that if the land is to be surrendered the certificate of the Chief Engineer of Railways and Canals does not appear to be necessary.

S. Bray

Chief Surveyor.

Deputy Minister

In reply to your instructions I beg to state that provision is made in the B.C.statutes for Railways to take lands of the Crown vested in the Province,but there is no such provision in the case of lands vested in the Dominion. Mr.Fraser has advised verbally that we can convey the Indian interest in the lands in question after surrender by the Indians.

S.B.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS

Memorandum for Mr. Bray

I see nothing as to
the manner of
the B.C. Fools claim

Answered
Please file
with letter
on other paper J.B

190

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Minister

Ex'd

Ottawa Nov.13,1908.

Sir,-

With reference to your letter of the 29th September last No.126-L.5 and preceding correspondence relating to the application of the General Manager of the Westminster-Chilliwack Railway for Right of way through the Sahhacum Matsqui and Indian Reserves, I have to say that as the Railway in question is operating under Provincial Charter it will be necessary to obtain a surrender from the Indians of the land required for Right of way. On account of the reversionary interest claimed by the Provincial Government in Indian Reserves in British Columbia action cannot be taken in the direction of obtaining a surrender. It would therefore appear necessary that the Railway Company should obtain an Order in Council of the Provincial Government waiving any claim that Government may have to the lands required by the Railway in order that this Department may be able to deal with the same.

Your obedient servant

D. McLEAN

Secretary.

A.W.Vowell,Esq.,

Indian Superintendent,

Victoria,B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

Vancouver Power Company
Limited

335361

ADDRESS ALL COMMUNICATIONS TO
THE GENERAL MANAGER

TELEGRAPHIC ADDRESS
"LASSANT," VANCOUVER

Vancouver, B. C. Dec. 23, 1908

R. C MacDonald, Esq.,
Indian Agent,
New Westminster, B. C.

Dear Sir:-

Further referring to your favor of Nov. 24th re right of way for our Westminster-Chilliwack Railway through the Matsqui Main and Matsqui Sahhacum Indian Reserves, and the reversionary interest claimed by the Provincial Government in Indian Reserves in British Columbia, I beg to say that the Provincial Government has consented to pass an order in Council authorizing the issue of a Crown Grant to this Company for the area in said Reserves required for our right of way. If this manner of dealing with the interest of the Province is satisfactory to your Department, I shall be obliged if you will advise me and the matter can be arranged at once.

Yours truly,

R H Sperling
General Manager.

DEPT. OF INDIAN SUPT.
DEC 1908
INDIAN OFFICE
DEC 24 1908
NEW WESTMINSTER, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

335361

Indian Office, New Westminster, B.C.,

December 24th, 1908.

560/11

Sir;-

With reference to your letter of the 21st ultimo, No. 707, L. 5., regarding the application of the Vancouver Power Company Limited, for right of way through the Matsqui Main and Matsqui Sahhaoum Indian reserves, I have the honor to enclose herewith a letter in duplicate, dated 23rd inst., received from the General Manager of the Company, stating that the Provincial Government has consented to pass an Order in Council authorizing the issue of a Crown Grant to the Company for the area in said reserves required for right of way, and that, if this is satisfactory to the Department, the matter can be arranged at once.

I have the honor to be,

Sir,

Your obedient servant,

Reuedonald

Indian Agent.

A. W. Vowell, Esq.,

Indian Superintendent, B.C.,

Victoria, B.C.

DEPT. OF INDIAN SUPERINTENDENT B.C. DEC 29 1908

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330450

335361

British Columbia.

Surveys

293- M. 5. Indian Office.

Victoria, Dec. 28th, 1908.

DEPT. OF INDIAN AFFAIRS. JAN 7 1909 SURVEYS

File No. 330,490.

Sir,-

In reply to your letter of the 13th ultimo relating to the application of the general manager of the Westminster-Chilliwack railway for right of way through the Matsqui Sahhacum Indian reserve, Fraser Agency, B. C., I have the honor to forward herewith a communication of the 24th instant, No. 560/II, received from Mr. Agent McDonald, with the enclosure therein referred to of the 23rd instant from the general manager of the said company from which it will be perceived he states that the Provincial Government has consented to pass an order-in-council authorizing the issue of a crown grant to the company for the area required in the reserve for right of way, and asking if such matter of dealing with the question be satisfactory to the Department, when the matter can be arranged at once.

I have the honor to be

Sir,

Your obedient servant,

Indian Superintendent, B. C.

The Secretary

Department of Indian Affairs,

Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa Jan 9,1909

Memorandum for

Deputy Minister:-

Referring to the letter hereunder from Mr.Vowell of the 28th ultimo and enclosures and to the proposal of the Provincial Government to pass an Order in Council authorizing the issue of a Crown grant for the Right of way of the Vancouver Power Company through the Matsqui and Sahhacum Indian Reserves B.C. it appears to me that the said proceeding should not be satisfactory to this Department.

The position of the Dominion Government in connection with Indian Reserves is practically the same as that of any individual owning land and consequently the Dominion only should issue a deed or patent or grant for lands under its control. The Provincial Government should simply pass an Order in Council waiving its reversionary interest,what ever it may be, in the strips of land in question .

D. Bray

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS

Memorandum for Mr. Bray

Motion to be taken towards alienation of B.C. Reserves whether for R.R. purposes until further order re the settlement of this question is reached.



190

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490 Hx'd

Ottawa Jan 11,1909

Sir,-

In reply to your letter of the 29th ult., No.295. M.5. and enclosures relating to the Right of way required by the Westminster_-Chilliwack Railway through the Matsqui and Sahhaeum Indian Reserves,I have to say that no action will be taken towards the alienation of any portion of an Indian Reserve in British Columbia whether for a Railway or other purposes until the settlement of the question at issue between the two Governments is reached,or until special instructions are issued by this Department.

Your obedient servant

J. D. McLEAN

Secretary.

A.W.Vowell,Esq.,

Indian Supt.,

Victoria,B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

341927

Indian Office, New Westminster, B.C.,

321/2a April 22nd, 1909.

Sir;-

Referring to your letter of the 19th January last, No. 522, M.5., on the subject of the application made by the Vancouver Power Company, Limited, for right of way through the Matsqui Main and Matsqui Sahhacum Indian reserves, I have the honor to report that, when on an official visit to the Matsqui Indians yesterday, I found that the said Company had done a considerable amount of the work of grading its road bed through the Matsqui Main Reserve, and also that the grading has been practically completed through the Sahhacum reserve.

I at once requested Mr. Smith, the Engineer in charge of construction, to stop all work on the reserves until permission is obtained from the Department, and he assured me that my request would be complied with.

On my return to this city today, I had an interview with Mr. Sinclair, the head Engineer in connection with the construction of this railway line, and he also assured me that no further work would be done on the reserves until official permission is secured.

On the 26th of August last, the date on which the Indians consented to the Department selling to the Company the land applied for, I informed the Indians that I would notify them as soon as authority would be received from the Department for the Company to occupy the said land, and that,

in

A. W. Vowell, Esq.,
Indian Superintendent, B.C.,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

in the meantime, no work of construction could be done on the reserves; and I, at the same time, advised the Company's representative to the same effect.

I gave these Indians a severe reprimand for neglecting to notify me that the Company's contractors were working on the reserves, and I am under the impression that the reason why they did not do so was because they were employed on the work themselves.

I have the honor to be,

Sir,

Your obedient servant,

Indian Agent.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

341927

DEPARTMENT OF INDIAN AFFAIRS APR 30 1909

Indian Office, Victoria, B.C.
April 24th, 1909.

3 y y 0, 5.

LANDS BRANCH MAY 1 1909

Sir:-

Enclosure

In connection with instructions given to him to the effect that, by direction of the Department, no action will be taken towards the alienation of any portion of an Indian Reserve in British Columbia, whether for railway or for other purposes, until a settlement of the question at issue between the two Governments is reached or until special instructions are issued by ~~this~~ the Department, I have the honour to enclose duplicate of a letter dated 22nd inst., No. 321/12, reporting the entry of the Vancouver Power Company, Limited, through the Matsqui Main and Matsqui Sahhaoum Indian Reserves.

There apparently has been some misunderstanding but, as will be seen, further proceedings on the part of the Company have been stopped.

DEPT. OF INDIAN AFFAIRS MAY 1 1909 VICTORIA, B.C.

Your obedient servant,

Supt. of Indian Affairs, B.C.

The Secretary,
Dept. of Indian Affairs,
Ottawa.

V.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

Vancouver Power Company
Limited

Address all communications to
THE GENERAL MANAGER

Telegraphic Address
"LASSANT," VANCOUVER

42757

Vancouver, B.C., April 27th 1909 190

R. C. Mc Donald Esq.,
Indian Agent,
New Westminster, B.C.

Dear Sir:

Your favor dated March 24th requesting me to accompany you to the Matsqui Indian reserve on March 29th, by some mischance only reached me on the 24th inst. This will explain my failure to answer you promptly, and I can assure you that I regret very much not having received it in time.

I understand from our Engineers that you visited the Matsqui Reserve last week, and ordered the cessation of work on our right-of-way. If the work is held up for any length of time, it will be a serious matter for us, and I shall esteem it a great favor if you will advise me what steps you might be able to take which would give us temporary permission at least, to proceed with the grading. We are willing to put up any security which you may think necessary, and to do all other matters you may call for.

Yours truly,

Ass't Manager.

MAY 1909 OFFICE
APR 29 1909
NEW WESTMINSTER, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Vancouver Power Company
Limited

342157

ADDRESS ALL COMMUNICATIONS TO THE GENERAL MANAGER

TELEGRAPHIC ADDRESS "LASSANT," VANCOUVER

Vancouver, B. C. Feb. 3, /09. 190

R. C. McDonald, Esq.,
Indian Agent,
New Westminster, B. C.

Dear Sir:-

Re Matsqui Main Indian Reserve.

I beg to advise you that our Engineers have found it necessary to make a slight change in the location of our Westminster-Chilliwack Ry. line through the above Reserve. This will necessitate the submission of a fresh plan and I shall be obliged if you will return the plan originally filed with you in this matter. Upon receipt of same I will deposit with you a plan showing the final location. I may say that the Indians are quite agreeable to the change as the new route follows the gulch for a longer distance than the old one and, therefore, does not encroach to the same extent upon their cultivated land.

If in your opinion another meeting of the Indians is necessary to confirm the new location, Assistant Manager Glover will be pleased to accompany you to the Reserve at any time you may appoint.

Yours truly,

W. H. Sweeney
General Manager.

INDIAN OFFICE
FEB 5 1909
NEW W. B.C.
WESTMINSTER, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

342757

Indian Office, New Westminster, B.C.,
April 29th, 1909.

362/12

Sir;-

Referring to your letter of the 24th instant, No. 378 O. 5., on the subject of the application made by the Vancouver Power Company, Limited, for right of way through the Matsqui Main and Matsqui Sahhacum Indian reserves, I have the honor to enclose herewith a letter, in duplicate, dated the 27th instant, received from Mr. F. R. Glover, Assistant Manager of the Company, stating that the Company is willing to put up any security the Department may think necessary, if allowed even temporary permission to proceed with the grading through the reserves.

I also enclose a letter from the Company, dated February 3rd last, to the effect that it was found necessary to make a slight change in the location of the line through the Matsqui Main reserve, and that a fresh plan showing the final location would be submitted, in reply to which I advised the Company that, as soon as the amended plan came to hand, I would appoint a date to visit the reserve, in order to get the consent of the Indians to the proposed change; and, on the 24th of March, the plan not having come to hand, I notified the Company of my intention of making an official visit to the Matsqui reserve on the 29th March, and that, if the plans were ready, the question of change in the line could then be submitted to the Indians; but failing

A. W. Vowell, Esq.,
Indian Superintendent, B.C.,
Victoria, B.C.

MAY 1 1909 B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

34275/

failing to receive a reply from the Company, as well as the promised plan, and on account of the press of other official business, I did not visit the reserve until the 21st instant. This will explain the statement in Mr. Glover's letter in regard to my requesting him to accompany me to Matsqui reserve on March 29th.

I have the honor to be,

Sir,

Your obedient servant,

Reuve Donaud

Indian Agent.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

342757

DEPARTMENT OF INDIAN AFFAIRS
MAY 10 1909

Indian Office, Victoria, B.C.

May Ist, I909.

5220, 5.

File No. 330490.

Sir:-

Referring to your letter of the IIth of January last relating to the right-of-way required by the Westminster-Chilliwack Railway through the Matsqui and Sahhacum Indian Reserves, I have the honour to submit herewith, for the information and consideration of the Department, a further letter dated the 29th ult., No. 362/I2, received from Mr. Agent McDonald of the Fraser Agency from which it will be seen by the Company's letters, dated the 3rd of February and 27th of last month, that a settlement of the question is aimed at an early date.

Your obedient servant,

A. W. Vowell

Supt. of Indian Affairs, B.C.

per W. Macdougall.

The Secretary,

Dept. of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

342902

Vancouver Power Company
Limited

Address all communications to
THE GENERAL MANAGER

Telegraphic Address
"LASSANT," VANCOUVER

Vancouver, B.C., May 4th 1909 190

R. C. Mc Donald Esq.,
Indian Agent,
New Westminster, B. C.

Dear Sir:

Replying to your favor of April 30th, I beg to say with reference to work having been commenced on the Matsqui Main Indian Reserve before arrangements with the Department were completed, that practically all the work that has been done on this Reserve, has been in the way of clearing, and this work was performed almost entirely by the Indians themselves, who, I understand, appealed to the Contractors for permission to be allowed to do this work. I regret very much the action of the Contractors in entering upon the Reserve until we had closed our arrangements with you.

Herewith I am enclosing blue prints showing the location of our line through the Matsqui Main Reserve and the Sahhacum Reserve. You will observe that on the Main Reserve we follow a deep gulch, which is of no practical value. It is on account of the nature of this gulch that we are obliged to take a little extra width at one point to obtain the material necessary for the grade.

As I stated in my last letter to you, we are prepared to put up any security which the Superintendent of Indian affairs may

OFFICE OF INDIAN SUP... MAY 11 1909 ...C.

