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Roll #6-A

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Indian Affairs
Headquarters Files

(RG 10, Volume 7797)

- File 29156-7		Kwawkewlth Agency - Sale of a portion of Campbell River Reserve to the International Timber Company and the band council requesting their portion of the sale for the people on the reserve. 1920 - 1954
- File 29167-5-3	1	New Westminster Agency - Kitsilano Reserve - Sale of the reserve to the corporation of the Harbour Commissioners of Vancouver (clippings enclosed). 1915 - 1927
- File 29167-5-3	2	New Westminster Agency - Kitsilano Reserve - Sale of the reserve to the corporation of the Harbour Commissioners of Vancouver (clippings enclosed). 1927 - 1928
- File 29167-5-3	3	New Westminster Agency - Correspondence regarding the tentative sale of the Kitsilano Reserve to the City of Vancouver, rental of land for advertising to Ruddy-Duker Company and sale of four acres to the Department of National Defence for Construction of Armouries (Vancouver By-Laws, plans, maps, photos, clippings). 1928 - 1934
- File 29167-5-3	4	New Westminster Agency - Correspondence regarding the Kitsilano Reserve to be sold to the Vancouver Harbour Commissioners on lease to the Vancouver Parks Board (clippings enclosed). 1928 - 1938

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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Indian Affairs
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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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: Real Estate
Investments
Notary Pu

Phones: Seymour 5266
Kerrisdale 2308-R

J. F. Noble

Suite 828 Standard Bank Building

Vancouver, B.C. Nov. 12th. 1936

Hon. T. A. Crerar, Esq.
Sup. General of Indian Affairs.
Ottawa, Ont.

Dear Sir:- Re. Kitsilano Indian Reserve.

Suggestions have appeared in the Press from time to time tending to convey the impression that the Kitsilano or False Creek Indian Reserve #6 of the Squamish Tribe of Indians had passed out of the control of the Department of Indian Affairs.

Having been closely identified with Indian matters in this Province for over 20 years, and being familiar with the Trust capacity in which the Federal Government acts for the Indians, I can only regard this propaganda as being part of a Campaign to undermine the Indian ownership of this Reserve. The object being to secure the Reserve for less than its value, for Civic purposes. While I am a heavy taxpayer and most concerned about Civic well-being, I do not subscribe to any such Policy.

I have always had in view securing a Buyer for the Reserve, who would pay the Indian owners (through your Department) a reasonable price for their asset, and who could and would develop it along the lines that nature and the Harbour development make it most suitable for. I have presented the matter unofficially to a number of Prospects and now have a Cliant willing to negotiate, and able to purchase if satisified. I have submitted them details (of which I have a great volumn) and no doubt they will contact you in due course. I just want to put myself on record as a legally qualified Broker.

My Cliants are the British Pacific Properties Limited, of 355 Burrard St. this City, who are building the First Narrows Bridge. Their managing Director Mr. A. J. T. Taylor will be looking into the matter from New York, on his way back from England, one of these days.

Your hearty co-operation will be much appreciated.

Yours sincerely,

J. F. Noble

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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28835 B

Minister's Office

DEPT. OF INDIAN AFFAIRS
NOV 18 1936
RECORDS

MEMORANDUM

November 17, 1936

R

DR. H.W. MCGILL.

Re: Kitsilano Indian Reserve.

I am sending you herewith, for departmental attention, the attached letter to the Minister (Nov. 12/36) from Mr. J.F. Noble, Suite 828, Standard Bank Building, Vancouver, B.C.

W.J.F. Pratt,
Private Secretary.

Enclosure.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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(COPY)

BOARD OF PARK COMMISSIONERS

STANLEY PARK

VANCOUVER, B. C.

November 13th 1936.

Mr.Timothy Moody,
Secretary,
Squamish Indian Reserve No.1,
P.O.Box 2353,
North Vancouver, B. C.

Dear Sir:

re: Kitsilano Indian Reserve.

I beg to give hereunder the text of a resolution passed at the regular meeting of the Board of Park Commissioners yesterday:

"Whereas the present policy of the Park Board does not contemplate the immediate acquisition of title to the Kitsilano Indian Reserve but rather authority from the Provincial Government which has jurisdiction over the foreshore and authority from the Department of Indian Affairs, which has jurisdiction on behalf of the Indians over the uplands, to clean up and abate the eye-sore and health nuisance presently created by the debris, dumps and squatters;
BE IT RESOLVED : That the City Council be advised to this effect and so instruct their Parks and Boulevards Committee, and that the Squamish Tribe be advised by the Superintendent and the Board's position made clear to them, and the Committee of the Board presently working on the matter be instructed to proceed."

In further explanation, I would state that the policy of my Board for some time has been to secure authority from the two Governments to clean up and improve the Kitsilano Indian Reserve, and make it available for anyone who would like to picnic there, and also to police the area.

Yours truly,

"A.S.Wooton"

Superintendent.

ASW/EE

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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W TO DRAW

Nanaimo To Have Inkster

ick Stobbart on Squad Selected to Battle Royals

Royals will have to be on eir metal tomorrow after- on if they wish to take er the leadership of the tercity Soccer League. The estminstre squad can do just at by halting Nanaimo City Con Jones Park, but the iners will present a strength- ed team from that which opped a 2-0 count to St. aviours here last week.

While the Nanaimo selection com- ttee has not announced a starting eup, Pete Inkster will definitely ake his first start of the season in al. Forrester, a new-comer, and ck Stobbart are on the squad which cludes also Edmunds, Watson, Boyd, cGregor, Knight, English, Waugh, mpson, Denton, Grey and Sand- nd.

Royals will fiel da strong eleven th the injured Mel Manzer the only sentee. Dave Turner will be back inside-left.

STERN RESERVES

On the reserve list, Royals have two ewcomers from the East. The names e Millman and Turner, the latter n inside-forward like his namesake nd if he is nearly as good as Dave e scribes may be pardoned for call- g them the Turner twins.

The big attraction at Cambie rounds is the Inter-high school final etween Grandview and South Burn- by at 1 o'clock with referee Axelson charge.

Young Eng. Cops Cup At Liverpool

LIVERPOOL.—R. Bownass' Young ngland won the Liverpool Autumn up by a margin of two lengths over . J. Simms' Papyrette. W. H. Thorpe's nchkeith was third, another two engths back.

Young England was quoted 9 to 1, apyrette and Inchkeith both at 100 6.

Seventeen ran over the course of ne mile, two furlongs, 170 yards.

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Vancouver Sun
Nov 20/1931

NO RESERVE WORK UNTIL SQUATTERS GO

RIGHTS OF INDIANS TO BE CONSIDERED

The Vancouver Park Board, anxious only to "rid the city of an eyesore and a health menace," is not looking for ownership of Kitsilano Indian Reserve and will not look for it until the question of title is ultimately settled by federal, provincial and civic authorities with every due consideration of the rights of the Squamish Indian tribe, still the nominal and factual owners.

By formal resolution, Thursday, park commissioners stated their position, asked for co-operation of the city council in securing permission to administer the reserve "for clean-up and preservation of law and order."

Representatives of the Squamish Indians will be notified of the park board stand by being supplied officially with a copy of the resolution.

INDIANS DISTURBED

The Indians, Chairman R. Rowe Holland informed the board, are disturbed over reports and have made representations to Ottawa. They have even suggested taking up residence on the reserve again in order to demonstrate their ownership.

Meantime, Chairman Holland intimated, the park board will defer any work on the reserve or on the beach foreshore until squatters, their eviction again postponed until next March by agreement of city and provincial authorities, are definitely away from there.

"We have no thought or intention of developing the reserve as a city park now. That must wait until the city gets title and turns the property over to us for that purpose," said the chairman.

"STADIUM A DREAM"

"A phantasmagorical dream," was the chairman's carefully but quite successfully enunciated apostrophe on the proposal he credited to Mayor G. G. McGeer for the erection of a great sports stadium and civic auditorium on the reserve.

"The city hasn't the money and that's all there is to it at this time," he said in more colloquial language.

Warming again to this angle of the subject, Chairman Holland said: "It is a shameful thing to talk of stadiums and such things when the city hasn't money to pave our streets."

$3000 AN ACRE

Commissioner E. G. Baynes said that 8 acres of the reserve had been sold some time ago at $3000 an acre and he sees no reason why this should not be regarded as a fair price for the rest if the city wants to acquire it.

That would mean a total of only about $120,000.

"It will never be got for less than $250,000, and you will see that it won't. You will have to settle with the provincial government as well as the Indian Department," Chairman Holland retorted.

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

DEPT. OF INDIAN AFFAIRS
NOV 23 1936
REGISTRY

OFFICE OF
INDIAN AGENT
203-6 Rogers Bldg.,
Vancouver, B. C.
November 18th 1936.

Sir:

I have the honour to enclose herewith the latest press report upon Kitsilano Reserve which is rather different from previous ones.

It will be noticed that "representatives of the Squamish Indians will be notified of the Park Board stand". The morning after the Park Board's meeting, one of their staff phoned me and asked if I could give them "Chief Andrew Paull's address". I concluded they were going to make a bad mistake, so asked if they would object to telling me why they wanted his address, and they said it was in order to send the resolution of the Park Board to him as Chief of the Squamish Band. I advised them that Paull was neither a Chief nor a Councillor, and any such communications should be with the Secretary of the Council, or myself. This averted the error and the resolution was forwarded to the Secretary, who called here yesterday to discuss it.

I enclose copy of the Park Board's resolution, as received by him. He said some of the Councillors objected to the last paragraph of the letter; to use the Reserve as a picnic area they say is only a dishonest way of trying to get possession of the Reserve from them, and they do not think it should be permitted. One cannot but agree that a great deal of this agitation about Kitsilano Reserve is only another periodical attempt to get it without paying for it.

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

Fred J.C. Ball

B/DH.

(F.J.C.Ball)
Indian Agent.

HAROLD W. McGILL, M.D., Esq.,
Deputy Superintendent General,
Department of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

28835-3

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT
203-6 Rogers Bldg.,
Vancouver, B. C.
November 21st 1936.

Sir:

re: File No.28835-3 C.

DEPT. OF INDIAN AFFAIRS
NOV 25 1936
RECORDS

I have the honour to acknowledge with thanks receipt of your letter of the 13th instant regarding Kitsilano Reserve.

I wrote you on the 18th enclosing further reports on this subject, but your letter received yesterday will completely allay the fears of the Squamish Band and Council, and I shall notify them immediately. It is exactly what they need to renew their confidence in the Department, which has been somewhat shaken of late by the press reports and speeches of so many prominent men in Vancouver. The Secretary of the Council has already seen your letter, and was very pleased. I am afraid I have caused you extra trouble and correspondence by forwarding so many reports on Kitsilano Reserve, but thought it best to keep you posted upon developments, but will not send any more unless they appear to be important.

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

Fred'k J.C. Ball

B/DH.

(F.J.C.Ball)
Indian Agent.

Harold W. McGill, M.D., Esq.
Deputy Superintendent General,
Department of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

File 28835-3C.

Ottawa, November 28, 1936.

Dear Sir,-

I appreciate the contents of your letter of the 21st instant, with further reference to the local active propaganda affecting the Kitsilano Indian Reserve.

I am very glad indeed to hear that my recent letter to you concerning this matter has had the effect of allaying to some extent the fears of the members of the Squamish tribe concerning this subject. Your letters have not in any sense been troublesome, but on the contrary, both myself and the officers of the Department have been very pleased that you have kept us in touch promptly and continuously with the local situation.

Yours very truly,

Deputy Superintendent General.

F. J. C. Ball, Esq.,
Indian Agent,
208-6 Rogers Building,
Vancouver, B. C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File 28835-3C.

Ottawa, November 28, 1936.

Dear Sir,-

The Honourable the Superintendent General, Mr. Crerar, has requested me to acknowledge the receipt of your letter of the 12th instant, in which you present certain representations concerning the Kitsilano Indian Reserve. I have noted the contents of your letter, and have instructed that it be placed on the Departmental file concerning this matter.

Yours very truly,

Deputy Superintendent General.

J. F. Noble, Esq.,
Suite 828,
Standard Bank Building,
Vancouver, B. C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

Nov. 21st, 1936.

Honourable Mr. Crerar,
Minister of the Interior,
Parliament Buildings,
Ottawa, Ont.

Dear Mr. Crerar:

You will recollect meeting a delegation of the Vancouver Parks Board at the Vancouver Hotel on the occasion of your last visit here. I have not written to you as promised in implementation of that interview, as in the meantime matters have been developed, and I desired to wait until the picture was crystalized before communicating with you.

I am enclosing herewith map of the City of Greater Vancouver, outlining in red ink that section of the Kitsilano Reserve lying west of the Burrard Street Bridge, which we desire as a Parks Board to have the right to remove the debris from and to keep clean and also to maintain law and order over.

We want this badly because it has gradually become a dumping place for refuse. The people have been cutting wood from it without any selectivity, old boughs and branches have accumulated, and every winter burglars and hold-ups escaping from the police find refuge there. The squatters who without hindrance have been allowed to build their unsighly shacks on the fore-shore, to hang out their clothes, and to pile their wood, have spread from Burrard Street Bridge, around the half circle, to where the Reserve touches our Park at Kisilano Beach, and right there in the center of the City this eyesore that breaks the orderly cleaness of the beach line, is to be seen from all along the drive from Stanley Park to the Bridge, over the Bridge, and from various sections of the beach drive thereafter.

As a health menace the problem has become acute. The tide washing their undrained beach, which has no sanitary conveniences of any kind, deposits the debris all along our English Bay bathing beaches, and this year the protests have increased tremendously, people believing that the situation arises from trouble with septic tanks, etc.

The problem up to date has always been approached from the view-point of title to the property, which, as you know, lies in the Dominion Government, Department of Indian Affairs, for the Indians of the Squamish Reserve. This Reserve, where the Capilano

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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Indians now live and have lived for the last twenty-five years, is marked in black ink opposite Stanley Park on the North Shore of Burrard Inlet. There have been no Indians living on the Kitsilano Reserve for as far back as I can remember, which is about 1904.

Some fifteen or sixteen years ago the Provincial Government, through Hamilton Read, a barrister, and Magistrate Alexander, consummated negotiations with the actual Indians themselves, for the purchase of the Reserve, and purported to distribute some $300,000. among the various Indians belonging to the tribe who were entitled thereto. The action was abortive, and no title was ever obtained, but I believe by an Order-in-Council the equity of the Province of British Columbia is recognized in something less than $300,000.

Some months ago realizing the impossibility of settleing the question of title, and of the City buying the Reserve so that we could use it as a park, we determined to see if we could not abate the two nuisances and get the right to keep them abated ourselves. We knew this would require money. The Honourable Mr. McKenzie had obtained a vote of $50,000. for us to be spent through Mr. McPherson, the Provincial Minister of Public Works, on the fore-shore at Spanish Banks, and the contract let did not use all the money, and by agreement with the Federal and Provincial Department, $7500. of this was set aside to clean up after the squatters had been removed, to remove the piles of debris from the Reserve, clean up the tangled under-growth, and on a sylvicultural basis to preserve the timber growth worth-while, on that section of the Reserve lying west of the Burrard Street Bridge as per plan herewith. This would be spent for and on behalf of the Indians owning the Reserve. It's Federal money, and it would be spent by the Provincial Government as custodian under the agreement for them.

Mr. Wells Gray, the Minister of Lands, agreed to evacuate the squatters from the fore-shores over which the Provincial Government has complete jurisdiction, and he agreed that he would give us the right to keep the squatters off the fore-shore on his behalf, and to that end, to use our park police, and through them to maintain law and order; it being noted that the beach has been used for swimming ever since I can remember, and also for picnic parties.

The Honourable Mr. Gray also agreed that on our behalf he would write to you, asking that we be given the right to prevent people from dumping rubbish and to maintain law and order in the upland section under your jurisdiction and belonging to the Indians.

We finally had notice served through Mr. Gray on the squatters, and they were to get off by the 15th of November. In view of the difficulties of looking after them if they were moved some 85 people - it was agreed that the notice should be extended until the end of next March,1937, and also the squatters themselves agreed that if this were done, they would move on that date. In the meantime we would like to get the upland cleaned of debris, and intended to proceed in this way. However, His Worship, Mayor

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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McGeer, just before he left for England dug out an old plan for the development of the Kitsilano Indian Reserve which the Town Planing Commission had prepared for it many years ago. I haven't any clear ide how he intended to raise the money to purchase the Reserve from the Indians and from the Provincial Government, or where he intended to raise the $2,000,000. involved in the somewhat grandiose development which the plan outlined. However, it captured the interests of the Newspaper reporters when he laid it on the table at the City Hall, and it was given a lot of publicity. The Indians misunderstood the situation, and believed that we were attempting to obtain some title to the Reserve and try and turn it into a park and develop it as such without consulting them. They had a meeting, and wrote your Department a week ago yesterday, and wired your Department protesting against the reserve being sold or dealt with without their permission, and your Department wired back that no negotiation had been entered into. This letter not having as yet arrived, and no letter having as yet been forwarded by Mr. Wells Gray.

I am writing to Mr. Gray today, enclosing him a copy of this letter, and asking him to formally write you as well as send us his own letter. I will have Mr. Wootten, our Parks Superintendent and Engineer, under whose jurisdiction the clean-up will be made, confer with the Indian Agent here, and I believe that if your Department will write him explaining thoroughly that there is no question of doing anything other than clean the place up on behalf of the Indians, without prejudice of any kind to their title, and with the right being reserved by the Department on their behalf to prevent us even from policing it at any time on notice, and also pointing out that the gradual destruction of the timber and undergrush, and the continual depositing of rubbish, if it is allowed to go on, is only hurting their assets, and what we are doing is hastening the day when they may be able to sell it at a price to the City, will iron out any difficulties.

The Parks Board regards this Reserve, which is nobody's baby, and which has become more of an eyesore to the City, and more of a health nuisance every year, as one of the greatest problems. It is not reasonable to present those nuisances being abated until the City has the money, and until the title difficulties can be ironed out, and we can purchase it. The move we are making is along step towards that day and date.

The red tape attendant upon negotiating with two Governments through the City, has prevented the Parks Board from being able to accomplish much up to date. Your good offices in helping us overcome the problem on behalf of all the people of Vancouver will be sincerely appreciated, and I think this letter contains such details as will enable you to communicate with Mr. Gray after you receive a letter from him, and to give us the authority by letter which we require.

Yours very sincerely,

Chairman of the Vancouver Parks Board

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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28835-3

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

203-6 Rogers Bldg.,
Vancouver, B. C.
November 24th 1936.

DEPT. OF INDIAN AFFAIRS
NOV 30 1936
RECORDS

Sir:

I have the honour to report again in connection with Kitsilano Reserve, and to enclose copy of a letter addressed by Mr.Rowe Holland to Honourable Mr.Crerar. I did not expect to trouble you with the Reserve question again but it appears that a few corrections should be made in Mr.Holland's letter.

Paragraph 3 says "We want this (Reserve)badly because it has gradually become a dumping place for refuse." I have already reported that this is a gross exaggeration, and that the "refuse" consists of some old automobile parts. I mention this in case it is thought to be house garbage. Further, as I advised the City at one time, when we had the R.C.M.P. commence checking up on who was depositing rubbish, the first one he caught was the City of Vancouver's own truck. It ill becomes the City to complain when they have done the thing about which they are complaining.

The question of people "cutting wood without selectivity" is amusing. We found a Mr.Pope cutting up some trees recently, and upon questioning him, he said the "Parks Board gave me permission". I should add that Mr.Rowe Holland denies this, although Mr.Pope insisted he was right.

The letter continues "the squatters who without hindrance have been allowed to build their unsightly shacks on the foreshore". Why use that as an excuse to get the Reserve? All that was necessary was a little firmness by the Provincial authorities in keeping them off; we had no trouble on the Reserve itself,once they realized that we destroyed their shacks or tents as fast as they put them up. Nowadays, the squatters themselves immediately remove anyone who attempts to build on Reserve property. For years, these squatters are periodically notified to leave and someone usually an alderman of the City, cancels the notice, so that any health menace is not a Reserve matter at all, but the City's own fault, yet they are using it as an excuse to take over the Reserve. These squatters are not on the Indian Reserve.

Mr.Rowe Holland says the title is held forthe Capilano Indians and outlines the Capilano Reserve on the North Shore. This is also all wrong, as you know.

If there is money available to "remove the piles of debris" and clean up after the squatters, we can do that work - but this continual talk of the underbrush on the Reserve being a resort for criminals when chased by the police is utter nonsense. There are hundreds of acres of C.P.R. and other property in the City of Vancouver covered with brush, so why is the Reserve selected particularly, and all this talk of the health menace on account of the squatters using the beach

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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is not our concern, and should not be charged against the Reserve.

One of the Aldermen, Lembke, used as his main election plank that he would "get the Reserve from the Indians". Since he has been alderman, he has gone to the Reserve in the evening with the City Archivist, trying to get agreements with the Indians regarding Kitsilano Reserve, and they told him he should deal with this Department.

This whole Kitsilano Reserve question as far as the public is concerned could be settled at any time by moving the squatters on the foreshore and cleaning up the beach - a matter for the Provincial authorities.

Mr.Holland's letter is not in accord with public statements of various civic officials who say quite openly that they are now going to get this Reserve from the Indians and turn it into a public park for all time, or as the Mayor says, build a $2,000,000 stadium on it.

The Indians rely upon the Department for protection of their Reserves, whether they happen to be little fishing places in a remote inlet, or valuable property in the City of Vancouver.

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

Fredk J C Ball

(F.J.C.Ball)
Indian Agent.

B/DH.