INDIAN OFFICE MAY 8 1909 NEW WESTMINSTER, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

No. 8 B.C.E.R.Co. Ltd. 20M.-2-4-09

342902

R. C. Mc Donald Esq., 2. May 4th 1909

consider necessary, and to pay such further sum for the right-of-way in question as he may fix upon, if in his opinion the amount agreed to be paid, and with which the Indians were quite satisfied, is not sufficient.

We would esteem it a great favor if some arrangement could be reached by which we would be permitted to continue our work, as we are very anxious to avail ourselves of the present favorable weather conditions for construction, and also to enable us to complete the line and have it ready for operation by autumn.

Yours truly,

J.W. Clover

Ass't Manager.

2 Enclosures.

OFFICE OF INDIAN SUPERINTENDENT
MAY
11
1909
B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

342902.

Indian Office, New Westminster, B.C.,
May 8th, 1909.

45/12

Sir;-

In further reference to my letter of the 28th ultimo, No. 362/12, in connection with the application made by the Vancouver Power Company, Ltd., for right of way through the Matsqui Main and Matsqui Sahhewum Indian reserves, I have the honor to enclose herewith a letter, in duplicate, dated the 4th instant, received from the Company, stating that it is willing to put up any security the Department may consider necessary, and also pay for the land in question any further sum that may be fixed upon by the Department, if given permission to proceed with the work of the grading right of way on the reserves.

A plan, in duplicate, showing additional land required for right of way on the Matsqui Main Reserve, is also enclosed herewith.

OFFICE OF INDIAN SUPERINTENDENT
MAY
11
1909
B.C.

I have the honor to be,
Sir,
Your obedient servant,
R. Dowdall
Indian Agent.

A. W. Vowell, Esq.,
Indian Superintendent, B.C.,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

342902

DEPARTMENT OF INDIAN AFFAIRS
MAY 18 1909

Indian Office, Victoria, B.C.

May IIth, I909.

6550, 5.

DEPT. OF INDIAN AFFAIRS
MAY 29 1909
SURVEYS.

Sir:-

Referring to my letter of the Ist inst., No.522-0 5, in connection with the application made by the Vancouver Power Company for right-of-way through the Matsqui Main and Matsqui Sahhacum Indian Reserves, Fraser Agency, B.C., I have the honour to enclose herewith for the information of the Department a further letter of the 5th inst., No. 451/12, received from Mr. Agent McDonald with letter addressed to him of the 4th inst. from Mr. F. R. Glover, Assistant Manager of the said Company, with plan therein referred to.

Your obedient servant,

Supt. of Indian Affairs, B.C.

The Secretary,
Dept. of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Immediate

Ottawa May 25th, 1909

Memorandum for

Deputy Minister:-

Referring to your memorandum of the 10th instant and note attached to letter from Mr. Vowell of the 24th ultimo I beg to state that the Vancouver Power Company continues to urge the necessity of their being permitted to continue the construction of the West minster- Chilliwack Railway through the two Matsqui Indian Reserves, B.C. As it is evidently a great hardship to the Company and possibly a public detriment I beg again to draw your attention to the question as to whether this Company may be allowed to continue their work on their depositing with the Department the full value of the Rights of way.

S. Bray

Saheelum #20
Matsqui Nos 3 & 5-1-0

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, May 31, 1909.

Mr. Bray : -

With reference to the application from the Vancouver Power Company to enter upon the Matsqui Indian reserve, B. C., permission may be granted upon a sufficient deposit being made, with the understanding, of course, that when the matter is settled and the patent issues it issues only for the Indians' interest.

D. S. G. I. A.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Ottawa June Ist, 1909.

Sir,-

Referring to your letter of the IIth ult. No.655-0,5. and preceding correspondance, I beg to inform you that the Vancouver Power Company may enter upon and construct their line through the Sahaoum and Mutsqui Main Indian Reserves upon their depositing with the Department the sum of $550. on account of the Indian interest in the Right of Way and pending further action.

The said sum is the amount at the rate of the valuations made by Mr. Agent Mc Donald

Sahaoum	$200.
Mutsqui Main (new plan)	$350.
	$550.

Chamberlain $ 63-

It is to be understood as usual that the Railway Company will construct and maintain suitable fences on each side of the Right of Way with necessary cattle guards and will be responsible for all damages that may ensue in the way of killing stock etc. until, the same are constructed. Also all necessary crossing are to be constructed.

Smith

S.B.

Your obedient servant

F. D. McLEAN

Secretary

A.W.Vowell Esq.
Indian Superintendent
Victoria.
B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

530490

P.H

Ottawa June 2nd 1909.

On the understanding that you are acting for the Vancouver Power Company I beg to inform you that permission has been granted, through Mr. A.W,Vowell, Indian Superintendent, Victoria B.C. to the said Company to enter upon and construct their line through the Sahaoum and Matsqui Main Indian Reserves upon their depositing with this Department the sum of $550. On account of the Indian interest in the Rights of Way through the said reserves.

Your obedient servant

J. D. McLEAN

Secretary.

Col. A.T.Thompson

Barrister etc.

Trust Building

Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Duplicate

Voucher No. _____

Date of Payment _____ 190__

DEPARTMENT OF INDIAN AFFAIRS,

BRITISH COLUMBIA.

Name Vancouver Power Co. Ltd.

Service For right of way through Musqueam Indian Reserve & Musqueam Subdivision Indian Reserves.

$695.00

A. W. Vowell.
Indian Superintendent.

FRASER AGENCY.
Agency.

1909-10

Indian Affairs, (RG 10, Volume 7671, File 22153-16 B.C.E.)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MISCELLANEOUS.

Voucher No. 316 Vote No.

GOVERNMENT OF THE DOMINION OF CANADA.

File 330.490 - June 1909

DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

FRASER AGENCY. AGENCY.

To The Vancouver power Co. Ltd., 1909-10.

345836

DATE. 1909.	DETAIL.	AMOUNT. $	cts.
June 25	By payment received from the Vancouver power Co. Ltd., on account of the Indian interest in the right of way through the Matsqui Main and Matsqui Sahhaoum Indian reserves, and pending further action	635	00
		$635	00

I hereby Certify that this Voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also that all the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada. and that the sum as above is deposited pending further action.

Indian Agent.

APPROVED,

Indian Superintendent.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Original.

Voucher No. _____

Date of Payment _____ 190___

DEPARTMENT OF INDIAN AFFAIRS,

BRITISH COLUMBIA.

Name Vancouver Power Co. Ltd.

Service For rights of way through Matsqui Indian Reserve & Matsqui Subdivision Indian Reserves.

$ 1.35.00

A. W. Vowell.
Indian Superintendent.

FRASER AGENCY.
Agency.

1909-10.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

MISCELLANEOUS.

Voucher No. 316 Vote No.

GOVERNMENT OF THE DOMINION OF CANADA.

Fe 330 490 June 1st 09

DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

FRASER AGENCY. 345835 AGENCY.

To The Vancouver power Co. Ltd., 1909-10

DATE. 1909.	DETAIL.	AMOUNT. $	cts.
June 25	By payment received from the Vancouver power Co. Ltd., on account of the Indian interest in the right of way through the Matsqui Main and Matsqui Sahhacum Indian reserves, and pending further action	635	00
		$635	00

I hereby Certify that this Voucher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also that all the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada. and that the sum as above is deposited pending further action.

Indian Agent.

OFFICE OF IND... SUPERINTENDENT B.C. JUN 1909

APPROVED,

Indian Superintendent.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

345836

Indian Office, New Westminster, B.C.,

June 25th, 1909.

622/1c

Sir;-

Referring to your letter of the 8th instant, No. 299 p-5, I have the honor to enclose herewith two cheques amounting to the sum of $635, received from the Vancouver power Company Limited, on account of the Indian interest in right of way through the Matsqui Main and Matsqui Sahhacum Indian reserves, also voucher in triplicate in support of same.

Of the above amount, $50 is to be paid to Chief Augustine and $85 to Edwin for their improvements, and the balance($500) placed to the credit of the band. I would respectfully ask that the amounts for improvements be forwarded for the Indians as soon as possible, as they are anxiously waiting for same.

In your letter above referred to, an error* appears to have been made in the amount at the rate made by me, as it should be $635 instead of $550.

In mention was made of improvements in connection with subsequent demands of the Chief. J.B.

I have the honor to be,

Sir,

Your obedient servant,

R. McDonald

Indian Agent.

A. W. Vowell, Esq.,

Indian Superintendent, B.C.,

Victoria, B.C.

JUN 1909

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

345836

Indian Office, Victoria, B.C.
June 30th, 1909.

536. P, 5..

File No. 330490., Ist June 1909.

Sir,

I have the honour to forward herewith voucher in duplicate No. 316 and Bank receipt of deposit in triplicate with draft attached, No. 756 showing a payment of $635.00 to have been made by the Vancouver Power Company, Limited for deposit to secure payment for Indian interests in its Right-of-way through the Matsqui Main and Matsqui Sahhacum Reserves.

Enclosed will also be found a letter dated the 25th inst., No. 622/I2, on the subject from Agent McDonald drawing attention to the fact that the sum of $50.00 for Chief Augustine and $85.00 for Indian Edward for their improvements be sent to him as soon as possible.

Your obedient servant,

Supt. of Indian Affairs, B.C.

The Secretary,
Dept. of Indian Affairs,
Ottawa.

RECOMMENDED FOR PAYMENT
APPROVED, 3 Jul 1909
D. C. of I. A.

Sale 26 page 2 B.C. 12 July 1909

Ch. Inv. July 16th

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

No. 756

Original for the Depositor.

$ 635.00 / 100

THE CANADIAN BANK OF COMMERCE.

Bank of VICTORIA, B.C. JUN 1909 190

Received from A W Vowell

on account of Payment by Vowell Power Co for deposit re Indian interests in right of way Matoqui Sahhaum Reserves

the sum of Six hundred and [illegible] four 00/100 Dollars

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate,

J M Woods Mgr

Ent'd. [illegible]

LANDS BRANCH JUL 10 1909

No. 756

Duplicate for Department.

$ 635 00/100

THE CANADIAN BANK OF COMMERCE.

Bank of VICTORIA, B.C. JUN 8 1909 190

Received from A W Vowell

on account of Payment made by Vowell Power Co Ltd for deposit re Indian interests in right of way Matoqui Sahhaum Indian Reserves the sum of Six hundred and thirty-four 00/100 Dollars

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate,

J M Woods Mgr

Ent'd. [illegible]

LANDS BRANCH JUL 9 1909

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

DEPARTMENT OF INDIAN AFFAIRS
JUL 8 1909

Best

Yours very truly
Secretary

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Ottawa, August 27, 1909.

Memorandum

Ex'd

For the Asst. Deputy Supt. General.

I beg to refer you to memorandum of the 22nd September and 27th October, 1908, and to say that it would appear to be advisable to obtain the surrender of the land required in the Sahaoum and Matsqui Indian reserves, B. C., for the Right of Way of the Railway, controlled apparently by the Vancouver Power Company.

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490.

Ottawa, September 17, 1909.

Description for Surrender.

Indians of the Matsqui Band in the Province of British Columbia and Dominion of Canada.

X X X X X

All our interest in those certain parcels or tracts of land and premises situate, lying and being in that part of Section 7, Township 17, East of the Coast Meridian, known as the Matsqui Main reserve and in that part of Section 34, Township 16, East of the Coast Meridian known as the Sahaoum Indian reserve, containing respectively 10.91 acres and 2.70 acres be the same more or less, comprising the Right of Way of the Fraser Valley Branch Railway through the said Matsqui Main reserve, and the Right of Way of the ~~Fraser Valley Railway~~ West Chilliwack Railway through the said Sahaoum reserve as shown on plans of records in the Department of Indian Affairs, numbered respectively 342902 and 330490.

X X X X X

on condition that the said lands be sold for the sum of $500.00 to be credited to our band and for the further sum of $155.00 to pay for the individual improvements affected in the said Rights of Way.

L. Bray

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490. Ottawa, September 17, 1909.

Description for Surrender.

Indians of the Matsqui Band in the Province of British Columbia and Dominion of Canada.

X X X X X

prepared for signature

all our interest in those certain parcels or tracts of land and premises situate, lying and being in that part of Section 7, Township 17, East of the Coast Meridian, known as the Matsqui Main reserve and in that part of Section 34, Township 16, East of the Coast Meridian known as the Sahaeum Indian reserve, containing respectively 10.91 acres and 2.70 acres be the same more or less, comprising the Right of Way of the Fraser Valley Branch Railway through the said Matsqui Main reserve, and the Right of Way of the ~~Fraser Valley~~ West Chilliwack Railway through the said Sahaeum reserve as shown on plans of record in the Department of Indian Affairs, numbered respectively 342902 and 330490.

BRANCH 19 1909

X X X X X

on condition that the said lands be sold for the sum of $500.00 to be credited to our band and for the further sum of $135.00 to pay for the individual improvements affected in the said Rights of Way.

L. Gray

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

350 490

E7

LANDS BRANCH
SEP 21 1909

Ottawa, September 20, 1909.

Sir,-

In connection with application of the Vancouver Power Company for Right of Way through the Matsqui Main and Matsqui Sahaaum Indian Reserves, B. C., I beg to inclose a form of surrender, in duplicate, which you are hereby authorized to submit to the Indians under and in accordance with the provisions of the Indian Act. If the Indians consent to this surrender, you will be good enough to have it dated and executed by a number of them and witnessed by yourself and an affidavit of execution made on the form attached by yourself and a Chief and Principal Man before a Justice of the Peace or a Stipendiary Magistrate, and then return both documents to the Department for approval.

Your obedient Servant,

FRANK PEDLEY.

Deputy Superintendent General
of Indian Affairs.

R. C. McDonald, Esq.,
Indian Agent,
New Westminster, B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330 490

LANDS BRANCH OCT 19 1909

351761

DEPARTMENT OF INDIAN AFFAIRS OCT 19 1909

Indian Office, New Westminster, B.C.,

October 11th, 1909.

277/13

Ex'd

Sir;-

I have the honor to acknowledge receipt of your letter of the 20th ultimo, No. 330 490 with forms of surrender and affidavit, in duplicate, in connection with the right of way for the Vancouver Power Company, Ltd., through the Matsqui Main and Matsqui Sahhaoum Indian Reserves.

In reply I beg to enclose herewith the said forms duly executed.

I have the honor to be,

Sir,

Your obedient servant,

Indian Agent.

Frank Pedley, Esq.,

Deputy Superintendent General of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490

Ottawa, 21st October, 1909.

His Excellency

The Governor General in Council.

The undersigned has the honour to submit herewith a Surrender, in duplicate, made on the 7th day of October, 1909, by the Matsqui band of Indians, of their interest in those certain parcels or tracts of land and premises situate, lying and being in that part of section 7, township 17, east of the coast meridian, known as the Matsqui Main Indian reserve, and in that part of section 34, township 16, east of the coast meridian, known as the Sahaoum Indian reserve, containing respectively 10.91 acres and 2.70 acres, be the same more or less, comprising the right of way of the Fraser Valley branch railway of the Vancouver Power Company, Limited, through the said Matsqui Main reserve, and the right of way of the West Chilliwack railway through the said Sahaoum reserve, as shown on plans of record in the Department of Indian Affairs.

The surrender has been duly authorised, executed and attested in the manner required by the 49th section of the Indian Act, and the undersigned would recommend that the same be accepted by Your Excellency in Council, the original surrender to be returned to the Department of Indian Affairs and the duplicate to be kept of record in the Privy Council Office.

Sm. 21
P.C. 21
L.B. 23
P.C. 23

Sir Wilfrid Laurier

for Supt. General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DOMINION OF CANADA,
Province of British Columbia
County of Westminster
To Wit:

Personally appeared before me, Roderick C. McDonald Indian Agent, of New Westminster, B. C., the 7th of October, 1909 in the Province of British Columbia and Chief Augustine Chief of the said Band of Indians., and Charley, a member of the said Band of Indians

AND the said Roderick C. McDonald for himself saith :—

That the annexed release or surrender was assented to by a majority of the male members of the said Band of Indians of the Matsqui Indian Reserve of the full age of twenty-one years then present.

That such assent was given at a meeting or council of the said Band summoned for that purpose and according to its Rules.

That he was present at such meeting or council and heard such assent given.

That he was duly authorized to attend such council or meeting by the Superintendent General of Indian Affairs.

That no Indian was present or voted at said council or meeting who was not a member of the Band or interested in the land mentioned in the said Release or Surrender.

And the said Chief Augustine and the said Charley, each for himself says:

That the annexed Release or Surrender was assented to by him and a majority of the male members of the said Band of Indians of the full age of twenty-one years then present.

That such assent was given at a meeting or council of the said Band of Indians summoned for that purpose, according to its Rules, and held in the presence of the said Roderick C. McDonald

That no Indian was present or voted at such council or meeting who was not a habitual resident on the Reserve of the said Band of Indians or interested in the land mentioned in the said Release or Surrender.

That he is a Chief of the said Band of Indians and entitled to vote at the said meeting or council. and that he Charley is a member of the said band of Indians and entitled to vote at the said meeting or Council.

SWORN before me by the Deponents at Matsqui of New Westminster in the County of ——— this 7th day of October A.D., 1909.

(sgd) E. W. King, J. P.

(sgd) R. C. McDonald,
his
" Chief Augustine x
mark
his
Charley x
mark

Form No. 66.

The contents of this affidavit having been read over and explained by me to the said Chief Augustine and the said Charley who appeared to understand the same and made their marks in my presence.

(sgd) E. W. King, J. P.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

F. 330 490.

22153-16 B.C.E

(Copy)

Know all Men by these Presents

THAT WE, the undersigned Chief and Principal men of

The Matsqui Band of Indians

resident on our Reserve

in the Province of **British Columbia** and Dominion of Canada, for and acting on behalf of the whole people of our said Band in Council assembled, Do hereby release, remise, surrender, quit claim and yield up unto Our Sovereign Lord the King, his Heirs and Successors forever, ALL AND SINGULAR, ~~that certain parcel or tract of land and premises, situate, lying and being in the in the County of and Province of containing by admeasurement~~

~~be the same more or less and being composed of~~

our interest in those certain parcels or tracts of land and premises situate, lying and being in that part of section 7, township 17, east of the Coast Meridian, known as the Matsqui Main Reserve and in that part of section 34, township 16, east of the Coast Meridian known as the Sahacum Indian Reserve, containing respectively 10.91 acres and 2.70 acres be the same more or less, comprising the Right of Way of the Fraser Valley Branch Railway through the said Matsqui Main reserve, and the Right of Way of the West Chilliwack Railway through the said Sahacum reserve as shown on plans of record in the Department of Indian Affairs, numbered respectively 342902 and 330490.

Sale 2 B.C. Part of S. Bk.

Form No. 65.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

TO HAVE AND TO HOLD the same unto His said Majesty THE KING, his Heirs and Successors forever, in trust to **dispose of** ——— the same to such person or persons, and upon such terms as the Government of the Dominion of Canada may deem most conducive to our welfare and that of our people.

AND upon the further condition that all moneys received from the **disposition** ——— thereof, shall, after deducting the usual proportion for expenses of management, be **placed to our credit and interest thereon paid to us, in the usual way.**

AND WE, the said Chief and Principal men of the said

Matsqui Band of Indians ——— do on behalf of our people and for ourselves, hereby ratify and confirm, and promise to ratify and confirm, whatever the said Government may do, or cause to be lawfully done, in connection with the **disposition of our said interest and of the moneys derived therefrom.**

Provided that the said lands be sold for the sum of $500.00 to be credited to our band and for the further sum of $135.00 to pay for the individual improvements affected in the said Rights of Way.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this seventh day of October in the year of Our Lord one thousand nine hundred and nine.

Signed, Sealed and Delivered, IN THE PRESENCE OF

R.C. McDonald

Indian Agent.

his
Chief Augustine x mark (seal)

his
Charley x mark "

his
Edwin x mark "

his
William George x mark "

his
Leo x mark "

his
Bony x mark "

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490 22153 B (E) 16

P.C.2170.

Certified copy of a Report of the Committee of the Privy Council, approved by His Excellency the Governor General on the 28th October, 1909.

PRIVY COUNCIL CANADA

352629

21 Oct.1909.

The Right Honourable Sir Wilfrid Laurier, for the Superintendent General of Indian Affairs, submits a Surrender, in duplicate, made on the 7th day of October, 1909, by the Matsqui Band of Indians, of their interest in those certain parcels or tracts of land and premises situate, lying and being in that part of section 7, township 17, east of the coast meridian, known as the Matsqui Main Indian reserve, and in that part of section 34, township 16, east of the coast meridian, known as the Sahaoum Indian reserve, containing respectively 10.91 acres and 2.70 acres, be the same more or less, comprising the right of way of the Fraser Valley branch railway of the Vancouver Power Company, Limited, through the said Matsqui Main reserve, and the right of way of the West Chilliwack railway through the said Sahaoum reserve, as shown on plans of record in the Department of Indian Affairs.

The Minister recommends,- as the surrender has been duly authorized, executed and attested in the manner required by the 49th section of the Indian Act,- that the same be accepted by the Governor General in Council, the original surrender to be returned to the Department of Indian Affairs and the duplicate to be kept of record in the Privy Council Office.

The Committee submit the same for approval.

Joseph Pope
Clerk of the Privy Council.

The Honourable
The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490

Ottawa, 4th Nov., 1909.

Sir,-

I beg to submit herewith for registration in the books of your Department a surrender made on 7th day of October, 1909, by the Matsqui Band of Indians, of their interest in those certain parcels or tracts of land and premises situated in that part of Sec. 7, Tp. 17, east of the coast meridian, known as the Matsqui Main Indian reserve, and in that part of Sec. 34, Tp. 16, E. of the coast meridian, known as the Sahaoum Indian reserve, comprising the right of way of the Fraser Valley branch railway of the Vancouver Power Company, Limited, through the said Matsqui Main reserve, and the right of way of the West Chilliwack railway through the said Sahaoum reserve.

The surrender was accepted by His Excellency in Council on the 28th Oct., 1909.

Be good enough to return the instrument to this Department as soon as possible with a certificate of registration enforsed thereon.

Your obedient servant,

Secretary.

The Under-Secretary of State,
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

DEPARTMENT OF THE SECRETARY OF STATE CANADA

DEPARTMENT OF INDIAN AFFAIRS NOV 8 1909

352853

P.S.
No.2699.

Ottawa,8th November,1909.

Sir,-

I have the honour to acknowledge the receipt of your letter of the 4th instant,No.330,490,transmitting,for registration,a surrender made on the 7th day of October last by the Matsqui Band of Indians,and to state that the matter shall be duly attended to.

I have the honour to be,

Sir,

Your obedient servant,

F. Pedley

Assistant Under-Secretary of State of Canada.

The Secretary,

Department of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

E

Per Ltr
re Indian Sale
Patent and is
issue for Journal
D.T.A.

DEPARTMENT OF THE SECRETARY OF STATE CANADA

355971

S.

No.2599.

Ottawa, 5th January, 1910.

I.Ex'd

DEPARTMENT OF INDIAN AFFAIRS JAN 7 1910

Sir,-

Sale 2 Lots S. Bk.
Page 6, B.C.

In reply to your letter of the 4th instant, No.330,490, I beg to return to you, herewith, duly registered in this Department, a surrender by the Matsqui Band of Indians.

I have the honour to be,

Sir,

Your obedient servant,

Assistant Under-Secretary of State.

The Secretary,

Department of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490 22153-16 B.C.E

Form No. 4000 M 3/4 10-15-10

Vancouver Power Company, Limited

ADDRESS ALL COMMUNICATIONS TO THE GENERAL MANAGER.

TELEGRAPHIC ADDRESS, "LASSANT," VANCOUVER.

Vancouver, B.C. 15th June, 1911

JUN 24 1911 SURVEYS.

390270

Frank Pedley, Esq.,
Deputy Superintendent General,
Department of Indian Affairs,
O T T A W A, Ont.

Dear Sir,

Re Sumas No. 7, Matsqui Main and Sahhacum Indian Reserve.

JUN 29 1911 INDIAN BRANCH

The Vancouver Power Co., Ld., acquired through Mr. McDonald, Indian Agent at New Westminster, permission to construct its railway through the above Indian Reserves. This railway has now been constructed and in operation for some little time. Since the commencement of operation, considerable trouble has been occasioned by trees standing on the land adjoining the right-of-way being blown down across the transmission lines, causing interruption to the service. The Company now desires permission to slash a strip of land adjacent to the right-of-way ranging in width according to the height of the standing timber, but in no case to exceed 250 feet on each side of the present right-of-way. The timber would be left available for wood or lumber, and the slashing would make it easier for the Indians, as it would save them any labour in felling this timber.

I enclose prints showing strip desired to be slashed, and would thank you to let this matter have your attention.

Yours truly,
T. Laurence
Solicitor.

ENCLOSURES.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

P.X.J.

P.X.J.

Ottawa, June 30, 1911.

Sir,-

I beg to acknowledge the receipt of your letter of the 15th instant, representing that the Vancouver Power Company desire permission to slash a strip of land adjacent to the right of way, not to exceed 250 feet on each side of it, through the Sumas Reserve, No. 7, and in reply to inform you that the Department is not disposed to allow any slash of the timber on the Reserve on either side of the right of way on the condition stated.

Your obedient Servant,

J. D. McLEAN

Asst. Deputy and Secretary.

W.A.D

F. Lawrence, Esq.,
Solicitor,
Vancouver, B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

371560

406983

66/18

Indian Office, New Westminster, B.C.,
March 6, 1912.

Sir,

Some time ago, the B.C.E.Ry. Company's men cut down 156 trees; estimated amount of timber contained therein 500,000 feet B.M., along the line of their right of way through the Matsqui Indian Reserve.

It seems that this was necessary in order to avoid the danger of trees falling across or on to their track or wires. As this timber stood on the reserve out side of the right of way purchased by the aforesaid company; it seems to me that some compensation should be made to the Indians for it.

Kindly advise me as to what steps I should take in this matter.

Your obedient servant,

Peter Byrne

Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

71 560.

Ottawa, March 12, 1912.

Sir,-

I beg to acknowledge the receipt of your letter of the 6th instant, No. 66/18, reporting that the B. C. E. Railway Company's men cut 156 trees estimated to contain 500,000 feet, B. M., along the right of way through the Matsqui Indian Reserve, and asking for instructions concerning same.

In reply I have to inform you that you should collect from the Company five dollars per thousand feet, B. M., for the timber they cut outside of the Railway right of way, say $2500.00 for the 500,000 feet cut, and a similar rate if the quantity is found to be less than 500,000 feet. B. M.

Your obedient Servant,

J. D. McLEAN

Asst. Deputy and Secretary.

Peter Byrne Esq.,
Indian Agent,
New Westminster, B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

16-19

DEPARTMENT OF INDIAN AFFAIRS
APR 10 1913

ACCOUNTANTS
APR 12 1913
BRANCH

34389

Indian office, New Westminster.B. C.
April 5, 1913.

Sir:-

Enclosed herewith please find Bank Draft No.261 for the sum of $160.25 , paid by the B. C. E.Ry. Co.,being stumpage on timber cut outside their fence,on the Matsquie Indian Reserve.

LANDS BRANCH
APR 12 1913

In explanation of the delay in forwarding this money,I may say that considerable discussion passed between myself and representatives of the Company, they claiming that the Indians having removed the timber cut, it was unfare for the Co. to pay stumpage thereon, on the bases of trespass dues. It was therefore necessary for me to go over the ground, and check up the work done by the scaler, and also assertain if the timber had been removed as alleged. On doing so I found that the Indians had removed a considerable amount of the timber, sold some as logs and cord-wood, and some they made use of as firewood.

As this timber was cut some four years ago, it was somewhat difficult to locate it,the underbush having grown very thick in the vicinity. I am also enclosing Scale Bill.

Your obedient servant,

Peter Byrne

Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

434369

Entd. J.L.H. GLG

No. 201

Original for the Depositor.

$160 25/100

The Canadian Bank of Commerce
Bank of
NEW WESTMINSTER, B.C. APR 3- 1913

Received from Peter Byrne

on account of Timber cut by B.C.E.R. Rly on Matagui Mo. Indian

the sum of One hundred + Sixty 25/100 dollars

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate.