Harold W. McGill, M.D., Esq.
Deputy Superintendent General,
Department of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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DEPT. OF INDIAN AFFAIRS
DEC 10 1936

Laeod

VANCOUVER HEALTH UNIT
REPORT FOR MONTH OF NOVEMBER, 1936.

x x x

The Squamish Indians continued to be disturbed by continual press reports about Kitsilano Reserve but a letter from the Deputy Minister was read to them and they now feel that they have nothing to fear. There have certainly been some remarkable statements made by prominent civic officials about the Reserve; one alderman who was elected on a main platform that he would "get the Reserve for a Park", is in the field again, so possibly the civic election is the cause of the sudden importance of the Reserve. It is a safe hare to harry, as the Reserve has no votes to cast against him. Recently one of our periodical enquiries into civic affairs has become front page news, and more useful for electioneering purposes. and the Reserve question is dying down. The Civic election judging from the mass of aspirants to the new City Hall to be opened next week, leave the people in almost as complete a fog as the one from which we are recovering.

x x x

F. J. C. Ball.

Indian Agent.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

203-6 Rogers Bldg.,
Vancouver, B. C.
December 29th 1936.

Dear Sir:

re: Kitsilano Reserve.

I beg to acknowledge receipt of your further letter of the 19th instant re the above Reserve.

There is one point which is not understood, viz. the question of the Parks Board Police keeping law and order on the Reserve. I was not aware that the Parks Board had a police force separate from the regular City Police, who, of course, have always had access to both the Reserve and the beach. Possibly, you have overlooked the fact that while this land is Indian Reserve, the Indian Act will apply to any offences committed thereon, and I doubt whether a private police force would have authority to enforce the Indian Act, or any other Federal statutes.

You say there are two things only which you require from the Indians:

1. That they allow the money to be spent in cleaning up after the squatters, and in under-brushing "and opening up the Reserve west of the bridge on a silviculture basis".

2. That they agree to the Parks Board Police enforcing law and order, etc.

Can you be more explicit about your intentions regarding the Reserve, especially with regard to "opening it up" on a silviculture basis?

Naturally, the Indians have no objection to the Federal Government spending money to cut down the brush on the Reserve, if they think it would improve the appearance of it. But the Indians have nothing whatever to do with the cleaning up after the squatters are removed, as they are not on Indian Reserve land; what the Indians have made very clear at all their Council meetings is that they cannot allow the Parks Board to control the Indian Reserve, and they have asked for a clear and definite statement from the City of Vancouver that it does not intend to make a public park of any part of Kitsilano Indian Reserve, and also does not intend to try to obtain possession of their land without payment at a mutually agreeable price.

If the beach is to be used as a bathing beach, and the Reserve land adjoining it is laid out in lawns, etc. the Reserve will be used by the public as a park, and once that is done, there would be an immediate outcry if the land was sold by the Indians for other purposes. The public will naturally look upon it as a permanent playground, and you, as

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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PUBLIC ARCHIVES
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CANADA

Chairman of the Parks Board, will readily understand the difficulty of stopping public use of the land once that use has been established.

For this reason, the Squamish Indians definitely refuse to allow any part of Kitsilano Indian Reserve to be used for any public purposes whatsoever, but they have no objection to the brush being cut down by the Federal Government, if it wishes to do so, or any other cleaning up which it may deem necessary. This is the stand taken by the Squamish Indian Council on behalf of the Squamish Tribe.

Your obedient servant,

(F.J.C.Ball)
Indian Agent.

B/DH.

R. Rowe Holland Esq.
C/o Messrs.Grossman, Holland & Co.
Barristers, etc.
Stock Exchange Building.
VANCOUVER, B. C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

Treaties & Treaties

28835-3

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Department of Mines & Resources
Indian Affairs Branch.
JAN 4 1937
RECORDS

203-6 Rogers Bldg.,
Vancouver, B. C.
December 29th 1936.

R

Sir:

I have the honour to enclose herewith a letter received from Mr.R.Rowe Holland, of Grossman, Holland and Co., barristers and solicitors, of Vancouver. Mr.Holland is Chairman of the Vancouver Parks Board,his term of office expiring at the end of 1937.

As the letter was addressed to me on behalf of the Squamish tribe, I have replied, giving their views, which I trust meets with your approval.

Mr.Holland still wilfully confuses the matter of removing the squatters with making a park of the Reserve. The Indians are strongly opposed to their Reserve being used as a public park, which, of course, Mr.Holland knows will be the case if the beach is used for a public bathing beach. Personally, I think the beach of False Creek decidedly unhealthy for bathing purposes, and this is the general public opinion. There are miles of bathing beaches in Vancouver on the open sea, without using a creek which drains the industrial area of the City, and there are many parks scattered over the City.

With regard to the Parks Board Police administering law and order on the Reserve, they have two patrolmen who work on Sundays, and during the evenings until midnight. They have to cover all the parks including Stanley Park. Any attention they could give Kitsilano Reserve would be negligible, and the City Police always have had access to the Reserve.

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

Fredk J C Ball

(F.J.C.Ball)
Indian Agent.

B/DH.

Harold W. McGill, M.D., Esq.
Director of Indian Affairs,
Department of Mines & Resources,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File 28835-3C.

Ottawa, January 8, 1937.

Dear Sir,-

I beg to acknowledge the receipt of your letter of the 29th ultimo, with which was enclosed one addressed to you by Mr. R. Rowe Holland, with further reference to the Kitsilano Reserve situation, and also a copy of your reply, which, I may say, was quite satisfactory and in keeping with the facts of the situation

Yours very truly,

Director of Indian Affairs.

F. J. C. Ball, Esq.,
Indian Agent,
Vancouver, B. C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File 28835-3C.

January 8, 1937.

His Excellency

The Governor General in Council.

The undersigned has the honour to refer to the fact that, on the 1st day of October, 1934, the Ruddy Duker Company, Limited, of the City of Vancouver, in the Province of British Columbia, was by lease granted the right by the Department of Indian Affairs to erect advertising signs on certain lands, part of the Kitsilano Indian Reserve in the said City of Vancouver, and in consideration of the payment of an annual rental of $780.00

It is now represented to the undersigned that at or about the time the above described lease issued, the authorities of the City of Vancouver passed certain by-laws or regulations which, in effect, prohibited or prevented the Ruddy Duker Company, Limited, from utilising or enjoying the rights and privileges granted by the Department of Indian Affairs, as set forth and described in the said lease, and notwithstanding the fact that the said Company had paid to the Department, in advance, on account of rental for the first year of the term granted, the sum of $585.00.

The undersigned would, therefore, recommend that, as the lessee, the Ruddy Duker Company, Limited, has been prevented from making use of or enjoying the rights and privileges purported to be granted by the Department of Indian Affairs by the said lease dated October 1st, 1934, a refund be made to the Ruddy Duker Company, Limited of the rental paid in respect of the said lease.

S.E. 2/37
D.C. 28/1/37

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

1

File 28835-3C.

Synopsis of Memorandum to Council of January 9. 1937.

To provide for the return of rental of $585.00, paid in advance by the Ruddy-Duker Company, Limited, of Vancouver, to the Department of Indian Affairs, under the terms of lease issued October first, 1934, granting the right to erect advertising signs on the Kitsilano Indian Reserve. The Vancouver civic authorities, however, passed certain by-laws or regulations which prevented the Ruddy Duker Company, Limited, from making any use whatever of the rights granted by the Department. Return of rental paid in advance is considered proper and in pursuance of authority granted in section 91 of the Indian Act.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

Minister's Office

M.

MEMORANDUM

Ottawa, January 9th, 1937.

Dr. H.W. McGill,
Director of Indian Affairs Branch.

I am enclosing herewith a letter and enclosures which the Minister has received from Mr. R.R. Holland, who is the Chairman of the Parks Board in Vancouver. A delegation from the City Council and the Parks Branch waited upon the Minister when he was in Vancouver last October and discussed the matter referred to in the enclosed correspondence. The Minister has suggested to Mr. Holland that he should take it up again with the new Commissioner in Victoria - Major MacKay. He has asked me to suggest that you should write to Major MacKay asking him to make a special effort to effect an arrangement which would be satisfactory not only to the Parks Board but to the Indians.

Kindly return the attached correspondence to this office when you are through with it.

C.W. Jackson,
Secretary.

Enclosures (3).

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

28835-3

Department of Mines & Resources
Indian Affairs Branch
JAN 20 1937
RECORDS

Ottawa, January 19, 1937.

MEMORANDUM.

The Deputy Minister,-

I am returning herewith letter dated December 19th, together with certain enclosures, sent to the Minister by Mr. R. Rowe Holland, of Vancouver, referring to the Kitsilano Indian Reserve, and which accompanied Mr. Jackson's memorandum of the 9th instant.

The suggestion made by the Minister as set forth in Mr. Jackson's memorandum will be followed out at once, and Commissioner MacKay, of Victoria, will be requested to discuss the situation in question with Mr. Holland at the earliest convenient opportunity.

Director of Indian Affairs.

Jan 20/37

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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GROSSMAN, HOLLAND & Co.
BARRISTERS AND SOLICITORS

TRINITY 1377

STOCK EXCHANGE BUILDING
VANCOUVER, B.C.

December 31st, 1936

F.J.C.Ball, Esq.,
Indian Agent,
203 Rogers Building,
City

Dear Sir:

In reply to your letter of December 29th which makes the position of the Squamish Tribe quite clear, will you inform them:

(1) That the Parks Board do not wish to control the Indian Reservation and that they may take this as a clear and definite statement from Park authority to me to this effect:

)2) That the Parks Board do not intend to make a public park of any part of the Indian Reservation or to try to obtain possession of their land without payment and that they may also take this as an official statement thereupon:

(3) That the beach will not be used as a bathing beach and that the Parks Board is agreeable to set up, both on the beach and on the land West of the Burrard Street Bridge, signs indicating that it is private property and that bathing and picnicing is not allowed:

(4) The Parks Board does not intend, as it would have absolutely no right whatever to do so, to lay out any of the Reserve in lawn or to, in any way, spend any money or labor thereupon or to do anything that would indicate that the property, belonging to the Indians, is usable for parks purposes.

(5) Not only will the public not look upon it as a permanent playground but, because it is made clean and decent in appearance, it seems to us that it will only make the public more desirous of obtaining it and hasten the day when the money will be forthcoming for that purpose.

If you will make these points clear to the Indians and tell them that you have an official statement clarifying the position I believe that they will be quite glad to co-operate.

As you pointed out they are not interested in the cleaning up of the foreshore after the squatters but they are interested in what work the Government intend to do on the Reservation "opening it up on a silvi-cultural basis." By that is meant under-brushing and cleaning out of the dead trees and

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

F.J.C.Ball, Esq.,

diseased trees so that the little patch of second growth will not depreciate further and doing it, not on a land clearing basis, but on the same basis that the Park authorities would treat a piece of forest. This method of under-brushing and clearing up is infinitely more expensive than the ordinary under-brushing and of infinite more value in making the place clean and presentable.