FOR
The Canadian Bank of Commerce
NEW WESTMINSTER
Geo. Belt
MANAGER

Entd. D

DEPARTMENT OF INDIAN AFFAIRS
APR 10 1913
Indian Gain

Entd. J.L.H. GLG

No. 201

Duplicate for Department.

434369

$160 25/100

The Canadian Bank of Commerce
Bank of
NEW WESTMINSTER, B.C. APR 3- 1913

Received from Peter Byrne

on account of Timber cut by B.C.E.R. Rly on Matagui Indian Gain

the sum of One hundred + Sixty 25/100 dollars

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate.

FOR
The Canadian Bank of Commerce
NEW WESTMINSTER
Geo. Belt
MANAGER

Ent'd. D

DEPARTMENT OF INDIAN AFFAIRS
APR 10 1913

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

No.

F. D. McIntyre's LAUNCH "BELISE"

SCALE BILL

Scaled for Mess. British Columbia Electric Railway Co.

Vancouver, B. C.

REMARKS	No. Logs	DESCRIPTION	QUANTITY	Feet
	23	Cedar trees or poles	4,968 Ft.	
	77	Fir trees	132,419	
	35	Hemlock trees	22,868	
Total	135	Trees cut down	160,255 Ft.	

Report of trees cut down out side of the fence on the Matsqui Indian Reserve, Chilliwhac Branch of the British Columbia ElectricRailway as requested.

Estd. J.L.H. 434369

F.D.

Scaled at Matsqui Indian Reserve B. C.

June 7th. 1913

Scaler.

over

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, April 14, 1913.

Sir,-

In further reply to your letter of the 5th instant, inclosing remittance for stumpage on timber cut outside of the right of way on the Matsqui Indian reserve and culler's affidavit, I have to inform you that the instructions sent you under date of 12th of March, 1912, were, that you should collect $5.00 per M. feet, B. M., on the quantity cut, whether 500,000 feet or less.

As you have only collected one dollar per thousand feet instead of five dollars, I have to request you to collect and transmit the balance without delay.

Your obedient Servant,

J. D. McLEAN

Asst. Deputy and Secretary.

Peter Byrne, Esq.,
Indian Agent,
New Westminster,
B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, June 4, 1913.

Sir,-

I have to acknowledge the receipt of your letter of the 26th ultimo, with copies of correspondence in regard to the value of timber cut by the B. C. Electric Railway Co., Ltd., on the Matsqui Indian reserve, and in reply to inform you that any reduction in the value of the timber cut should be made on the ground of what other owners were paid, or that the Indians cut some of the trees into cord-wood and sold it.

The question is one of damage and trespass and under the circumstances you should require payment in full in accordance with your instructions.

Your obedient Servant,

J. D. McLEAN

Asst. Deputy and Secretary.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

Indian office, New Westminster, B.C.

March 19, 1912.

Supt. of B.C.E.Rly. Co., Ltd.,

City.

Dear Sir:-

I am informed by the Chief of the Matsqui Band of Indians that your company has cut down 156 trees on the Matsqui Indian Reserve outside of your right-of-way. Most of the Timber cut is merchantable. The estimated amount of Timber in the trees cut down, according to the Indians, is 500,000 feet B.M.

I am instructed by the Department of Indian Affairs to collect from your Company $ 5.00 per 1000 feet B.M. for the timber cut outside of your railway right-of-way. This will be $ 2500.00 for 500,000 feet, and a similar rate if the quantity is found to be less than the above amount.

Kindly give this matter your immediate attention, and oblige,

Yours truly,

Peter Byrne,

Indian Agent.

440303

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

F. D. McINTYRE'S Launch"BELISLE"

SCALE BILL

Scaled for Messrs. B. Columbia Electric Railway Co.,

BVancouver, B.C.

#

23 Cedar trees or poles....	4,968 ft.	B.M.
77 Fir trees.....	132,419	
35 Hemlock trees.....	22,868	
135 trees cut down	160,255	

Fees $ 10.00

Report of trees cut down out side of the fence of the Matsqui Indian Reserve, Chilliwack Branch of the British Columbia Electric R.Co. as requested.

Scaled at Matsqui Indian Reserve, B.C.

June 7th, 1912. F.D.McIntyre,Scaler.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

April 25th. 1912.

C.B. Vorce, Esq.,
Engineer of Construction,
O F F I C E

Dear Sir:-

RE CUTTING DANGEROUS TREES "MATSQUI MAIN" INDIAN RESERVE.

In reply to your letter of April 23rd. with enclosure, I beg to say that we cut 150 trees on this Reservation at an average stumpage of 1500 ft.B.M. per tree. Since that time the Indians have cut this timber into cord-wood and sold it for the Matsqui Dyking Pump House. In as much as the Indians every year Contract with the above for cord wood, they should be glad to have been saved the extra work of felling this timber. Trespassing dues paid to the Dominion Government have always been, where we have taken any timber, $1.50 per thousand ft. B.M. It seems to me $ 5.00 a thousand for the timber cut on the reserve is an extreme charge and if you wish, I will see Peter Byrne, the Indian Agent, and see if we can get this reduced.

Yours truly,
"F. N. Sinclair,"
Principap Asst. Engineer.

440303

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

June 26th. 1912.

C. B. Vorce, Esq.,
Engineer of Construction,
O F F I C E.

Dear Sir:-

In reply to yours of April 23rd. I beg to advise you that I have sent Mr. McIntyre in company with the Indian Agent to Matsqui Indian Reserve, and our cruiser advises that we have cut 160,255 ft. B.M. and Mr. Byrne the Agent, verifies this amount. I would suggest that a check for $ 160.25 be sent to the Department of Indian Affairs through Mr. Byrne, this amount would be $ 1.00 per thousand for 160¼ thousand ft, and represents seizure dues on timber taken in a similar way along the Fraser Valley Branch. The price specified by the Department is out of all reason and I am confident that they will accept the amount tendered after being advised of the facts by the Local Indian Agent, In your absence I have taken the liberty of interviewing Mr. Ingersol and he advises me that he would have a check drawn to expedite settlement when you return.

Yours truly,
"F. N. Sinclair"
Principap, Asst. Engr.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Office, New Westminster, B.C.

April 22nd. 1913.

Dear Sir,

Referring to the timber cut outside of the B.C. E. Ry. Right-of-Way, on the Matsqui Indian Reserve, I have to inform you that the Department of Indian Affairs has instructed me to collect from your company, $ 5.00 per M. ft. B.M. in accordance with the scale forwarded to Head-quarters, I transmitted the amount ($160.25) already paid by your company, and I have received instructions to collect the balance without delay.

Yours very truly,

Peter Byrne.

Indian Agent.

Mr. Sinclair,

Engineer,

B.C.E.Ry.Co.

C I T Y.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

May 9th. 1913.

Peter Byrne, Esq.,

Indian Office,

New West minster, B.C.

Dear Sir:-

RE FRASER VALLEY RIGHT-OF -WAY, MATSQUI INDIAN RESERVE

I received your letter of the 22nd. ultimo re payment by this Company for timber cut on the above named Indian Reserve during construction work on the railway.

The Company on receipt of the Department's claim of $5. per thousand feet Board Measure last year considered the same excessive, and through its assistant engineer, Mr. Sinclair, called on Mr. McDonald who was then Indian Agent, and after discussing the matter with him intimated that the Company was willing to pay $ 1. per thousand feet. Mr. McDonald agreed with Mr. Sinclair that he would forward the payment at the lower rate to the Department with a recommendation that the same be accepted. Accordingly the payment ($160.25) was made by the Company.

The Company based its contention that the claim was excessive on the fact that it had paid $1.00 per thousand feet to other ownesr along the line, and in some cases had even paid less. Besides this, the trees cut on the reserve were left on the ground, and the Indians after cutting up the same into cordwood readily disposed of it. I may also say that the trees cut down were pretty well scattered, and were in danger of being blown down at any time and doing damage to the houses and property of the Indians.

For these reasons I think you will agree with me that the payment already made is sufficient, and I should be glad to hear from you that you had recommended the Department to make no further claim.

Yours truly,

"V. Laursen."

Solicitor.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

New Westminster, B.C.
June 11th. 1913.

116/20

Sir:-

RE FRASER VALLEY RIGHT-OF-WAY
MATSQUI INDIAN RESERVE.

With further reference to the above matter, I may say that I forwarded copies of your correspondence to the Department at Ottawa, nevertheless, I am instructed to collect stumpage dues at the rate of $ 5.00 per M. as per my previous letter to you. This would leave a balance still unpaid of $ 641.00, you having already paid $160.25, or at the rate of $1.00 per M. on the timber cut.

Yours very truly,

"Peter Byrne",
Indian Agent.

V. Laursen, Esq.,
Barrister, Solicitor, etc.
B.C.E.Ry. Company.
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Robert A. Bringle, K.C.
Andrew T. Thompson, B.A., LL.B.
Thomas [illegible], B.A., LL.B.

Cable Address "Thompson"
Western Union Code
Telephone Queen 3135

Bringle, Thompson & Burgess
Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.
The Trust Building 48 Sparks St.
Ottawa, Canada

JUL 3 1913

June 26th. 1913.

Frank Pedley. Esq.,

440303

Deputy Superintendent of Indian Affairs,

Ottawa.

Dear Mr. Pedley:-

re B. C. Electric Railway Company and its Fraser Valley Right of Way as to timber cut on Matsqui Indian Reserve.

As promised in our interview of to-day I send you herewith a copy of the letters and documents forwarded to me in this connection by Mr. Laursen, solicitor for the B. C. Electric Railway Company.

They set forth the position of affairs very fully, and I think I need add nothing further to them.

I am leaving for England on Saturday, not to be back until about the 10th. of September, and if you cannot accept the Company's position on the material furnished, I would ask you to allow this matter to stand until my return, notifying your agent in British Columbia that you have made this arrangement with me.

The amount at issue is not very large, and as my clients are both reputably and financially able to meet anything they should really pay, I hope you will oblige me to this extent.

Yours truly,

Andrew T. Thompson

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF INDIAN AFFAIRS CANADA

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL.

OTTAWA. July 25th. 1913.

MEMORANDUM

Secretary -

With reference to letter of the 26th. ultimo from Col. A. T. Thompson, regarding the claim of the Department against the British Columbia Electric Railway Company, the Company may be informed of the receipt of Col. Thompson's letter and his request to allow the matter to stand over until his return from England about September 10th., but as this is a case of trespass the Department must insist on the balance being paid.

LANDS BRANCH JUL 28 1913

D. S. G. I. A.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, July 29, 1913.

EXL.

Sir,-

Representations on behalf of the British Columbia Electric Railway Company have been made to the Department to the effect that the charge of $5.00 per M. feet. B. M., for timber cut in trespass on the Matsqui reserve is excessive, and a reduction is suggested, also that as the solicitor is going to Englan d and will not return until about the 10th of September, the matter stand until his return.

The Company have been informed that the matter will be allowed to stand, but in the meantime they must deposit the balance claimed.

Your obedient Servant,

J. D. McLEAN

Asst. Deputy and Secretary.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

RODAR SAFETY FILM

330,490.

Ottawa, July 29, 1913

Gentlemen,-

I beg to acknowledge the receipt of your letter of the 26th instant, re British Columbia Electric Railway Company's trespass on the Matsqui Indian reserve, and in regard to your Mr. Thompson's request to allow the Department's claim to stand until after his return from England. I have to inform you that the Company in the meantime must deposit the balance claimed, and they have been so advised.

Your obedient Servant,

F. D. Mc[illegible]

Asst. Deputy and Secretary.

Messrs. Pringle, Thompson & Burgess,
Trust Building,
48 Sparks St.,
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

E.X.L.

Ottawa, July 29, 1913.

Gentlemen,-

In regard to the application of your solicitor, Mr. Andrew T. Thompson, of Ottawa, to allow the matter of claim against your Company to stand until his return from England about the 10th of September next, if the position taken by you is not acceptable, I have to state that the trespass which you made on the Matsqui reserve was with the knowledge that was communicated to your solicitor, that the Department was not disposed to allow any slash of the timber on the reserve.

The Department has no objection, however, to allow the matter to stand over until the time indicated, but as the case is one of trespass and damage, it will be necessary to deposit the amount of balance claimed with the Department without further delay.

Your obedient Servant,

J. D. McLEAN

Asst. Deputy and Secretary.

British Columbia Electric Railway Co.,
Vancouver,
B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(COPY)

B. C. Electric Railwy Co. Ltd.,
Vancouver, B. C.
May 9th, 1913. 438546

Peter Byrne, Esq.,
Indian Office,
New Westminster, B. C.

Dear Sir:-

RE FRASER VALLEY RIGHT-OF-WAY, MATSQUIE INDIAN RESERVE.

I received your letter of the 22nd, ultimo re payment of this Company for timber cut on the above named Indian Reserve, during construction work on the railway.

The Company on receipt of the Department's claim of $5.00 per thousand feet Board Measure, last year, considered the same excessive, and through its assistant engineer, Mr. Sinclair, called on Mr. McDonald, who was then Indian Agent, and after discussing the matter with him intimated that the Company was willing to pay $1.00 per thousand feet. Mr. McDonald agreed with Mr. Sinclair that he would forward the payment at the lower rate to the Department, with a recommendation that the same be accepted. Accordingly the payment ($160.25) was made by the Company.

The Company based its contention that the claim was excessive on the fact that it had paid $1.00per thousand feet to other owners along the line, and in some cases had even paid less. Besides this, the trees cut on the reserve were left on the ground, and the Indians, after cutting up the same as cord wood readily disposed of it. I may also say that the trees cut down were pretty well scattered, and were in danger of being blown down at any time, and doing damage to the property of the Indians.

For these reasons I think you will agree with me, that the payment already made is sufficient, and I should be glad to hear from you, that you had recommended the Department to make no further claim.

Yours truly,
V. LAURSEN,
Solicitor.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(COPY) 383346

Indian Office, New Westminster, B. C.
April 22nd 1913,

Dear Sir:-

Referring to the timber cut outside of the B. C. E. Ry. Right of Way, on the Matsquie Indian Reserve, I have to inform you that the Department of Indian Affairs has instructed me to collect from your company, $5.00 per M. ft. B. M., in accordance with the scale forwarded to Head-quarters, I transmitted the amount ($160.25) already paid by your company and I have received instructions to collect the balance without delay.