As far as the Parks Board enforcing law and order is concerned we have two Parks policemen in our own pay who visit our Parks daily and nightly and as they visit the Park immediately contiguous to the Reserve, they can make it their business to prevent dumping, fire building and other practices quite outside the category of actual breaches of criminal law but calculated to be offensive.

A letter from the Indian Department to the City of of Vancouver, giving our Parks police this little authority would not bring us in conflict with the Indian Act or any other Federal Statute.

May I say, on behalf of those City officials who are endeavoring to abate the present eye sore and to get the situation decently in hand in the interests of the Indians and every one else concerned, that we appreciate your patience in your official capacity in attempting to get this matter clarified and our confidence that with your co-operation the matter can be adjusted by the 1st April to the satisfaction of every one concerned.

From the conversation I had with the Honourable Mr. Crearer I believe that the whole correspondence and consequent arrangement will probably be productive, in the very near future, of some satisfactory agreement whereby the City of Vancouver can acquire this land from the Indians.

I should be glad to hear from you after you have canvassed the situation further.

Yours very truly,

RRH/C

R. Roxie Holland

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

Guests

28835-3

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Department of Mines
Indian Affairs Branch.
JAN 28

OFFICE OF
INDIAN AGENT
416 Dominion Public Bldg.,
Vancouver, B.C.,
January 19th 1937.

Sir:

re: File No.28835-36.

I have the honour to refer once more to the Kitsilano Reserve. After again speaking to Mr.Rowe Holland on the telephone and discussing the Indians' viewpoint informally with him, I received the enclosed letter,which is quite different from the public speeches reported in the press, and which so alarmed the tribe.

Except for the last paragraph but one, of which I know nothing, of course, there is nothing in the letter to which the Indians can object, providing this is actually what the Parks Board intends to do and that the City officials distinctly understand it.

I have not replied to Mr.Holland's letter, other than acknowledging receipt of it, as you may wish to instruct me.

I do not wish to be unduly suspicious, but I would point out that the enclosed letter and previous ones are apparently signed for Mr.Holland, and not by him, and any concessions granted the Parks Board should be clearly defined to the City Council without fear of misunderstanding at some future time as to the exact position of the Board in Kitsilano Indian Reserve matters. We have recently had in Vancouver civic affairs some rather glaring examples of carelessness of this kind which has cost the tax-payers considerable money and the city some unfortunate publicity, and it should not be repeated with the Reserve, as it is less costly to prevent these misunderstandings than to correct them afterwards with public enquiries and commissions.

I respectfully request your advice and instructions as to whether a permit should now be given the City of Vancouver along the lines of the enclosed letter. The Squamish Indian Council will accept whatever advice is given them now they are assured that their ownership of the Reserve is not jeopardised.

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

Fredk J.C. Ball

B/DH.

(F.J.C.Ball)
Indian Agent.

Harold W. McGill, M.D., Esq.
Director of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

January 28th, 1957.

Dear Sir:-

The Kitsilano Indian Reserve, located within the boundaries of the City of Vancouver, has for some time been the subject of an exchange of correspondence between the Department and various Civic bodies or officials.

A few days ago a letter was addressed to the Honourable Mr. Cromar concerning this matter by Mr. R.R. Holland, Chairman of the Parks Board, Vancouver, and in which Mr. Holland set forth certain suggestions to which he intimated it was the desire of the Parks Board the Department should give some consideration.

Our local Agent, Mr. F.J.C. Ball is quite familiar with the whole situation, Mr. Holland having also addressed a similar communication to him. It is the Minister's wish that a special effort should be made to effect some arrangement concerning this reserve which would be mutually satisfactory and at the same time in no way prejudice the interests of the Indian owners of the Squamish Tribe.

I have to request therefore that you give this matter your early attention and would suggest that you review the matter carefully first with Agent Ball and later arrange a conference with Mr. Holland, and report the result to the Department with as little delay as may be possible.

Yours very truly,

H. Howard

Director of Indian Affairs.

D. M. MacKay, Esq.,
Indian Commissioner,
P.O. Box 666,
VICTORIA, B.C.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28855-3.

January 28th, 1957.

Dear Sir:-

I have to acknowledge receipt of your letter of January 19th to which was attached one addressed to you under date of December 31st last by Mr. R. R. Holland, Chairman of the Parks Board, Vancouver, and in further reference to the Kitsilano Reserve matter.

For your information I enclose copy of a letter which I have today sent to Commissioner MacKay, and from which you will note that it is the Minister's wish that some special effort be made to reach a mutually satisfactory standing as between this Department and the City of Vancouver, without however in any way prejudicially effecting the interests of the Indian owners of the Squamish Tribe.

Yours very truly,

Director of Indian Affairs.

F. J. C. Ball, Esq.,
Indian Agent,
416 Dominion Public Building,
VANCOUVER, B.C.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

28855-3.

Ottawa, Ontario,
February 2nd, 1937.

Dear Sirs:-

I have to acknowledge receipt of your letter of January 27th with further reference to the matter of the Ruddy Duker Company Limited and the Kitsilano Reserve.

A recommendation has been submitted to His Excellency the Governor General in Council to the effect that the rentals paid to this Department by the Ruddy Duker Company Ltd be refunded, in view of the fact that the company was not permitted at any time to enjoy the rights and privileges granted them in pursuance of lease dated October 1st, 1934. I expect that the matter will be brought to a satisfactory conclusion very shortly.

Yours very truly,

A. S. Williams.

Messrs. McMaster & Campbell,
Barristers and Solicitors,
736 Granville Street,
VANCOUVER, B.C.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

28835-3

McMaster & Campbell

BARRISTERS AND SOLICITORS

GLENHOLME F. McMASTER
ALAN T. R. CAMPBELL

TELEPHONE TRINITY 230

901 VANCOUVER BLOCK
736 GRANVILLE STREET
VANCOUVER, B.C.

27th January, 1937.

Department of Mines & Resources
Indian Affairs Branch
RECEIVED
FEB 1 1937
RECORDS

Department of Indian Affairs,
Ottawa.
Ontario.

Attention Mr. Williams.

Dear Sirs,

re Ruddy Duker Co. Ltd. and
Kitsilano Reserve.

We have not communicated with you in this matter since the 20th November last, nor have we heard from you for some time prior to that.

We would much appreciate having a settlement herein without further delay, as our discussions took place last spring, and we cannot help but feel that the necessary decisions may well have been handed down in accordance with the suggestions passing between us at the time and the Order-in-Council passed so that the funds, less $1.00, could be returned to our clients.

It appears to us that the matter must have been sidetracked somehow and we would accordingly appreciate it very much if you would see that it is taken up and completed with as little delay as possible.

Thanking you in anticipation of an early reply, we remain,

Yours truly,

McMASTER & CAMPBELL.
per: G.F.M.

GFM:W.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

4M

P. C. 21/185

28835-3

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 28 th. JANUARY 1937

MINES AND RESOURCES:

The Board had under consideration the following memorandum from the Honourable the Minister of Mines and Resources:-

"The undersigned has the honour to refer to the fact that, on the 1st day of October, 1934, the Ruddy Duker Company, Limited, of the City of Vancouver, in the Province of British Columbia, was by lease granted the right by the Department of Indian Affairs to erect advertising signs on certain lands, part of the Kitsilano Indian Reserve in the City of Vancouver, and in consideration of the payment of an annual rental of $780.

It is now represented to the undersigned that at or about the time the above described lease issued, the authorities of the City of Vancouver passed certain by-laws or regulations which, in effect, prohibited or prevented the Ruddy Duker Company, Limited, from utilizing or enjoying the rights and privileges granted by the Department of Indian Affairs, as set forth and described in the said lease, and nothwithstanding the fact that the said Company had paid to the Department, in advance, on account of rental for the first year of the term granted, the sum of $585.

The undersigned, would, therefore, recommend that, as the lessee, the Ruddy Duker Company, Limited, has been prevented from making use of or enjoying the rights and privileges purported to be granted by the Department of Indian Affairs by the said lease dated October 1st, 1934, a refund be made to the Ruddy Duker Company, Limited, of the rental paid in respect of the said lease."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

Clerk of the Privy Council.

Copied E & B

The Honourable
The Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

(1) Director (2) Treasury Bch

C.T. 17A
25M—19-6-36

REQUISITION FOR CHEQUE

TO BE USED FOR ADVANCES OR AUTHORIZED PAYMENTS FOR WHICH THERE ARE NO ACCOUNTS

DEPT. NO.
FILE NO. 28835-30
TREAS. NO.

DEPARTMENT of Mines and Resources

BRANCH Indian Affairs. DATE February 4th, 1937.

Representative of the Treasury FEB 5 1937 INDIAN AFFAIRS

APPLICATION IS HEREBY MADE FOR THE ISSUE OF THE FOLLOWING CHEQUE OR CHEQUES:

CHEQUE No.	IN FAVOUR OF	AMOUNT	
	The Ruddy Duker Company, Limited, Vancouver, B. C.	$ 585.	00

42009

FEB 6 1937

AUDITED FOR PAYMENT FEB 5 1937 ACCOUNTS BRANCH DEPT. INDIAN AFFAIRS

STATE BELOW, WITH DETAILS IN EVERY CASE, WHETHER (a) STANDING ADVANCE, (b) ADVANCE FOR SPECIFIC JOURNEY—ESTIMATING NUMBER OF DAYS, (c) OTHER ACCOUNTABLE ADVANCE, OR (d) AUTHORIZED PAYMENT

Refund of rental paid under terms and conditions of lease, dated October 1,1934.

See explanation and authority for refund in Order in Council No. P. C. 21/185, dated January 28th,1937.

CHARGE TO
VOTE a/c 54 JPG ENC. NO.
ALLOTMENT
SUB-ALLOTMENT

I CERTIFY, THAT THIS APPLICATION IS MADE UNDER THE REQUISITE AUTHORITY, AND THAT THE EXPENDITURE IS NECESSARY IN THE INTERESTS OF THE PUBLIC SERVICE.

J. C. Cockwell
HEAD OF BRANCH

[signature]
TREASURY OFFICE APPROVAL

[signature]
DEPUTY HEAD

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

MEETING OF SQUAMISH INDIAN COUNCIL
AT THE
COUNCIL HOUSE, SQUAMISH INDIAN RESERVE NO. 1
on
FEBRUARY 22ND, 1937

PRESENT: D. M. MacKay, Indian Commissioner for B. C.
F.J.C. Ball, Indian Agent, Chairman of Council

Tim Moody, Secretary to Council

Stanley Joseph, Councillor
Chief Matthias Joe "
Dennis Paull "
William Baker, Sr. "
Chief Moses Joseph "
Louie Miranda "
Gus Band "
Henry Jack "
Alfred Jacob "
Chief George William "
Chief Jimmy Jimmy "
Elvie Andrew "

ABSENT: Frank Baker "
Edward Charlie "

Meeting called to order at 8 p.m.

The Chairman introduced the new Indian Commissioner, Major D.M. MacKay, who addressed the Council and members of Band present.