Yours very truly,

PETER BYRNE,

Indian Agent.

Mr. Sinclair,
Engineer,
B. C. E. Ry. Co.,
CITY.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

INDIAN AGENT'S OFFICE,

New Westminster, B. C.

May 26th 1913. 191

IN YOUR REPLY REFER TO
No. 11/20
ALSO
TO DATE OF THIS LETTER

Returning the Survey plan
file
See letters of 29th inst.
to Agent, Companion
Inspector hereunder
Y/O

330,490.

DEPT. OF INDIAN AFFAIRS,
JUL 30 1913
SURVEYS.

38546

With further reference to your letter of the 14th ultimo, re dues on timber cut by the B. C. E. Ry. Company, on the Matsquie Indian Reserve, I beg to enclose herewith copy of correspondence, which passed between myself and the Company, and would ask for further instructions in this matter.

LANDS BRANCH
JUL 30 1913

LANDS BRANCH
JUN 2 1913

Your obedient servant,

Peter Byrne

Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Robert A. Pringle, K.C.
Andrew T. Thompson, B.A. LL.B.
Thomas A. [illegible] B.A. LL.B.

Cable Address "Thompson"
Western Union Code
Telephone Queen 3135

Pringle, Thompson & Burgess
Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.
The Trust Building, 48 Sparks St.
Ottawa, Canada July 31st. 1913.

Frank P[illegible] Esq.,
Supt. General of Indian Affairs,
Ottawa.

42321

Dear Sir:- No. 330,490.

I have been handed your communicayion of the 29th. inst. in regard to British Columbia Electric Railway Company's trespass on the Matsqui Indian Reserve, and in regard to firm's request to allow the Department's claim to stand until Colonel Thompson's return from England.

In this communication the Assistant Deputy and Secretary states that the Company in the meantime must deposit the balance claimed, and they have been so advised.

If not bothering you too much I wish you would look into this matter and see if there is not some some way of having it stand over until Colonel Thompson's return, as I really know nothing whatever about it.
I expect the Colonel back early in September, and he would then take the matter up with you.

Yours very truly,

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330 490-

DEPT. OF INDIAN AFFAIRS
AUG 14 1913
SURVEYS.

ACCOUNTANTS
AUG 11
BRANCH

Ottawa, 6th August, 1913-

Gentlemen,

In reply to your letter of the 31st Ultimo, in regard to the trespass made by the British Columbia Electric Railway Company on the Matsqui Indian Reserve, and requesting delay until Colonel Thompson's return in September, I beg to inform you that the matter has been duly considered, and the ruling is -- that the Department must insist on the balance being paid, as a condition under which the matter will be allowed to stand over, and no time should be lost in complying, otherwise the Indian Agent will be advised to carry out the instructions sent him in this case.

Your obedient servant,

J. D. McLEAN

Assistant Deputy & Secretary-

Messrs. Pringle, Thompson & Burgess,
Barristers &c.
The Trust Building,
48 Sparks St.
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

FORM NO. 4004 100M-23-9-12

British Columbia Electric Railway Company, Limited

HEAD OFFICE: 34 NICHOLAS LANE, LOMBARD STREET, LONDON, ENGLAND
GENERAL MANAGER'S OFFICE: VANCOUVER, B. C.

DEPT. OF INDIAN AFFAIRS
AUG 23 1913

SUBSIDIARY COMPANIES
VANCOUVER—
VANCOUVER POWER CO., LTD
VANCOUVER FRASER VALLEY AND SOUTHERN RAILWAY CO.
VICTORIA—
VANCOUVER ISLAND POWER CO., LTD

TELEGRAPHIC ADDRESS: "LASSANT"
LONDON, VICTORIA AND VANCOUVER

Vancouver, B.C., 21st August, 1913.

J. D. McLean Esq.,
Secy, Dept. of Indian Affairs,
OTTAWA, ONT.

443925

Dear Sir;-

--MATSQUI INDIAN RESERVE--

I have received your letter of the 29th ulto. (No. 330,490) agreeing to allow the matter of claim against the Company to stand over until Mr. Thompson's return from England on condition that the Company deposit the amount of balance claimed with the Department and I now enclose cheque for $641.00 to be held accordingly. I do not know on whose authority you make the statement that the trespass made on the Matsqui Reserve was with the knowledge communicated to me as the Company's solicitor, that the Department was not disposed to allow any slash of the timber on the Reserve as I do not recollect having ever received any such communication.

Yours truly,

Solicitor.

Enc.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

No. 3919 ORIGINAL, FOR THE DEPOSITOR.

Bank of Montreal,

$ 641.00 *Ottawa,* Aug. 27th 1913.

RECEIVED from Vancouver. Power Co.

on account Indian Funds

the sum of Six hundred and forty one - - - - - xx/100 *Dollars,*

which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate,

[redacted]

Ent'd [redacted]

Pro. Manager.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Contrl. J.Z.H

443925

DUPLICATE, FOR DEPARTMENT.

No. 3919 Contrl J.Z.H 443925

Bank of Montreal,

$ 641.00 *Ottawa,* Aug. 27th 1913.

RECEIVED from Vancouver. Power Co.

on account Indian Funds

the sum of Six hundred and forty one - - -

330490

re Sumas Matsqui main and Lakacum Reserve Timber

Department of Indian Affairs.

Ottawa, 191

1911
June 15 Vancouver Power Co. asked permission to slash a strip of land not to exceed 250 feet on each side of line
" 30. Dept. refused permission
March 6. Agent reports Co. cut 156 Trees - 500,000 feet B.M. through Matsqui Res.
12 Agent instructed to collect $5 per M ft.
June 4 Sealer's report 135 Trees 160,255 ft. in Matsqui Reserve
Apl. 5 Agent sent $160.25 to pay damage. cut 4 years ago, and was told to collect balance. damage and trespass.
July 25 Memo. by A.M. to Secy. "balance must be paid. 29th Company's agents told balance must be deposited.
" 31 McKenzie asks delay until after Mr Thompson returns from England
Aug. 6. Dept. refused and insists on payment
21 Company sent $641.20

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, September 6, 1913.

Sir,-

With reference to your letter,No. 77/20, of the 26th of May last, in regard to trespass and damage done by the B. C. E. Railway Company. I have to inform you that payment of the balance claimed, $641.00, has been received as a deposit pending further correspondence on the subject.

It is not improbable that similar trespass and damage may have been made by the Company on the other reserves through which their lines pass, and I have to request you to investigate fully as to this, and report the result when ascertained.

Your obedient Servant,

J. D. MacLEAN

Asst. Deputy and Secretary.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, September 6, 1913.

Sir,-

In reply to the part of your letter of the 21st ultimo, which states that you do not know on whose authority the Department made the statement that the trespass made on the Matsqui reserve was so made with the knowledge communicated to you as the Company's solicitor,- "that the Department was not disposed to allow any slash of the timber on the reserve," I beg to refer to the letter sent you under date of 30th of June, 1911, written in reply to your letter of the 15th of that month, applying for permission to slash the strip adjacent to the right of way in which you were advised that the Department was not disposed to allow any slash of the timber on the reserve on either side of the right of way on the condition stated.

Your obedient Servant,

W. D. MaLEAN

Asst. Deputy and Secretary.

V. Laursen, Esq.,
Vancouver, B. C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Robert A. Pringle, K.C.
Andrew R. Thompson, B.A., LL.B.
Thomas [illegible], B.A., LL.B.
Louis Coté, [illegible]

Cable Address "Thompson"
Western Union Code.
Telephones Queen 3135
" 4793

Pringle, Thompson, Burgess & Coté.

Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.

544 Union Bank Building.
Ottawa, Canada July 30th. 1914.

The Dep. Supt. General-o
Dept. of Indian Affairs,
Ottawa.

465285

Dear Sir:-

Re British Columbia Electric Railway System application for right of way through Dominion Crown lands.

Under files No. 330,490 and 348,976, you will find applications from the Vancouver Power Co. for a grant of the right of way over the Matsqui and Sumas Indian Reserves respectively made on behalf of the Vancouver Power Company or possibly the Vancouver, Fraser Valley & Southern Railway Company, both of which are subsidiary Companies of the British Columbia Electric Railway Company system.

It would appear that the Company in 1908 paid in moneys required to obtain a grant of such title as the Dominion Government can convey. The Company now wish to have this matter closed, and we would ask that steps be taken to this end.

We are aware of the need for applying to the Royal Commission in British Columbia to deal with this matter, but would ask that your Department take it up and report to us any further needs which have to be met.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

In addition to the above, which includes the Indian Reserves of Matsqui Main, Sahaoum and Sumas No. 7 the Railway Company cross in New Westminster City an unnamed Indian Reserve.

In this matter also the Company will require to obtain a grant of right of way.

We have written to their solicitor at Vancouver, asking him to furnish us with the plans and other material required to prosecute such an application.

Yours truly.

PRINGLE: THOMPSON: BURGESS & COTE'

PER..B..

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Robert A. Pringle, K.C.
Stephen J. Thompson, B.A., LL.B.
Thomas S. Burgess, B.A., LL.B.
Denis Cote, B.A., LL.B.

Cable Address "Thompson"
Western Union Code.
Telephones Queen 3435
4393

Pringle, Thompson, Burgess & Cote.

Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.
511-514 Union Bank Building
Ottawa, Canada July 30th. 1914.

DEPARTMENT OF INDIAN AFFAIRS
JUL 31 1914
RECORDS

The Dep. Supt. General-
Dept. of Indiam Affairs,
Ottawa.

465285

LANDS BRANCH
JUL 31 1914

Dear Sir:-

Re British Columbia Electric Railway System application for right of way through Dominion Crown lands.

Under files No. 330,490 and 348,976. you will find applications from the Vancouver Power Co. for a grant of the right of way over the Matsqui and Sumas Indian Reserves respectively made on behalf of the Vancouver Power Company or possibly the Vancouver, Fraser Valley & Southern Railway Company, both of which are subsidiary Companies of the British Columbia Electric Railway Compamy system.

It would appear that the Company in 1908 paid in moneys required to obtain a grant of such title as the Dominion Government can convey. The Company now wish to have this matter closed, and we would ask that steps be taken to this end.

We are aware of the need for applying to the Royal Commission in British Columbia to deal with this matter, but would ask that your Department take it up and report to us any further needs which have to be met.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EXTRACT
on 4/9/64

In addition to the above, which includes the Indian Reserves of Matsqui Main, Sahacum and Sumas No. 7 the Railway Company cross in New Westminster City an unnamed Indian Reserve.

In this matter also the Company will require to obtain a grant of right of way.

We have written to their solicitor at Vancouver, asking him to furnish us with the plans and other material required to prosecute such an application.

Yours truly,

PRINGLE: THOMPSON: BURGESS & COTE'

PER. B.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, August 4, 1914.

Gentlemen,-

I beg to acknowledge the receipt of your letter of the 30th ultimo, in regard to application of the British Columbia Electric Railway Company for right of way over the Matsqui and Sumas Indian reserves, and in reply to say that the Department is unable to consider the question of issue of patent for these lands until after final confirmation of the reserves by the Dominion and Provincial Governments on the report of the British Columbia Royal Commission.

As regards right of way through a reserve in New Westminster City, I may say that, upon receipt of plans as promised, the matter will be given due consideration.

Your obedient Servant,

W. D. McLEAN

Assistant Deputy & Secretary.

Messrs. Pringle, Thompson, Burgess & Cote.
Barristers, etc.,
Union Bank Building,
Ottawa.

EXTRACT
470184
on.....

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

47 0362

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

22153-16 B.C.E.

Robert A. Bringle, K.C.
Andrew T. Thompson, B.A., LL.B.
Thomas A. Bu[illegible], B.A., LL.B.
Louis Co[illegible], B.C.L.

Cable Address "Thompson" Western Union Code.
Telephones Queen 3135 4793

Bringle, Thompson, Burgess & Coté.
Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.
511-514 Union Bank Building.

DEPARTMENT OF INDIAN AFFAIRS
OCT 24 1914

Ottawa, Canada Oct. 23rd. 1914.

S. Bray, Esq., 470362

Chief Surveyor,

Dept. of Indian Affairs,

Ottawa, Ont.

Dear Mr. Bray:-

Re Vancouver Power Company application for Right of Way over Matsqui Indian Reserve. Your File No. 330,490.

Referring to our conversation of this afternoon, I beg to say that this application is made on behalf of the Vancouver Power Company, and not for the British Columbia Electric Railway Company as stated in your letter to us dated August 4th.

Herewith I enclose linen tracing and two blue prints as required.

Yours truly,

Andrew T. Thompson

Encs.

Plan No. 1437-B

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

B30490

Robert A. Pringle, K.C.
Andrew T. Thompson, B.A., LL.B.
Thomas A. Burgess, B.A., LL.B.
Louis Coté, B.A.

Pringle, Thompson, Burgess & Coté.

Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.

Cable Address: "Thompson"
Western Union Code.
Telephones Main 3135
4709

511-514 Union Bank Building.
Ottawa, Canada Oct. 23rd. 1914.

DEPT. OF INDIAN AFFAIRS
OCT 24 1914
SURVEYS

S. Bray, Esq.,
Chief Surveyor,
Dept. of Indian Affairs,
Ottawa.

470364

Dear Mr. Bray:-

Re Vancouver Power Company application for Right of Way over Sah-hah-cum Indian Reserve.

Referring to our conversation of this afternoon, I may say that I enclose herewith linen tracing and two blue prints in connection with the application of the Vancouver Power Company for Right of Way herein.

So far as I can find out, this is our first communication with your Department in connection with this matter, and so I cannot refer you to any file number.

I would like to have this given a separate number on your files, so that it may be kept apart from the other applications of the Vancouver Power Company for Rights of Way.

Yours truly,

Andrew T. Thompson

Encs.

Plan 1438-A

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

1 Sty. Minister
2 Secty

Ottawa, Oct. 26, 1914.