RESOLUTION

MOVED by Councillor Denny Paull
SECONDED by Councillor Gus Band

THAT the Vancouver Parks Board be permitted to clean up Kitsilano Reserve No. 6 as per their letter of December 31st, 1936, on the following conditions:-

1. That the terms of the letter shown hereunder be strictly adhered to.

2. That the Parks Board agree in writing that the money spent for this purpose shall not now, or at any future time, be a charge against the Reserve or the Squamish Band Funds.

3. That Indians be employed on the work equally with white labour if found satisfactory to the Parks Board.

4. That the Squamish Council reserves the right to terminate this permit at any time.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

5. That the Indian Department place their trespass signs on the Reserve as well as the Parks Board signs that the Reserve is private property.

The terms of the Parks Board's letter of December 31st 1936 are as follows:

1. That the Parks Board do not wish to control the Indian Reservation and that they may take this as a clear and definite statement from park authority to me to this effect.

2. That the Parks Board do not intend to make a public park of any part of the Indian Reservation or to try to obtain possession of their land without payment, and that they may also take this as an official statement thereupon.

3. That the beach will not be used as a bathing beach, and that the Parks Board is agreeable to set up, both on the beach and on the land west of the Burrard Street Bridge, signs indicating that it is private property and that bathing and picnicing is not allowed.

4. The Parks Board does not intend, as it would have absolutely no right whatever to do so, to lay out any of the Reserve in lawn or to, in any way, spend any money or labour thereupon or to do anything that would indicate that the property belonging to the Indians is usable for parks purposes.

5. Not only will the public not look upon it as a permanent playground but, because it is made clean and decent in appearance, it seems to us that it will only make the public more desirous of obtaining it and hasten the day when the money will be forthcoming for that purpose.

CARRIED UNANIMOUSLY

I hereby certify that I was present and presided at the meeting of the Squamish Indian Council at which the foregoing resolution was unanimously passed and carried.

.....Fred. J. C. Ball.....

Indian Agent

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

28835-3

DEPARTMENT OF INDIAN AFFAIRS
CANADA

COMMISSIONER'S OFFICE
P. O. BOX 666

VICTORIA, B.C., February 24, 1937.

IN YOUR REPLY REFER TO
NO.
AND TO THE DATE OF THIS LETTER

Department of Mines & Resources
Indian Affairs Branch
MAR 2 1937
RECEIVED

Dear Sir:

The application of the Vancouver Parks Board for permission to carry out certain work on Kitsilano Indian Reserve has now been dealt with along the lines suggested in your 28835-3 of the 28th ultimo. The matter was first fully discussed with Indian Agent Ball after which a meeting of the Council was arranged for on the evening of the 22nd instant. At this meeting a resolution was passed setting forth the conditions under which the Indians concerned would consent to the Vancouver Parks Board cleaning up the reserve, a copy of this resolution is forwarded herewith.

It will be noted that no occupational rights are granted to the Vancouver Parks Board and that the Squamish Indian Council reserve the right to terminate the arrangement at any time.

Although it is not so stated in the attached, it is definitely understood by the parties to the arrangement that the whole proposal is subject to removal of present squatters on the foreshore of the Indian Reserve, by the Provincial Government.

A conference was held with Mr. Rowe Holland, chairman of the Vancouver Parks Board, yesterday and the terms on which the Indians would co-operate with the Board placed before him. Definite assurance with respect to the provisions of clause 3 of the resolution could not be given at the time by Mr. Holland as this would depend on the approval of the Provincial Minister of Public Works under whose supervision the money set aside for cleaning up the reserve is to be spent, but it is not expected there will be any difficulty in making satisfactory arrangements covering this clause.

On behalf of the Parks Board, Mr. Holland accepted the terms as set out in the resolution of the Indian Council, as "quite satisfactory".

Yours faithfully,

D. M. MacKay
Commissioner of Indian Affairs
for B. C.

Dr. Harold W. McGill,
Director of Indian Affairs,
Department of Mines and Resources,
OTTAWA, Ontario.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

File 29835-30.

EX'D.

Ottawa, March 5, 1937.

Dear Sir,-

I wish to thank you for your letter of February 24th, together with enclosures, referring to recent tentative arrangement with the Vancouver Parks Board, involving the Kitsilano Indian Reserve.

It would appear that this matter has been satisfactorily adjusted, at least for the time being, and the assistance given by yourself and Agent Ball is appreciated.

Yours very truly,

T. R. L. MacInnes,
Secretary.

TRLM

D. M. MacKay, Esq.,
Indian Commissioner,
Victoria, B. C

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

MEETING OF SQUAMISH INDIAN COUNCIL
AT THE
COUNCIL HOUSE, SQUAMISH INDIAN RESERVE No.1
ON
FEBRUARY, 22nd 1937.

PRESENT: D.M.MacKay, Indian Commissioner for B.C.
F.J.C.Ball, Indian Agent, Chairman of Council

Tim Moody, Secretary to Council

Stanley Joseph, Councillor
Chief Matthias Joe "
Dennis Paull "
William Baker, Sr. "
Chief Moses Joseph "
Louie Miranda "
Gus Band "
Henry Jack "
Alfred Jacob "
Chief George William "
Chief Jimmy Jimmy "
Elvie Andrew "

ABSENT: Frank Baker "
Edward Charlie "

Meeting called to order at 8 p.m.

The Chairman introduced the new Indian Commissioner, Major D.M.MacKay, who addressed the Council and members of Band present.

RESOLUTION

MOVED by Councillor Denny Paull
SECONDED by Councillor Gus Band

THAT the Vancouver Parks Board be permitted to clean up Kitsilano Reserve No.6 as per their letter of December 31st, 1936, on the following conditions:-

1. That the terms of the letter shown hereunder be strictly adhered to.

2. That the Parks Board agree in writing that the money spent for this purpose shall not now, or at any future time, be a charge against the Reserve or the Squamish Band Funds.

3. That Indians be employed on the work equally with white labour if found satisfactory to the Parks Board.

4. That the Squamish Council reserves the right to terminate this permit at any time.

5. That the Indian Department place their trespass signs on the Reserve as well as the Parks Board signs that the Reserve is private property.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The terms of the Parks Board's letter of December 31st 1936 are as follows:

1. That the Parks Board do not wish to control the Indian Reservation and that they may take this as a clear and definite statement from park authority to me to this effect.

2. That the Parks Board do not intend to make a public park of any part of the Indian Reservation or to try to obtain possession of their land without payment, and that they may also take this as an official statement thereupon.

3. That the beach will not be used as a bathing beach, and that the Parks Board is agreeable to set up, both on the beach and on the land west of the Burrard Street Bridge, signs indicating that it is private property and that bathing and picnicing is not allowed.

4. The Parks Board does not intend, as it would have absolutely no right whatever to do so, to lay out any of the Reserve in lawnor to,in any way,spend any money or labour thereupon or to do anything that would indicate that the property belonging to the Indians is usable for parks purposes.

5. Not only will the public not look upon it as a permanent playground but, because it is made clean and decent in appearance, it seems to us that it will only make the public more desirous of obtaining it and hasten the day when the money will be forthcoming for that purpose.

(Signed) "R.Rowe Holland"

CARRIED UNANIMOUSLY

I hereby certify that I was present and presided at the meeting of the Squamish Indian Council at which the foregoing resolution was unanimously passed and carried.

Fredk J.D. Ball
.....

Indian Agent.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

Department of Mines & Resources
Indian Affairs Branch.
MAR 9 1937
RECORDS

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

416 Dominion Public Bldg.,
Vancouver, B. C.
March 4th 1937.

Sir:

re: File No.28835-3.

I beg to enclose herewith a resolution of the Squamish Indian Council regarding Kitsilano Reserve, which replies to the letter received from Mr.R.Rowe Holland mentioned in Dr.McGill's letter of the 28th of January last.

Mr.Commissioner MacKay attended the Council Meeting and heard the Indian discussion before the resolution was passed. He also suggested Clause 4, covering termination of the permit which the Indians adopted in their resolution.

Following the meeting, we called upon Mr.Rowe Holland, and discussed the resolution with him, and he considered it quite satisfactory. During our conversation, he said the Parks Board would put waste-paper receptacles along the beach to keep it tidy. If the beach is not to be used as a bathing beach, there would appear to be no use for these receptacles. I asked him to explain this, and he said the public would be sure to go there in spite of any notices to the contrary. That does not look as though the Parks Board police will be very efficient.

However, I presume Mr.MacKay has already written you fully in this matter, and the resolution is forwarded for your consideration.

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

Fred J.C. Ball

(F.J.C.Ball)
Indian Agent.

B/DH.

The Secretary,
Indian Affairs Branch,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EX'D.

28835-3

Ottawa, Ontario,
March 16th, 1937.

Dear Sir:-

I beg to acknowledge receipt of your letter of March 9th together with enclosures, and referring to a recent discussion which Commissioner MacKay and yourself had with the Squamish Council and Mr. Ross Holland regarding the Kitsilano Reserve.

Commissioner MacKay recently advised the Department of the result of this meeting and apparently it may be assumed that this situation has been satisfactorily adjusted for the time being.

Yours very truly,

for Director of Indian Affairs.

F.J.C. Ball, Esq.,
Indian Agent,
416 Dominion Public Building,
VANCOUVER, B.C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

(C O P Y)

CANADA

MINISTER OF NATIONAL DEFENCE.

March 13, 1937.

My dear Colleague:

For many years the Vancouver civic Authorities have sought to clean up the Kitsilano Indian Reserve area which is situated in the heart of the City. The Squamish Indian Council has now passed a resolution agreeing to this. I enclose a copy of their resolution, which I am informed was passed in the presence of the Indian Agent and is approved by Major Mackay, the Indian Commissioner. I assume that your Department will have been informed.

I have been asked by the Chairman of the Vancouver Park Board to request that you officially authorize the City Council of Vancouver by letter to prevent fires being lit, garbage being dumped and minor infractions of the law being committed on this area.

The Parks Baord, with some assistance from the Provincial Government is preparing to clean up the area, and this authority is desired in order that decent conditions may be preserved. I should appreciate being informed of the action that you take.

Yours very truly,

(sgd) Ian A. MacKenzie.

The Honourable,
T.A. Crerar, P.C., M.P.
Minister of Mines & Resources,
OTTAWA, Ontario.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

Minister's Office

MEMORANDUM

March 19, 1937

Dr. McGill

Department of Mines & Resources
Indian Affairs Branch.
APR 5 1937
RECORDS

R

Re: Clean-up of Kitsilano Reserve No. 6.

I am attaching a letter which the Minister has received from Hon. Mr. Mackenzie, Minister of National Defence, enclosing copy of a Resolution of the Squamish Indian Council, Squamish I.R. No. 1, passed February 22. As it is stated that this Resolution was passed in the presence of the Indian Agent, the Department may possibly have already been informed of its representations.

Will you please let the Minister have a draft reply.

W.J.F. Pratt
Secretary.

Encls.
Lr. Mar. 13.
encl. Resolution (copy).

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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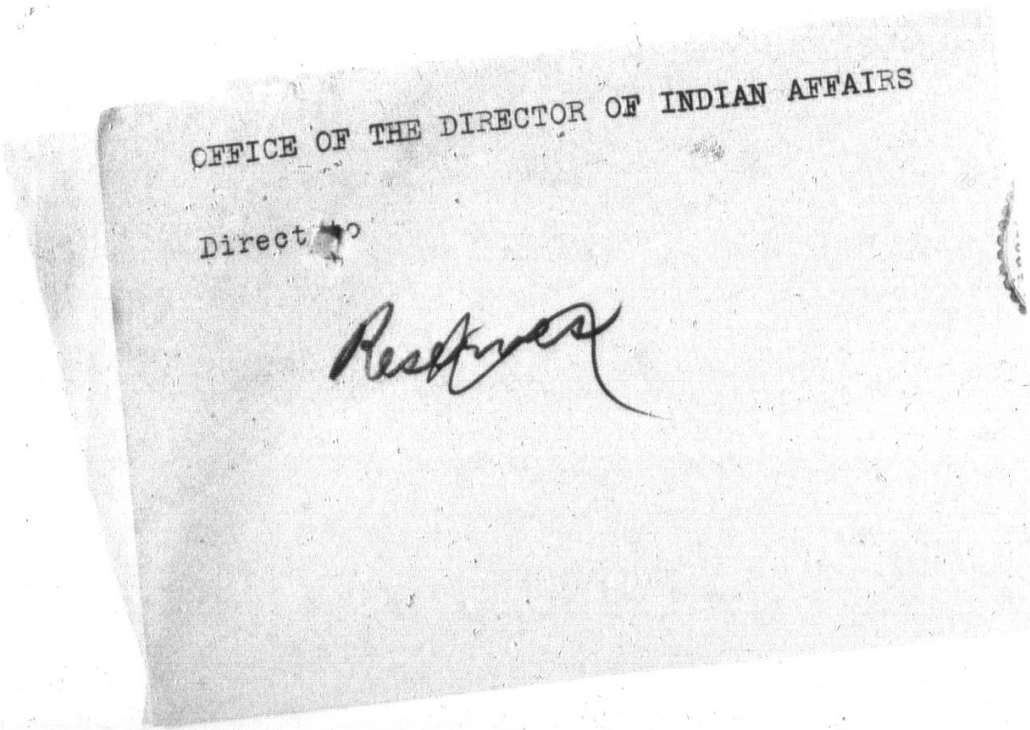
CANADA



OFFICE OF THE DIRECTOR OF INDIAN AFFAIRS

Direct[illegible]

Resolved

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835 3

Department of Mines & Resources
Indian Affairs Branch.
APR 5 1937
RECORDS

Ottawa, Ontario,
April 3rd, 1937.

My dear Colleague:-

I have discussed with the Director of Indian Affairs the subject matter of your letter of March 19, being an agreement recently reached between the Squamish Indian Council and the Vancouver Parks Board with respect to the Kitsilano Indian Reserve.

Our local officials have advised us that this matter has now been apparently satisfactorily adjusted, and to mutual advantage. The parties interested have been advised of our approval of the agreement recently entered into.

Yours sincerely,

The Honourable,
Ian A. MacKenzie, M.P.
Minister of National Defence,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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OFFICE OF THE DEPUTY MINISTER

MEMORANDUM

Dr. Magill

Will you please indicate for the Deputy Minister's information, what action has been taken, or is going to be taken, in connection with the second paragraph of the Hon. Mr. Mackenzie's letter of the 13th ultimo. This information is wanted immediately as the Minister wishes to write Mr. Mackenzie before he leaves.

Apr. 15 - '27.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

Ottawa, April 16th, 1957.

MEMORANDUM:

The Deputy Minister.

I should like to refer to letter dated March 19th this year, addressed to the Minister by the Honourable Ian A. MacKenzie, Minister of National Defence, in which reference is made to the Kitsilano Indian Reserve, in the City of Vancouver.

I am today writing to the City Clerk of Vancouver in accordance with the suggestion made by Honourable Mr. MacKenzie and requesting the city authorities to take such action as may be necessary to prevent fires being lit, garbage being dumped and minor infractions of the law being committed in this particular area, which is now, by recent agreement more or less, under the supervisory control of the Vancouver Parks Board.

Director of Indian Affairs.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

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28833-3.

Ottawa, April 16th, 1937.

MEMORANDUM:

The Deputy Minister.

I should like to refer to letter dated March 13th this year, addressed to the Minister by the Honourable Ian A. MacKenzie, Minister of National Defence, in which reference is made to the Kitsilano Indian Reserve, in the City of Vancouver.

I am today writing to the City Clerk of Vancouver in accordance with the suggestion made by Honourable Mr. MacKenzie and requesting the city authorities to take such action as may be necessary to prevent fires being lit, garbage being dumped and minor infractions of the law being committed in this particular area, which is now, by recent agreement more or less, under the supervisory control of the Vancouver Parks Board.

Director of Indian Affairs.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

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OFFICE OF THE DEPUTY MINISTER

MEMORANDUM Dr. McGill

Will you please indicate what action has been taken, or is going to be taken, in connection with the Hon. Mr. Mackenzie's letter of the 13th ultimo.
This information is wanted immediately as the Minister wishes to write Mr. Mackenzie before he leaves.

Minister's Office

MEMORANDUM

Mr Bethune

ascertain if request in 2nd para. of Mr Mackenzie's letter has been complied with.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

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B/B

28835 3

Department of Mines & Resources
Indian Affairs Branch.
APR 20 1937
RECORDS

Copy for the information of
Dr. McGill.

Ottawa, 19th April, 1937.

My dear Colleague,-

Re - Kitsilano Indian Reserve.

I have taken up with the Director of the Indian Affairs Branch the matters referred to in your letter of the 13th ultimo in connection with the agreement recently reached between the Vancouver Parks Board and the Squamish Indian Council.

Local Departmental officials reported that this matter had been apparently satisfactorily adjusted to the mutual advantage of the Parks Board and the Indians. The parties interested were advised of the Department's approval of the agreement entered into.

The City authorities are being requested to take such action as may be necessary to prevent fires being lit, garbage being dumped, and minor infractions of the law being committed in this particular area.

Yours very truly,

The Honourable Ian A. Mackenzie,
Minister of National Defence,
Ottawa.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

EX'D. 28835-3.

Ottawa, Ontario,
April 21st, 1937.

Dear Sir:-

No doubt you have been informed of the substance of an agreement entered into between this Department and the Vancouver Parks Board recently with respect to the Kitsilano Indian Reserve.

In this connection I would request that you bring to the attention of the members of your City Council the existing circumstances with a view to having such instructions as may be necessary issued from the proper authorities to prevent fires being lit, garbage being dumped or other minor infractions of the law being committed on this particular area.

I should be glad to hear from you in this connection at your convenience.

Yours very truly,

Director of Indian Affairs.

The City Clerk,
VANCOUVER, B.C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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ARCHIVES PUBLIQUES
CANADA

Poor Copy

28835-3

Department of Mines & Resources
Indian Affairs Branch.
APR 23 1937
RECORDS

R

Copy for the information of
Dr. McGill.

(A re-write of your draft Apr. 3)

Ottawa, 19th April, 1937.

L.A.D.
H.

My dear Colleague,-

Re - Kitsilano Indian Reserve.

I have taken up with the Director of the Indian Affairs Branch the matters referred to in your letter of the 13th ultimo in connection with the agreement recently reached between the Vancouver Parks Board and the Squamish Indian Council.

Local Departmental officials reported that this matter had been apparently satisfactorily adjusted to the mutual advantage of the Parks Board and the Indians. The parties interested were advised of the Department's approval of the agreement entered into.

The City authorities are being requested to take such action as may be necessary to prevent fires being lit, garbage being dumped, and minor infractions of the law being committed in this particular area.

Yours very truly,

pad T.A. CRERAR

The Honourable Ian A. Mackenzie,
Minister of National Defence,
Ottawa.

mailed apl. 21.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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Reserves

28835-3

CITY
CLERK'S OFFICE

FRED HOWLETT
CITY CLERK

EX'D.

TELEPHONE FAIRMONT 2711

VANCOUVER, B.C.

April 27th, 1937.

Department of Mines & Resources
Indian Affairs Branch
MAY 3 1937
RECORDS

Harold W. McGill, Esq.,
Director of Indian Affairs,
Ottawa,
Ontario.

Dear Sir:

I beg to acknowledge receipt of your communication re Kitsilano Indian Reserve.

I am forwarding copy of your letter calling attention to the Heads of Departments affected to carry out instructions with regard to prevention of fires, dumping of garbage and other minor infractions of the law.

Yours faithfully,

Fred Howlett

FH/MM.

City Clerk.

SUPERFINE
LINEN RECORD
MADE IN CANADA

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

...wspaper— ...IDAY, APRIL 23, 1937

Kitsilano Indian Reserve Clean-up Starts Monday

Spanish Banks Improvement Project to Be Completed This Year

Work on the clean-up and beautification of Kitsilano Indian Reserve will start, Monday, with the provincial department of public works in complete charge of a job for which $7500 is available this year, as a joint Dominion-provincial relief project.

R. Rowe Holland, chairman of Vancouver Park Board, making the announcement at the board meeting, Thursday, said that neither board nor city council will have anything to do with employment.

Six members of the Squamish Indians are charged with responsibility to the tribe to see that the agreement with the Indian Department is carried out.

The work is to be restricted to clean-up of the False Creek beach, now freed of its old colony of squatters, and to underbrushing and removal of debris and refuse dumps in the treed area.

An expert forester will see that the job is done on a "silviculture" basis, with as little as possible destruction of underbrush of any esthetic value.

SPANISH BANKS JOB

A much bigger job, also Dominion-provincial with a $30,000 appropriation, will be completion this year of the improvements to Spanish Banks beach area.

"When that job is finished Spanish Banks will be one of the finest bathing beaches in North America.

"And we will have what we aimed at for so long, with the small exception of the waterfront on the north side of False Creek, from Nicola to Burrard Streets.

"We will have an uninterrupted stretch of public beach from Stanley Park around False Creek, past Kitsilano and Point Grey to the Musqueam Reserve, near the mouth of the North Arm of the Fraser," Chairman Holland said.

The park board, by resolution, will ask city council for control of renting and collection of rents of all houses on the two blocks adjoining Locarno Park and beach, which the federal department of defense has acquired and will transfer to the city in exchange for city property needed for Jericho Air Station enlargement.

Rental profits will be applied to beach improvement when available. Some of the houses will be rented for a time by the defense department for living quarters for officers. Some will be wrecked.

Any attractive gardens will be kept up this summer.

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...wspaper— FRIDAY, APRIL 23, 1937

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SPANISH BANKS JOB

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MEMO RE KITSILANO INDIAN RESERVE.