Sir,

Enclosed herewith is a blue print copy of a plan showing the right of way of the Vancouver Power Company across the Matsqui Main Indian Reserve. You will note that the area required, as shown thereon, is 12.43 acres instead of 9.4 acres, which was purchased by the company in 1908; a difference of 3.03 acres.

The company paid $300.00 for the said 9.4 acres. Please examine and report whether further compensation should be demanded from the company for the additional area [redacted]

Encl.

Your obedient servant,

Sgd. S Stewart

For Assistant Deputy and Secretary.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, Oct. 26, 1914.

Sir,

I beg to acknowledge the receipt of your letter of the 23rd instant and of a plan and two blue print copies thereof, showing the right of way of the Vancouver Power Company, across the Sah-hah-cum Indian Reserve, B.C, and to inform you that the Department received, under date of June 25, 1909, the sum of $200.00, in payment for the said right of way. The said payment was included in the sum of $635.00 paid by the Company for the Indian interest in the right of way through the Matsqui Main and the said Sah-hah-cum Indian Reserve, including Indian improvements on the Matsqui Main Indian Reserve.

The area taken is noted on the plan; there is, however, no difference between this plan and the one previously filed. The area taken is 2.7 acres.

S.B.

Your obedient servant,

Segd J. Stewart

For Assistant Deputy and Secretary.

Col. Thompson,

Messrs. Pringle, Thompson, Burgess & Cote,

511-514 Union Bank Building,

OTTAWA, Ont.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,390.

Ottawa, Oct. 26, 1914.

Sir,

I beg to enclose herewith for use and reference in your office a blue print copy of the plan, showing the right of way of the Vancouver Power Company, across the Sah-hah-cum Indian Reserve.

Encl.

Your obedient servant,

Sgd. J. Stewart

For Assistant Deputy and Secretary.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B.C.

J.B.

JM.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, Oct. 26, 1914.

Sir,

I beg to acknowledge the receipt of your letter of the 23rd instant and of a tracing and two blue print copies showing the right of way of the Vancouver Power Company across the Matsqui Main Indian Reserve, B.C.

It is to be noted that the widths taken for right of way, as shown on the said plan, are different from those shown on the plan filed by the Company in 1908 and that the area is shown to be 12.43 acres (12.4255) instead of 9.4 acres as shown on plan of 1908. This is a difference of 3.03 acres and as it is considerable it is considered necessary to have an examination made with the view of demanding further compensation from the company. Our Indian Agent will be instructed accordingly and you will be advised in due course.

Your obedient servant,

Sgd I Stewart.

For Assistant Deputy and Secretary.

Col. A. T. Thompson,
Messrs. Pringle, Thompson, Burgess & Cote,
511-514 Union Bank Building,
OTTAWA, Ont.

JM.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Robert A. Pringle, K.C.
Andrew T. Thompson, B.A., L.L.B.
Thomas A. Burgess, B.A., L.L.B.
Louis Cote, B.A.

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4793

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Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.

511-514 Union Bank Building.
Ottawa, Canada

DEPT. OF INDIAN AFFAIRS
NOV 3 1914
SURVEYS

DEPARTMENT OF INDIAN AFFAIRS
NOV 24 1914

Oct. 31st. 1914.

L. Stewart, Esq.,
Department of Indian Affairs,
Ottawa.

47076

Sir,

Your file No. 330,490.
Re Application of Vancouver Power Company for
Right of Way across Sah-hah-cum Indian Reserve.

I am in receipt of your letter of October 26th. stating that payment was made by the applicant company on June 25th, 1909.

I note further that you say there is no difference between the plan recently filed and the one previously filed, the area taken being 2.7 acres. Payment having been made and the plans filed, I hope it will be possible to make the grant to the Vancouver Power Company at an early date.

In your letter of October 23rd, to which yours of the 26th. is a reply, I pointed out that this application was quite separate and apart from the application of the same Company to cross the Matsqui Main Indian Reserve, and I asked that a separate file number be assigned it. I note that you use the same file number as that for the application of the Vancouver Power Company re the Matsqui Reserve.
I feel sure it will avoid confusion in the future if you will keep these two applications quite separate and apart, and under different file numbers.

If you can arrange this for me, please drop me a line to say what file number I shall use in connection with this application hereafter.

Yours truly,

Andrew T. Thompson

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Robert A. [illegible], K.C.
Andrew J. Thompson, B.A., LL.B.
Thomas [illegible] Burgess, B.A., LL.B.
Louis Cote, B.A.

Cable Address "Thompson"
Western Union Code.
Telephones Queen 3135
4793

Pringle, Thompson, Burgess & Cote.
Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.
511-514 Union Bank Building.
Ottawa, Canada.

2 letters

DEPT. OF INDIAN AFFAIRS
NOV 3 1914
SURVEYS

DEPARTMENT OF INDIAN AFFAIRS
NOV 2 1914

Oct. 31st, 1914.

L. Stewart, Esq,
Department of Indian Affairs,
Ottawa.

470767

Sir,

Your file No. 330,490.
Re Application Vancouver Power Company for Right of Way across Matsqui Main Indian Reserve.

I have your letter of October 26th, in answer to mine of the 23rd. and note that the application now being made by the Company covers an area of 3.03 acres in excess of that shown by the plan filed in 1908.

I do not know how the discrepancy occurred, but I am writing my principals for an explanation.

I note that you are communicating with your Indian Agent as to further compensation required.

Yours truly,

Andrew J. Thompson

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

KODAK SAFETY FILM

330,490.

Ottawa, Nov. 6, 1914.

Sir,

In reply to your letter of the 31st ultimo, I beg to inform you that at the time of the first applications, in 1908, for right of way for your company across the Sahhah-cum Indian Reserve and the Matsqui Main Indian Reserve the correspondence was put on one file. It is now inconvenient to separate them and in all probability no trouble will occur by keeping the correspondence relating to the two rights of way on the same file. I may say, however, that hereafter any such applications will be placed on separate files.

Your obedient servant,

Sgd J. D. McLean.
Assistant Deputy and Secretary.

Col. A. T. Thompson,
Messrs. Pringle, Thompson, Burgess & Cote,
Union Bank Building,
OTTAWA, Ont.

JM.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

330490

Albert J. Bringle, K.C.
Andrew J. Thompson, B.A., LL.B.
Thomas [illegible], B.A., LL.B.
Louis C[illegible]

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Western Union Code
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4793

DEPARTMENT OF INDIAN AFFAIRS
NOV 9 1914

Bringle, Thompson, Burgess & Cote.

Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.

540-544 Union Bank Building,
Ottawa, Canada Nov. 7th. 1914.

DEPT. OF INDIAN AFFAIRS
NOV 9 1914
SURVEYS

J. D. McLean, Esq.,
Asst. Deputy & Secretary,
Dept. of Indian Affairs, 471190
Ottawa.

Dear Mr. McLean:-

Re Application, Vancouver Power Company
for Right of Way to Sah-hah-cum.
Your file No. 330,490.

I am in receipt of your letter of Npvember 6th, herein, as to a separation of the files in this and Matsqui Main Indian Reserve, and am noting the way in which they should be managed hereafter.

Yours truly,

Andrew J. Thompson

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Robert A. Pringle, K.C.
Andrew Thompson, B.A., L.L.B.
Thomas S. Burgess, B.A., L.L.B.
Louis [redacted]te, B.A.

330490

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Parliamentary, Supreme Court and Departmental Agents.
511-514 Union Bank Building
Ottawa, Canada

NOV 28 1914

Nov. 27th. 1914.

The Secretary,
Dept. of Indian Affairs,
Ottawa.

DEPT. OF INDIAN AFFAIRS
NOV 30 1914
SURVEYS

472310

Sir,

Re Application of Vancouver Power Company for Right of Way across Indian Reserve at Matsqui.
Your file No. 330,490.

Referring to my conversation of yesterday with your Mr. L. Stewart, and your letter to me dated October 26th. in which you call attention to a difference between the width taken for right of way as shown on the plan by me filed and on the plan filed some years ago, I beg to say that I am in receipt of a letter from the Company which explains this point clearly, and which reads as follows:-

> " Your letter of the 30th. ult. herein received, and I note that the Indian Department has asked for an explanation as to the difference in the area shown on the plan recently filed and that shown on the plan filed in 1908.
>
> The engineer who was in charge of this work at construction time is no longer with the Compahy, and I am not certain that I have been able to find a copy of the plan which was filed in 1908, as any I have found in the office do not show an area of 9.4 acres. This, however, is not of importance.
>
> The plan filed in 1908 showed a continuous strip of a uniform width of one hundred feet across the Reserve, approximately 9½ acres. The location was subsequently changed

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

"changed to run through a deep gulch, and in certain places the 100 foot width would not be sufficient to construct the heavy embankments required; consquently the width of the right-of-way was increased. This, I believe, is the answer to the point raised by the Department."

I trust you will find this explanation satisfactory, and that you will now be able to bring this matter to an early conclusion.

Yours truly,

Andrew T. Thompson

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, Dec. 1, 1914.

Sir,

I have to request you to be good enough to reply to letter of Oct. 26, last, relating to the right of way of the Vancouver Power Company, across the Mntsqui Main Indian Reserve.

Your obedient servant,

Sgd J D McLean

Assistant Deputy and Secretary.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

T. O. FORM 2 E

Canadian Pacific Railway Company's Telegraph

READ THE NOTICE AND AGREEMENT ON THE BACK

B. S. JENKINS, Gen. Supt., Winnipeg, Man.
J. F. RICHARDSON, Supt., Vancouver, B.C.
D. COONS, Supt., Calgary, Alta.
R. N. YOUNG, Supt., Moose Jaw, Sask.
J. McMILLAN, Supt., Winnipeg, Man.
W. J. CAMP, Assistant Manager, Montreal, Que.
F. T. JENNINGS, Supt., Sudbury, Ont.
W. MARSHALL, Supt., Toronto, Ont.
P. J. MAHON, Supt., Montreal, Que.
W. M. GODSOE, Supt., St. John, N.B.

JAS. KENT,
Manager Telegraphs, Montreal.

Sent No.	Sent by	Rec'd by	Time Sent	Time Filed	Check

Send the following Message, subject to the terms printed on the back hereof, which are hereby agreed to:

Ottawa, Dec. 16, 1914.

Peter Byrne, Esq.,
Indian Agent,
New Westminster, B.C.

Please wire reply to letter October twenty-sixth, relating to right of way Vancouver Power Company over Matsqui Main Reserve.

J.D.McLean.

S.B.

Charge Dept. I.A.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

CANADIAN PACIFIC R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co's Telegraphs transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank.
JAS. KENT, Manager Telegraphs

a13 ra sy 32 collect. night letter. 210a

0637 RECEIVED AT

New Westminster, B.C. Dec. 13-14.

(WHERE ANY REPLY SHOULD BE SENT)

I.O. MacLean,

473503

Sec'y Dep't of Indian Affairs, Ottawa.

Refer your wire today thirty five dollars per acre ~~fare~~ three and just price for extra three decimal naught four acres required by Vancouver Power Co portion Matsqui main Indian reserve.

Peter Byrne.

Answ'd

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, Dec. 21, 1914.
File 330,490.

Memorandum for Mr. Scott:-

Approved
20

In 1908 the plan was filed showing the Westminster-Chilliwack Railway through the Matsqui Main Indian Reserve, B.C., showing that the area required was 9.4 acres. This was valued and paid for in the lump sum of $300.00, being approximately $32.00 per acre.

Sale 21 Jan 6 Vol. 6

The next year a second plan was filed showing that the area taken was 10.91 acres. A surrender was obtained from the Indians for the sale of their interest in the said 10.91 acres. The Company filed last month a third plan, showing that the area finally required is 12.43 acres.

12.43
9.40
3.03
31
15
09
105
106

Mr. Agent Peter Byrne has valued the extra 3.03 acres at $35.00 per acre. $106.05 I beg to recommend that his valuation be approved and that demand be made on the Company for payment for this extra land.

As above stated, a surrender was taken from the Indians, as the amendment to the Indian Act rendering this unnecessary was not then passed. Application has been made by the Vancouver Power Company, which now controls the Railway in question, for the said right of way.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

I presume it will be in order to ask the Royal Commission to be good enough to pass an Interim Report recommending the sale of the land to the Company.

E. F. Bray

Chief Surveyor.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

Ottawa, Dec. 26, 1914.

Sir,

I beg to enclose herewith blue print copies of plans showing the right of way of the Vancouver Power Company across the Cahacum and the Matsqui Main Indian Reserves, Nos. 1 and 2 of the Matsqui Band. The areas taken are respectively 2.70 acres and 12.43 acres. I have to request you to be good enough to submit this matter to the Royal Commission for the usual action and if the Commission requires the certificate of the Minister of Railways for the Province on these plans, I shall be obliged if you will be good enough to obtain the same.

Encl.

Your obedient servant,

S.B. Pegd. J.D. McLean

Assistant Deputy and Secretary.

The Secretary,
Royal Commission on Indian Affairs,
VICTORIA, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330,490.

OXG

Ottawa, Dec. 28, 1910.

Sir,

With reference to your letter of the 27th ultimo, I beg to inform you that our Indian Agent, Mr. Peter Byrne, has placed a value of $35.00 per acre for the additional 3.03 acres in the Matsqui Main Indian Reserve, B.C., required for right of way purposes by the Westminster-Chilliwack Railway, now the Vancouver Power Company. I have to request that the sum due, $106.05, be forwarded to the Department. The matter will then be referred to the Royal Commission on Indian Affairs for the Province of British Columbia and on action being taken by that Commission an Order in Council will be applied for authorising the sale of the whole of the right of way, amounting to 12.43 acres, to the Vancouver Power Company.

Sale 2 6 Pak B.C. 13h

Your obedient servant,

Dgd. J. McLean

Assistant Deputy and Secretary.

Lt.-Col. A. T. Thompson,
Messrs. Pringle, Thompson, Burgess & Cote,
Union Bank Building,
OTTAWA, Ont.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

INDIAN AGENT'S OFFICE,

New Westminster, B.C.,

December 19th., 1914

IN YOUR REPLY REFER TO
No. 116/23.
ALSO
TO DATE OF THIS LETTER.