This Reserve is under the jurisdiction of the Department of Indian Affairs, Ottawa.

In March, 1915, the Vancouver Harbour Commissioners applied to the Royal Commission on Indian Affairs to be allowed to expropriate this Reserve for railway terminal, wharfage and warehouse purposes.

The following August, the Royal Commission on Indian Affairs reported to the Governor-General in Council and to the Lieutenant-Governor of British Columbia in Council recommending that permission be granted.

In March 1916, authority was given by the Privy Council of Canada for a sale of the Reserve to the Applicants subject to the consent of the Lieutenant-Governor of British Columbia, and such consent was given on the 19th July, 1916.

The price offered by the Applicants for the Reserve was refused.

The necessary powers of expropriation were reserved to the applicants by Section 25 of the Vancouver Harbour Commissioners' Act.

On the 26th September, three arbitrators were appointed to assess the compensation that should be paid.

The award was given on the 27th January, 1917, fixing the compensation at $666,200.00.

Hunter, C.J., B.C., made an order setting aside the award, basing his decision on the neglect of the applicants to join the Province in as party.

An appeal was taken to the Court of Appeal, which gave effect to the preliminary objection that there was no jurisdiction to hear the Appeal, as the Court so fixed by the Act is persona designita.

25 B.C.R. 505.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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On the 24th July 1917, the Harbour Board resolved to offer $750,000.00 for the Reserve, and requested the acceptance of Bonds for 40 years bearing interest at 3 1/2% per annum.

Reserve comprises 76,159 acres and on the 13th May 1932, the City of Vancouver offered $49,610.00 for three parcels of the Reserve required in connection with the construction of the Burrard Street Bridge.

On the 13th September, 1932, an award was published by a majority of the arbitrators, giving the land values as follows:-

5.036 acres	$15,000.00
1.205 "	7,500.00
1.833 "	8,850.00

8.074

The award also allowed 10% of the value for compulsory taking (apart from damages) at $3,135.00.

They also allowed 5% interest from the date of Notice of Expropriation.

PROVINCIAL GOVERNMENT INTEREST

In the foregoing proceedings, it appeared that the Province of British Columbia had paid to 20 Indians $219,500.00 for vacating the premises and releasing their interests.

11.865
8.1074
3.6576

It also appeared that an Order-in-Council of the Province of British Columbia dated the 31st January 1928 had been passed providing for the sale by the Province to the Dominion of its interest in the Reserve for $350,000.

80
68.135
11.865

It also appeared that an Order-in-Council of Canada was passed on the 27th February, 1928, approving of the terms of the Provincial Order-in-Council.

8.1074
8.074
.0334?

8.074?

The total area expropriated by the City was 8.1074 acres, leaving an area of 68.135 acres now comprising the Reserve.

According to the evidence of Chief Andrew Paull, there are 439 Indians comprising the Squamish Tribe, for whom these lands are held by the Department of Indian Affairs.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

Vancouver, 9th Feb., 1938.

Colonel A.T. Thompson, K.C.,
Messrs. Thompson, Burgess, Coté & Code,
140 Wellington Street,
Ottawa, Ontario.

My dear Colonel, Re: Kitsilano Indian Reserve.

I acted for the Department of Indian Affairs in connection with expropriation proceedings by the City of Vancouver for portions of this Reserve required in connection with the construction of the Burrard Street Bridge, the proceedings in connection with which and on Appeal to the Court of Appeal here are comprised in a printed Appeal Book of 658 pages of printed matter (omitting many of the Exhibits) and necessarily had to go into the history, negotiations and former arbitration concerning it, when the Vancouver Harbour Commissioners endeavoured to secure it. I enclose a brief memo for your guidance relating to it.

It would seem now, that further negotiations are to be expected by the City, and I would like to know: (1) What request or authority from the Indians would be necessary to enable the Department to convey it on behalf of the Indians? (2) Whether there have been any negotiations by the City since the last award was made on the 13th September, 1932? If so, of what do these negotiations consist? (3) Whether my retainer with the Department will continue, or whether I must make my arrangements with the Chief of the Squamish Tribe?

Kindly let me hear from you at your earliest convenience, and oblige,

Yours truly,

Sgd. R.S. Lennie

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

KODAK SAFETY FILM

28835 3

Thompson, Coté, Code & Hardy
Barristers-at-Law
Exchequer, Supreme Court, and Departmental Agents
Suite 500, Victoria Building
140 Wellington St.

Andrew T. Thompson, K.C.
Hon. Louis Coté, K.C.
Harold M. Code
Arthur Sturgis Hardy, B.A.

Telephones
Office ~~Queen 3135~~ 22234
Col. Andrew T. Thompson, Phone ~~Queen 318~~ 24730

Ottawa, Canada

Feb. 14th., 1938.

R

Dr. H. W. McGill,
Director Indian Affairs Branch,
Mines and Resources Dept.
Ottawa.

Dear Dr. McGill:- RE: KITSILANO INDIAN RESERVE

As arranged in our interview of to-day I enclose herewith a copy of a letter of Mr. R. S. Lennie, K.C. of Vancouver to me, dated February 9th., and a copy of his Memorandum therein referred to, both for your consideration and reply, at as early a date as possible, please.

Yours truly,

Andrew T. Thompson

ENCS.

Dept. of Mines & Resources
Indian Affairs Branch.
FEB 15 1938
RECORDS

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

28835-3.

Ottawa, Ontario,
February 19th, 1938.

Dear Colonel Thompson: H.X'D.

I have received your letter of February 14th, together with enclosures, referring to the Kitsilano Indian Reserve in the City of Vancouver, B.C.

The substance of the letter which you have received from Mr. R. S. Lennie, K.C., of Vancouver, copy of which you enclosed, has been noted, and I may say that any retainer given Mr. Lennie in connection with the expropriation proceedings involved in the construction of the Burrard Street Bridge terminated when that matter was brought to a conclusion.

Mr. Lennie inquires what request or authority from the Indians would be necessary to enable the Department to convey the Kitsilano Reserve on their behalf, and of course you will understand that no conveyance of any kind could be made except on the basis of a formal surrender by the Squamish tribe.

Since the latter part of 1932 referred to by Mr. Lennie, there have not been any negotiations of any consequence between this Department and the City of Vancouver concerning the Kitsilano Reserve, other than the more or less casual suggestion that the reserve should be transferred to the City for control by the municipality. These negotiations have not reached any definite point, however, in view of the fact that apparently the City of Vancouver is not in a position or prepared to offer what might be considered a fair price for the property.

Concerning Mr. Lennie's inquiry number three, I may say that it is not at present the desire or intention

Colonel A. T. Thompson, K.C., of the Department.....
Messrs. Thompson, Cote, Code & Hardy,
Barristers at Law,
14 Wellington Street,
OTTAWA, Ontario.

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of the Department to retain his services in any such connection, and further it is our view that it would not be proper for him to endeavour to make any arrangements through direct communication with the members of the Squamish tribe. The situation should be dealt with on the basis of direct communication and negotiation with the Department.

Yours very truly,

Director of Indian Affairs.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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28835 3

R. & Lands
Mr Caldwell

Thompson, Coté, Code & Hardy
Barristers-at-Law
Exchequer, Supreme Court and Departmental Agents
Suite 500, Victoria Building
140 Wellington St.

Andrew T. Thompson, K.C.
Hon. Louis Coté, K.C.
Harold M. Code
Arthur Sturgis Hardy, B.A.

Telephones
Office Queen 3135
Col. Andrew T. Thompson, Phone Queen 313

Department of Mines & Resources
Indian Affairs Branch.
FEB 18 1938
RECORDS

EX'D.

Ottawa, Canada Feb. 17th.1938.

R

Dr. H. W. McGill,
Director, Mines Branch,
Dept. of Mines and Resources,
Ottawa.

RE: KITSILANO INDIAN RESERVE
Your No. 28835/3.

Dear Dr. McGill:-

Thanks very much for your letter of February 15th. herein.

As it fully covers all the points raised, I am sending a copy of it to Mr. Lennie, for his information.

I am obliged to you for the promptness with which you have dealt with this matter.

Kind regards.

Yours truly,

Andrew T. Thompson

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(C O P Y)

MINISTER OF NATIONAL DEFENCE.

April 30, 1938.

My dear Colleague:-

About a year ago an arrangement was effected between the Indian Affairs Branch of your Department and the Park Board of the City of Vancouver, whereby the Park Board cleans up the former Kitsilano Indian Reserve and the contiguous beach. The improvement in the appearance is tremendous, and it is to be hoped that fine area will not be allowed to revert to its original disorderly condition.

In view of the fact that the Indians are no longer on the property and due to the impasse over the question of ownership, some informal recommendations have reached me from the City that it would be advantageous to all concerned if this area could be leased to the City at a monthly rental. Under these circumstances, the City would undertake to keep the property in good condition so that if the question of a sale should ever arise, the interests of the owners would be fully protected.

I should like to have the opportunity of discussing this with you personally one of these days.

Yours very truly,

(sgd) Ian Mackenzie.

The Honourable T. A. Crerar,
Minister of Mines & Resources,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Minister's Office

MEMORANDUM

May 4, 1938

Department of Mines & Resources
Indian Affairs Branch.
MAY 6 1938
RECORDS

The Deputy Minister

Dr. McGill -

For report and draft reply as requested.

Kitsilano Indian Reserve.
Suggested Lease to City of Vancouver.

The Minister has received the attached letter from Hon. Mr. Mackenzie, Minister of National Defence.

Will you please let the Minister have a report on the suggestion that this property be leased to the City of Vancouver, in order that he may be fully informed when discussing the matter with Hon. Mr. Mackenzie; also furnish a draft reply.

W.J.F. Pratt
Private Secretary.

Encl.

Apr. 30.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, Ontario,
May 9th, 1938.

My dear Colleague:-

I have received your letter of April 30th, in which you state that informal recommendations have been made to you from the City of Vancouver to the effect that the Kitsilano Indian Reserve should be leased to the city on a monthly basis.

You refer in your letter to the arrangement entered into about a year ago between the Indian Affairs Branch of this Department and the Vancouver Parks Board, and so far as I am aware this has proven quite satisfactory. Any leasing proposition such as you suggest would, advisedly, have to be approved by the Squamish tribe, and I believe it would be best for the city authorities to discuss this matter of leasing with our Indian Commissioner in Vancouver, Major D.M. MacKay, who in turn could obtain the views of the Indian owners in the matter.

I shall be very glad, however, to discuss this matter with you, if you so desire, at your own convenience.

Yours sincerely,

Honourable Ian Mackenzie,
Minister of National Defence,
OTTAWA, Ontario.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

E.A.D.
H.

Ottawa, Ontario,
May 9th, 1958.

MEMORANDUM:

The Deputy Minister.

With a suggested draft letter in reply I am returning herewith letter addressed to the Minister by Honourable Ian Mackenzie, which accompanied Mr. Pratt's memorandum of May 4th, and in which it is suggested that the Kitsilano Indian Reserve might be leased to the City of Vancouver on a monthly basis.