DEPT. OF INDIAN AFFAIRS
JAN 5 1915
SURVEYS

473600

Sir,—

"Refer your wire today, thirtyfive dollars per acre fair and just price for extra three decimal naught four acres required Vancouver Power Company, portion Matsqui Main Indian Reserve."

Confirming the above telegram and referring to Departmental letter dated October 26th, No. 330490; I beg to state that I carefully examined the land in the vicinity of the right of way of the Vancouver Power Company across the Matsqui Main Indian Reserve and would state that the sum of $35.00 per acre is a fair and just price for the extra 3.03 acres required by the above Company. I would respectfully recommend to the Department that this price be accepted.

The delay in sending this report was caused by the fact that I tried to get the British Columbia Electric Railway Company, here, to mark on the blue print furnished me by the Department, the extra lands required, which they have not done up to the present.

Your obedient servant,

Peter Byrne

Indian Agent.

The Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

NATHANIEL [redacted]TE, K.C., CHAIRMAN
JAMES A. [redacted]NNA, LL.D.
S. CARMICHAEL, B.C.L., K.C.
JAMES P. SHAW, M.L.A.
DAY H. MACDOWALL
J. G. H. BERGERON, B.C.L., K.C.,
SECRETARY AND SOLICITOR

ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY
P.O. BOX 755
TEL. 1302

PLEASE REFER TO FILE NO.

DEPT. OF INDIAN AFFAIRS
BELMONT HOUSE
JAN 13 1915
VICTORIA, B.C.
SURVEYS

January 4th, 1915.

27400

The Secretary,
Department of Indian Affairs,
Ottawa, Canada.

Sir:

By direction of the Royal Commission on Indian Affairs for the Province of British Columbia, I have the honour to acknowledge the receipt of your letter of the 28th ultimo (your File No. 330490), re application by the Vancouver Power Company for right-of-way across the Sahacum and Matsqui Main Indian Reserves, Nos. 1 and 2 of the Matsqui Band, also blueprint plans accompanying same.

The plans, in harmony with your suggestion, have been referred by the Commission to the Provincial Minister of Railways for certification, and upon their return to the Commission, duly certified, action will be taken in accordance with your request.

I have the honour to be,
Sir,
Your obedient servant,
J. G. H. BERGERON.
Per. [signature]
SECRETARY.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

22153-16 | 22153-

330490

DEPARTMENT OF INDIAN AFFAIRS
JAN 28 1915
SURVEYS

INTERIM REPORT NO. 71

of the

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF B.C.

Made at Victoria, B.C.,
this 20th day of January,
1915:

To His Royal Highness
The Governor General of Canada in Council

and

To His Honour
The Lieutenant-Governor of British Columbia-in-Council:

The Commission, pursuant to Section 6 of the Agreement referred to in the Commission, has had under consideration the application of the Vancouver Power Company for land required for right of way through Sahhaeum Indian Reserve No.1 and Matsqui Main Indian Reserve No 2, in the New Westminster District, which reserves are two of those allotted for the Matsqui Tribe or Band, of the New Westminster Agency. The land required for the said right-of-way, as shown on the certified plan, contains areas of 2.70 and 12.43 acres respectfully.

The Commission having duly considered the ~~plans~~ said application and examined the said plan, and it appearing that the said land is required for such right of way purposes by the said Company.

THE COMMISSION RECOMMENDS THAT, subject to compliance with the requirements of the law and to due compensation being made, permission be given to the said Company to enter forthwith upon the said land and to acquire the same for such right-of-way purposes, according to the plan filed with the Department of Indian Affairs of Canada and duly certified by the Minister Railways of the Province of British Columbia on the ~~xxxx~~ 16th January instant.

All of which is respectfully submitted.

D. M. Macdowall,
Acting Chairman.

copy
original on
59335-1

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Ottawa, 26th January 1915.

Sir,-

Referring to your letter of the 4th instant and previous correspondence, I beg to inform you that the solicitor for the Vancouver Power Company has made inquiry as to what progress has been made in connection with the intended sale of the right of way for that Company across the Sahaoum and Matsqui Indian Reserves. I should be obliged if you would kindly draw the attention of the Commission to this matter.

L.B.

Your obedient servant,

(sgd) J. D. McLean

Asst. Deputy and Secretary.

The Secretary,
Royal Commission on Indian Affairs,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Ottawa, 27th January 1915.

Sir,-

Referring to our letter of the 26th instant I beg to inform you that interim report No.71 dealing with the right of way of the Vancouver Power Company across the Saheenm and Matequi Indian Reserves referred to, has been this day received.

Your obedient servant,

(Sgd) A. Stuart

for Asst. Deputy and Secretary.

The Secretary,
Royal Commission on Indian Affairs,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Ottawa, 28th January 1915.

Sir,-

I have to refer you to letter of the 28th ultimo and to inform you that the sum of $106.05 due for the additional area required by the Vancouver Power Company in the Mateqni Main Indian Reserve,B.C.has not yet been received. As the Company is now in occupation of the land,the said sum should be forwarded with as little delay as possible.

Your obedient servant,

Asst. Deputy and Secretary.

Lieut.Col.A.T.Thompson,
Messrs.Pringle, Thompson, Burgess & Cote,
Union Bank Building,
Ottawa,Ont.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA

330490

Albert A. Pringle, K.C.
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Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.

511-514 Union Bank Building
Ottawa, Canada Feb. 1st. 1915

DEPT. OF INDIAN AFFAIRS
FEB 3 1915
SURVEYS 5330

J. D. Maclean, Esq.,
Asst. Dep. & Secy.,
Department of Indian Affairs,
Ottawa.

Dear Sir:-

Re Vancouver Power Company and Matsqui Indian Reserve.
Your No. 330, 490.

I am in receipt of your letter of January 28th. herein, asking for the $ 106.05 due the Department in this matter.

Under date of January 6th. I received a letter from the Solicitor of the Compamy stating that he had authorized the issue of a cheque for the amount stated, and that it would be along shortly.

I am dropping him a line to-day asking him to expedite the matter.

Yours truly,

Andrew I. Thompson

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

330490

BANK RECEIPT No. 2484

Amt. $106.05 chq.

G.M.M.

Date 3 - 2 - 1915

Entered Journal No. [illegible] Folio 147 [illegible] 2,5220

Dept. Receipt No. 35330

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA

Robert A. Pringle, K.C.
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Pringle, Thompson, Burgess & Coté.

Barristers, Solicitors, Notaries Public &c.
Parliamentary, Supreme Court and Departmental Agents.

541-544 Union Bank Building.
Ottawa, Canada Feb. 2nd. 1915.

J. D. McLean, Esq.,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa.

DEPT. OF INDIAN AFFAIRS
FEB 5 1915
SURVEYS

4,522?

Dear Mr. McLean:-

Re Vancouver Power Co's application for right of way over Matsqui Indian Reserve.
Your file No. 330,490.

See letter of 28 Dec. 1915

I am in receipt of a cheque for $ 106.05, the payment required by your Department herein.

This cheque was made payable to me, so I have endorsed it over to your Department.

Yours truly,

Andrew T. Thompson

Enc.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Ottawa, 5th February 1915.

Sir,-

I beg to acknowledge the receipt of your letter of the 2nd instant enclosing a cheque for $106.05 being payment for the extra area required by the Vancouver Power Co., in the Matsqui Main Indian Reserve, B.C., and to inform you that the ~~necessary Order in Council authorising sale of the land, will be immediately applied for.~~ case is receiving attention.

L.P.

Your obedient servant,

sgd. J. D. McLean

Asst. Deputy and Secretary.

Lt.Col.A.T.Thompson ~~M.P.~~,
Union Bank Building,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEMORANDUM

Asst.Deputy Minister.

An Order in Council is required authorizing the sale of the right of way of the Vancouver Power Company across the Sahacum Indian Reserve No.1 and the Matsqui Main Reserve No.2 of the Matsqui Band, B.C.

It may be noted that surrenders now not necessary were taken in connection with these rights of way in 1909.

S. Bray

Chief Surveyor.

Ottawa, 5th February 1915.

Note- The two reserves are in the Railway Belt.

S. B.

See F. 22945- to wait until it is seen what action the Royal Commission will take in connection with the opinion of the Supt. of Justice that the Royal Com. should not deal with Indian Reserves in the Rwy. Belt.

S. B.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

DEPT. OF INDIAN AFFAIRS
MAY 21 1919
SURVEYS

Ottawa, 9th February 1915.

Sir,-

Referring to your inquiry by phone as to patent for right of way to the Vancouver Power Company across the Sahaeum Indian Reserve, I beg to inform you that the question as to whether this Department would be within its rights in issuing Patents for rights of way in Indian Reserves within the Railway Belt without reference to the Royal Commission, is now under consideration. It is hoped that the question will be decided in the near future.

Your obedient servant,

(sgd) J. D. McLean

Asst. Deputy and Secretary.

Lt.Col.A.T.Thompson,
Barrister etc.,
511 Union Bank Building,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

20 May 1919

Mr J. B. Hay

Should any further action be taken in the matter referred to in letter under ? I have been holding this file for sometime and do not know whether to enter a sale.

Department of Indian Affairs, 33049

Ottawa, May 21st, 1919

Memorandum

The Superintendent General,

Deputy Minister.

Referring to Mr Kemp's memorandum hereunder, I may say that I think the Order-in-Council referred to in my memo of the 5th February, 1915, may now be applied for with the view of issuing the patents to the Vancouver Power Company.

J. Bray

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Matagui Man 300.00
Improvements 135.00
Extra Land 106.05
12.43 acres 541.05

Tahahaem 2 acres 200
18 1/2 acres

Chacaem " 2.
Man 741.05

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

RMM/LS 330490

Ottawa, June 6, 1919.

His Excellency

The Governor General in Council.

The undersigned begs to state that the Vancouver Power Company, Limited, has paid in full to the Department of Indian Affairs the said Department's valuation of $781.05 for 15.13 acres required by the Company for right of way for its Westminster-Chilliwack electric railway through the Matsqui-Sahhaeum, No.1, and Matsqui Main, No.2, Indian reserves in the New Westminster district of the province of British Columbia, the portion of the right of way through No.1 consisting of 2.70 acres and through No.2 consisting of 12.43 acres, and the amounts paid being, respectively, $200.00 and $581.05.

The undersigned would recommend that under the provisions of Section 46 of the Indian Act as amended by Section 1 of Chap.14, 1-2 Geo.V., the Vancouver Power Company, Limited, be allowed to acquire the Indians' interest in the said 2.70 and 12.43 acres for right of way purposes through the Matsqui Sahhaeum and Matsqui Main Indian reserves, respectively.

See (6) 10
10
13 12
13 12

Sd Arthur Meighen

Superintendent General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Mr Moffat.
a Sept 1st
Enfranchisement Clause

DC/

FBM/LS 330490

Herewith is a recommendation to Council for disposal of the Indians' interest in a right of way for the electric railway line of the Vancouver Power Company Limited through Indian reserves Nos. 1 and 2 of the Matsqui band, in the railway belt, B.C.

The final report of the Royal Commission on Indian Affairs for the province of British Columbia has not as yet been accepted by the two governments, and the recommendation herewith relates only to the Indians' interest in the right of way referred to.

Indian Affairs,
Ottawa, June 6, 1919.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA

REM/LS 330490

Herewith is a delayed recommendation to Council for disposal of the Indians' interest in a right of way for the electric railway line of the Vancouver Power Company Limited through Indian reserves Nos. 1 and 2 of the Matsqui band, B.C.

These reserves are in the railway belt, and doubt existed as to the powers of the Commission as regards reserves so situated. According to an opinion of the Department of Justice, however, the Commission had no authority under the terms of the agreement between the representatives of the two Governments to deal at all with land within the railway belt. (The Minister will remember that the claim of the province originally related only to reserves outside of the railway belt and those set apart before the transfer of the railway belt in 1883; but that more recently the province began to claim a reversionary interest also in reserves within the railway belt. Even though the Justice Department did decide that the Commission had no authority to deal with reserves within the railway belt, this Department thought it would be useful to have a report from the Commission covering the reserves within the railway belt uniform with their report on the other reserves, and the Commissioners were therefore allowed to examine and report on reserves in the railway belt. The Commission's final report therefore covers the reserves inside and outside of the railway belt - but has not as yet been confirmed by the two Governments). This right of way

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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way has been in the possession of the Company for several years, and the valuations made at the time were satisfactory to the Department.

Indian Affairs,
Ottawa, June 6, 1919.

R. Bell

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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P. C. 14/1351

DEPT. OF INDIAN AFFAIRS
JUL 7 1919
RECORDS

Certified Extract from the Minutes of a Meeting of the Treasury Board, held on the 26th June, 1919,

approved by ~~His Royal Highness~~ *the Deputy Governor General in Council, on the* 1ST JULY 1919

Mr. Rowell
1 Report
2 Surrey
3 Ry
4 See Sale 2 page 6

524878

DEPT. OF INDIAN AFFAIRS
JUL 7 1919
SURVEYS

INDIAN AFFAIRS:-

The Board had under consideration a memorandum from the Superintendent General of Indian Affairs reporting that the Vancouver Power Company, Limited, has paid in full to the Department of Indian Affairs the said Department's valuation of $741.05 for 15.13 acres required by the Company for right-of-way for its Westminster-Chilliwack electric railway through the Matsqui Sahhaoum, No 1, and Matsqui Main No 2, Indian reserves in the New Westminster district of the province of British Columbia, the portion of the right-of-way through No 1 consisting of 2.70 acres and through No 2 consisting of 12.43 acres, and the amounts paid being respectively, $200 & $541.05.

The Superintendent General recommends that under the provisions of Section 46 of the Indian Act as amended by Section 1 of Chapter 14, 1-2 GEORGE V., the Vancouver Power Company, Limited, be allowed to acquire the Indians' interest in the said 2.70 & 12.43 acres for right-of-way purposes through the Matsqui Sahhaoum & Matsqui Main Indian reserves, respectively.

The Board concur in the above recommendation and submit the same for favourable consideration.

Clerk of the Privy Council.

The Honourable
The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA

330490

22153-16 B.C.E.

Ottawa, 12th September 1919.

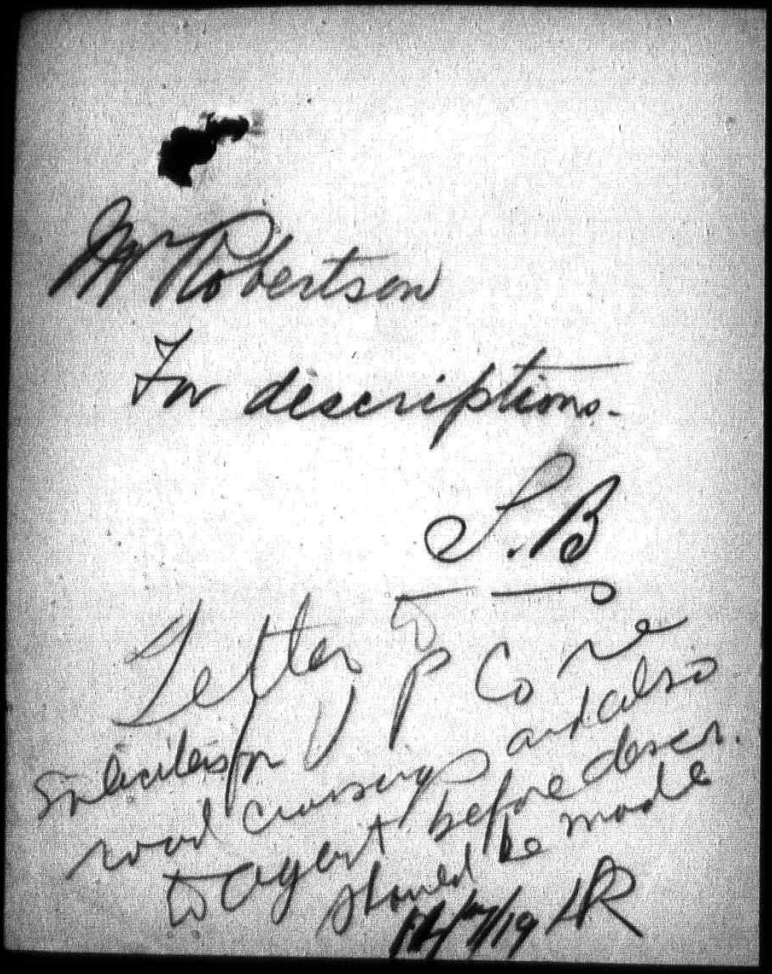
DESCRIPTION FOR PATENT

All that parcel of land situate in the Sah-ha-cum Indian reserve Number One of the Matsqui Band of Indians in Section thirty-four, Township sixteen, East of the Coast Meridian in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing two acres and seven-tenths of an acre more or less and being composed of a strip of land lying east of and adjacent to the Can. Pac. Ry. fifty feet in width on each side of the centre line of the right of way of the Vancouver Power Company, ~~now known as the British Columbia Electric Railway Company~~, the said centre line being more particularly described as follows,-

COMMENCING at a point on the North boundary of said reserve distant nine hundred and eighty-nine feet and six-tenths of a foot measured westerly along the said North boundary from the North East corner of the said reserve; thence South fourteen degrees, forty-four minutes and thirty seconds East one thousand one hundred and sixty-three feet more or less to the intersection of the said centre line with the South boundary of the said reserve. The said right of way being shown on a plan of survey by A.E.B.Hill, British Columbia Land Surveyor, dated 4th June 1914 and recorded in the Surveys Branch of the Department of Indian Affairs under Number RR 143-A. Provided and it is hereby expressly declared that this patent is issued and accepted with the understanding that the said Company will construct and maintain farm crossings at points where the said right of way is crossed by existing trails or roads, or at such other points as the Department of Indian Affairs may request and without recourse against the Dominion Government in event of the establishment of any claim on the part of or under the Province of British Columbia to the said land or any interest therein.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA


J.A. Robertson
For descriptions.
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Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

330490

Ottawa, 11th July 1919.

Sir,-

The Vancouver Power Company in their initial plans of their right of way through the Sahacum Indian reserve and the Matsqui Indian reserve, filed with this Department, showed road crossings at the points indicated on the enclosed blue-prints. These have been omitted in their final plans. Kindly report on the road crossings at these points, stating whether they are public or private roads and also as to the necessity of their being maintained in their present positions.

Your obedient servant,

J. D. McLean

Assistant Deputy and Secretary.

S.B.

Peter Byrne Esq.,
Indian Agent,
New Westminster, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Ottawa, 11th July 1919.

Sir.-

Enclosed herewith are blue print copies of the final plans filed with this Department by the Vancouver Power Company for Right of Way through the Sahhacum Indian reserve and the Matsqui Indian reserve. It is noted that road crossings which were shown on previous plans forwarded by the Company have been omitted on these. The positions of these crossings are indicated in red on the blue prints herewith. Would you kindly have the Company explain the cause for omission?

Your obedient servant,

J.D.M. Lean

Assistant Deputy and Secretary.

S.B.

Lt.Col.A.T.Thompson,

Messrs.Pringle Thompson,Burgess & Cote,

Barristers etc.,

Ottawa,Ont.

over

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA

330490

Robert A. Pringle, K.C. Andrew T. Thompson, B.A., L.L.B. Thomas A. Burgess, B.A., L.L.B. Louis Coté, B.A.

DEPT. OF INDIAN AFFAIRS
JUL 18 19
RECORDS

PRINGLE, THOMPSON, BURGESS & COTÉ
BARRISTERS, SOLICITORS, NOTARIES PUBLIC &c.
PARLIAMENTARY, SUPREME COURT AND DEPARTMENTAL AGENTS

"Cable Thompson"
Western Union Code
Telephones Firm, Queen 3135
R.A.Pringle " 4793

122 WELLINGTON STREET,
OTTAWA, CANADA

525336

16th July 1919.

The Assistant Deputy
Dept of Indian Affairs.
Ottawa, Ont.

Your file no. 330490.
Vancouver Power Company.

Dear Sir,

Your letter of 11th instant addressed to our Col. Andrew T. Thompson, has come in, with reference to the plans enclosed with same for Right of Way through the Sahhacum Indian Reserve and the Matsqui Indian Reserve.

Col. Thompson is out of the city at present but the letter will be placed before him on his return shortly.

Yours truly,

Thomas A. Burgess.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

330490

Ottawa, 13th August 1919.

Sir,-

With further reference to our letter of the 11th ultimo regarding the right of way of the Vancouver Power Company through the Sahaoum Indian reserve and the Matsqui Indian reserve, I shall be obliged if you will be good enough to inform me if you are now in a position to furnish the information desired.

Your obedient servant,

J.D. McLean

Assistant Deputy and Secretary.

Lt.Col.A.T.Thompson,
Messrs.Pringle, Thompson, Burgess & Cote,
Barristers etc.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

DEPT. OF INDIAN AFFAIRS
SEP 2 1919
RECORDS

INDIAN AGENT'S OFFICE

New Westminster, B.C.

IN YOUR REPLY REFER TO
No. 260/33/R.
ALSO
TO DATE OF THIS LETTER

August 27th, 1919. 191

DEPT. OF INDIAN AFFAIRS
SEP 8 1919
SURVEYS

526769

Sir,—

Referring to Departmental Letter dated the 11th of July last, No. 330490, I beg to state that there is no crossing over the British Columbia Electric Company's right-of-way through the Sahhahcum Indian Reserve of the Matsqui Band.

I would respectfully recommend that a private crossing be reserved at the point shown on the accompanying sketch, for although the Indians may not use it at the present time, yet it will be very necessary in the near future to give access from the Highway to the western portion, otherwise it will mean, that a person will have to go for several miles around to get from the eastern to the western part of the Reserve.

Your obedient servant,

Peter Byrne

Indian Agent.

The Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

Note. The crossing should be located at the crossing over the C.P.R. J.B

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

330490

Ottawa, 8th September 1919.

Sir,-

With reference to your letter of the 27th ultimo, your file No.260/33 R,and enclosed blue print,please state if the Canadian Pacific Railway has provided for a road crossing at the point indicated or at any other point in the Pah-hah-cum Indian reserve. The blue print is returned herewith.

Your obedient servant,

for J.D.McLean

Assistant Deputy and Secretary.

Peter Byrne Esq.,
Indian Agent,
New Westminster, B.C.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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DEPT. OF INDIAN AFFAIRS
SEP 10 19
RECORDS

BRITISH COLUMBIA ELECTRIC RAILWAY CO., LTD.

HASTINGS AND CARRALL STREETS

GEORGE KIDD
GENERAL MANAGER

VANCOUVER, B. C.

Sept.4th, 1919.

LEGAL CLAIMS AND LAND DEPARTMENT
V. LAURSEN, SOLICITOR

Department of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

re Sahhacum Indian Reserve, and Matsqui Indian Reserve.

Your letter of July 11th to Messrs. Pringle Thompson, Burgess & Cote, of Ottawa, hasbeen forwarded to me for attention. No copies of the original plans to which you refer were kept by the Company so far as I can find, and as they were made by different engineers to the plans which were filed later, none of whom are now in the Company's service, I am unable to reconcile the apparent discrepancies, and I would be glad if possible, if you would let me have blue print copies of the plans as originally filed, or if it is agreeable to the Department, the Company would accept the grant of the right of way, reserving thereout the established trails or roads, or in the alternative a grant of the whole right of way with an undertaking from us to grant farm crossings at points were the trails cross, or at some other points as the Indian Agent may request.

Yours truly,

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA

Robert A. Pringle, K.C. Andrew T. Thompson, B.A., L.L.B. Thomas A. Burgess, B.A., L.L.B. Louis Coté, B.A.

PRINGLE, THOMPSON, BURGESS & COTÉ
BARRISTERS, SOLICITORS, NOTARIES PUBLIC &C.
PARLIAMENTARY, SUPREME COURT AND DEPARTMENTAL AGENTS

"Cable Address Thompson"
Western Union Code
Telephones { Firm, Queen 3135
R.A. Pringle " 4793

122 WELLINGTON STREET,
OTTAWA, CANADA

330490

527013

DEPT. OF INDIAN AFFAIRS
SEP 10 1919
RECORDS

Sept. 9th. 1919.

DEPT. OF INDIAN AFFAIRS
SEP 10 1919
SURVEYS

J. D. McLean, Esq.,
Assistant Deputy Supt.
Dept. of Indian Affairs,
Ottawa.

Dear Mr. McLean:-

re: VANCOUVER POWER CO. and
SAHACUM RESERVE & MATSQUI RESERVE.
YOUR NO. 330490.

I wrote the Vancouver Power Company in this connection on July 22nd., but have never received a reply.

I am writing them again to-day, and you may depend upon me to communicate promptly with you on receipt of their reply.

re: SUMAS INDIAN RESERVE NO.7.

I also wrote the Company with respect to this reserve on July 22nd, and have received no reply. Here again I am writing them to-day.

Yours truly,

A. T. Thompson

EXTRACT ON 3347276

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA

Ottawa, 12th September 1919.

The original of this Document has been
[illegible] from [illegible] Records of
the Indian Land Registry.

All that parcel of land situate in the Fsh-ha-cum Indian reserve Number One in Section thirty-four, Township sixteen, East of the Coast Meridian in the District of New Westminster, Province of British Columbia and Dominion of Canada, containing two acres and seven-tenths of an acre more or less and being composed of a strip of land fifty feet in width on each side of the centre line of the right of way of the Vancouver Power Company, ~~now known as the British Columbia Electric Railway Company~~, the said centre line being more particularly described as follows,-

COMMENCING at a point on the North boundary of said reserve distant nine hundred and eighty-~~six~~ nine feet and six-tenths of a foot measured westerly along the said North boundary from the North East corner of the said reserve; thence ~~South fourteen degrees, forty-four minutes and thirty seconds East~~ Southerly and parallel to the Can. Pac. Ry & right of way one thousand one hundred and sixty-three feet more or less to the intersection of the said centre line with the South boundary of the said reserve. The said right of way being shown on a plan of survey by A E.P.Hill, British Columbia Land Surveyor, dated 4th ~~September~~ June 1914 and recorded in the Surveys Branch of the Department of Indian Affairs under Number RR 143-A. Provided and it is hereby expressly declared that this patent is issued and accepted with the understanding that the said Company will construct and maintain farm crossings at points where the said right of way is crossed by existing trails or roads or at such other points as the Department of Indian Affairs may request and without recourse against the Dominion Government in event of the establishment of any claim on the part of or under the Province of British Columbia to the said land or any interest therein.

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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CANADA

330490

Ottawa, 12th September 1919.

Sirs-

In order to prepare a description for patent for your right of way through the Matsqui Main Indian reserve No.2 it is requested that a certificate be placed on the enclosed plan stating it to be a copy of the plan registered in the Land Registration Office or part of a plan so registered, stating also the name of Land Office and registered number of plan.

Your obedient servant,

John Dean

Assistant Deputy and Secretary.

The British Columbia
Electric Railway Co.,Ltd.,
Hastings and Carrall Streets,
Vancouver, B.C.

over

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

330490

Ottawa, 12th September 1919.

Gentlemen,-

In reply to your letter of the 4th instant regarding right of way through the Sah-ha-cum and Matsqui Indian reserves I beg to inform you that it will be satisfactory to this Department to insert in the patent the clause covering the undertaking by your Company to erect and maintain such farm crossings as may be necessary.

Your obedient servant,

J. D. McLean

Assistant Deputy and Secretary.

The British Columbia Electric Rwy.,Co.,
Hastings and Carrall Streets,
Vancouver, B.C.

over

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

PUBLIC ARCHIVES
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CANADA

330490

Ottawa, 12th September 1919.

Sir,-

With reference to your letter of the 9th instant regarding the right of way of the Vancouver Power Company through the Sah-ha-oum and Matsqui Indian reserves I beg to inform you that a satisfactory reply has been received direct from the British Columbia Electric Railway Company.

Your obedient servant,

J.D.McLean

Assistant Deputy and Secretary.

Lt.Col.A.T.Thompson,
Messrs.Pringle, Thompson, Burgess & Cote,
Barristers etc.,
Ottawa, Ont.

over

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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22153-16 B.C.E. CLOSED

FROM 31/8/08

TO 12/9/19

Indian Affairs. (RG 10, Volume 7671, File 22153-16 B.C.E)

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