Your file concerning this matter contains copies of all recent memoranda or correspondence of any interest in connection with this particular subject and you will note that I have suggested that the City Authorities might discuss this leasing proposition with Commissioner MacKay, as no action could be taken except on the basis of assent by the Squamish tribe.

Director of Indian Affairs.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835--3

To be returned to Indian Affairs Branch, when signed.

Department of Mines & Technical Surveys
Indian Affairs Branch
MAY 13 1938
RECEIVED

R

Ottawa, Ontario,
May 9th, 1938.

My dear Colleague:-

I have received your letter of April 30th, in which you state that informal recommendations have been made to you from the City of Vancouver to the effect that the Kitsilano Indian Reserve should be leased to the city on a monthly basis.

You refer in your letter to the arrangement entered into about a year ago between the Indian Affairs Branch of this Department and the Vancouver Parks Board, and so far as I am aware this has proven quite satisfactory. Any leasing proposition such as you suggest would, advisedly, have to be approved by the Squamish tribe, and I believe it would be best for the city authorities to discuss this matter of leasing with our Indian Commissioner in Vancouver, Major D.M. MacKay, who in turn could obtain the views of the Indian owners in the matter.

I shall be very glad, however, to discuss this matter with you, if you so desire, at your own convenience.

Yours sincerely,

pad
T.A. CRERAR

Honourable Ian Mackenzie,
Minister of National Defence,
OTTAWA, Ontario.

mailed May 17

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

416 Federal Building.
Vancouver, B. C.
June 28th 1926.

Sir:

Replying to your letter of the 27th instant enclosing copy of one addressed to the Honourable Mr. J.A. Crerar, I beg to advise that the program outlined therein is not in the best interests of the Squamish Indians, and as their Agent I should be totally unworthy of their trust and confidence if I supported any attempt to acquire this valuable Reserve from them without payment for the same at a proper valuation.

I have no doubt whatever that your letter to their Council will only aggravate the present situation, and cause them to oppose any further moves regarding the Reserve.

Your obedient servant,

(F.J.C.Ball)
Indian Agent.

B/DH.

R. Rowe Holland Esq.
Stock Exchange Bldg.,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

416 Federal Building.
Vancouver, B. C.
June 28th 1926.

Sir:

Replying to your letter of the 27th instant enclosing copy of one addressed to the Honourable Mr.W.A. Crerar, I beg to advise that the program outlined therein is not in the best interests of the Squamish Indians, and as their Agent I should be totally unworthy of their trust and confidence if I supported any attempt to acquire this valuable Reserve from them without payment for the same at a proper valuation.

I have no doubt whatever that your letter to their Council will only aggravate the present situation, and cause them to oppose any further moves regarding the Reserve.

Your obedient servant,

(F.J.C.Ball)
Indian Agent.

B/DH.

R. Rowe Holland Esq.
Stock Exchange Bldg.,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

Copy

416 Federal Building.
Vancouver, B. C.
June 28th 1926.

Sir:

Replying to your letter of the 27th instant enclosing copy of one addressed to the Honourable Mr.S.A. Crerar, I beg to advise that the program outlined therein is not in the best interests of the Squamish Indians, and as their Agent I should be totally unworthy of their trust and confidence if I supported any attempt to acquire this valuable Reserve from them without payment for the same at a proper valuation.

I have no doubt whatever that your letter to their Council will only aggravate the present situation, and cause them to oppose any further moves regarding the Reserve.

Your obedient servant,

(F.J.C.Ball)
Indian Agent.

B/DH.

R. Rowe Holland Esq.
Stock Exchange Bldg.,
Vancouver, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(COPY)

GROS[illegible]AN HOLLAND & CO

STOCK EXCHANGE BUILDING
VANCOUVER, B. C.
June 27th 1938.

Mr.Ball,
Indian Agent,
325 Granville St.
Vancouver, B. C.

Dear Mr.Ball:

Herewith copy of letter I wrote to Mr.Crerar, which will give you the story.

As I see the situation, unless something is done, we are up against a complete stalemate, and the people of Vancouver, whose children will be using this park, will get no pleasure out of it in the meantime, and the Indians entitled will get no compensation when they can enjoy it.

I may say that it is Mr.Crerar's opinion that this should be done and I have taken the necessary steps to get it under way by writing him and sending a copy of the letter to all concerned. I hope this meets with your approval, as I feel sure the Squamish Tribe are largely guided by your advice.

You helped us a great deal in enabling us to get it cleaned up and the eye-sore features removed. We have put up "No trespassing" signs, and have no difficulty with the public in having them observed. I think we have carried out our agreement with the Indians to the letter. We appreciate what they have already done for us, and your co-operation.

I believe that the Honourable Mr. Crerar has it in mind that it would be in their interest to have the matter brought to a head, and negotiations opened as soon as possible, but it is realized that we must have some public opinion behind us, and the way to get this is to give the public a limited use of the property so that they will be clamouring for developments, bathing facilities coverings for picnic tables, fresh water piped on, tennis courts, bowling greens, etc.. We can then point out that we cannot, in law, spend money, as a Board, on property that does not belong to us, and then I believe we will have the public behind its acquisition.

Yours very truly,

"R. Rowe Holland"

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(COPY)

June 27th 1938.

The Honourable T. A. Crerar,
Parliament Buildings,
OTTAWA.

Dear Mr. Crerar:

I am writing you as Chairman of the Vancouver Parks Board.

Under the terms of our agreement with the Squamish Council, we were enabled to clean up the Kitsilano Indian Reserve and underbrush it, burn the debris, and create a fine bit of second growth bush land, with a winding road leading down to the beach and a clean strip of white sand. It improves the whole harbour picture from the Burrard Bridge west.

We agreed that we would not use the Reserve for park purposes or allow the public to use it, and we have signs up forbidding its use. The road down is hardly fit for autos and was made mainly to get out the debris and refuse. It is now a nice, clean, natural park-like area, but the public, individually and collectively, cannot use it, and they, more or less, obey the signs.

The City must eventually acquire title to the Kitsilano Reserve for park purposes. It is now zoned for purposes that make it unsaleable by the Indians, and the Zoning Appeal Board would never think of rezoning that portion lying west of the Burrard Street Bridge for industrial purposes, which is the only purpose upon which it could be saleable.

We should like to lease the Reserve west of Burrard Street Bridge on a monthly basis of $1.00 per month. This would enable us, without spending any large amount of money, which we could not do on such frail tenancy, to cut out some walks and winding trails, and put in benches and picnic tables, and allow the public to make use of it to this limited extent.

It would not be long before the public would be Kitsilano Reserve conscious and demand that we develop the property. This we could not do unless the City acquired it. We could then open negotiations, through the City, with the public behind us, for its acquisition, as a park. This would enable the Indians, for whose benefit it is held and who will never use it again as a Reserve, to get some substantial value during their lifetime, out of this asset. Unless something like this is done the status quo will go on until the Indians beneficially interested are dead, and the public of this generation will be deprived of what might be made one of the most beautiful parks in the City.

My idea is that a lease, enabling us to let the public use it, but on such short tenancy as to prevent us from spending any real money on it, is what is required to get the public behind an effort to negotiate the purchase. This lease could be cancelled in thirty days. I know that you are in sympathy with the idea of seeing this land enjoyed by the people of the City of Vancouver as a whole, if it is of no value to the Indians as a Reserve, and I know that you are in sympathy with the idea of the Indians who are entitled, getting something substantial out of it before they die. I am sending a copy of this letter to Major Mackay, the Inspector here, one to the Squamish Tribe, through Chief Matthias Capilano, who has indicated to me in a conference I had with him, that some action, in his opinion, should be taken.

Yours very truly,

"R. Rowe Holland"

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

28435-3

OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

416 Federal Buildings,
Vancouver, B. C.
June 28th, 1935.

Department of Mines and Resources
Indian Affairs Branch
JUN 29 1935

Sir:

re: Kitsilano Reserve.

I have the honour to enclose herewith copy of correspondence with R. Rowe Holland, of the Vancouver Parks Board.

The first re-action of the Squamish Council was to call an immediate mass meeting of the whole tribe to protest, but as many of their members are at the fishing grounds, or in Washington berry picking, I advised them to keep their heads and wait for developments, as I do not believe the Honourable T.A.Crerar will agree to any such scheme.

The Indian Commissioner, who also received a similar letter, advises me he is writing Mr.Holland that he cannot support his application.

Why Mr.Holland should take it up with Chief Matthias Joe is beyond my comprehension, and the Squamish Council, which has had similar experiences with this Chief, advises me the Council is having the Chief before them for disciplinary action, as it is agreed among them that no individual member of the Council will discuss tribal affairs with outsiders without the Council's permission, especially with regard to Kitsilano Reserve. He recently tried to make a surreptitious deal with some contractors for gravel, so he is at present in disgrace with his fellow councillors.

The Squamish Councillors are fully aware of their interests in this matter and Mr.Holland should understand that he is not dealing with a tribe of uneducated, ignorant backwoods Indians, but men who have as keen a realization of their rights as he or any other white man.

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

B/DH.

Fredk J C Ball

(F.J.C.Ball)
Indian Agent.

Harold W. McGill Esq., M.D.,
Director of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

GROSSMAN, HOLLAND & Co.
BARRISTERS AND SOLICITORS

TRINITY 1377

STOCK EXCHANGE BUILDING
VANCOUVER, B.C.

June 27th, 1938

The Honourable T.A.Crerar,
Parliament Buildings,
Ottawa

Dear Mr.Crerar:

I am writing you as Chairman of the Vancouver Parks Board.

Under the terms of our agreement with the Squamish Council we were enabled to clean up the Kitsilano Indian Reserve and underbrush it, burn the debris and create a fine bit of second growth bush land, with a winding road leading down to the beach and a clean strip of white sand. It improves the whole harbour picture from the Burrard Bridge West.

We agreed that we would not use the Reserve for park purposes or allow the public to use it, and we have signs up forbidding its use. The road down is hardly fit for autos and was made mainly to get out the debris and refuse. It is now a nice, clean, natural park-like area, but the public, individually and collectively, cannot use it and they, more or less, obey the signs.

The City must eventually acquire title to the Kitsilano Reserve for park purposes. It is now zoned for purposes that make it unsaleable by the Indians, and the Zoning Appeal Board would never think of rezoning that portion lying West of the Burrard Street Bridge for industrial purposes, which is the only purpose upon which it could be saleable.

We should like to lease the Reserve West of Burrard Street Bridge on a monthly basis of $1.00 per month. This would enable us, without spending any large amount of money, which we could not do on such frail tenancy, to cut out some walks and winding trails, put in benches and picnic tables and allow the public to make use of it to this limited extent.

It would not be long before the public would be Kitsilano Reserve conscious and demand that we develop the property. This we could not do unless the City acquired it. We could then open negotiations, through the City, with the public behind us, for its acquisition, as a park.

This would enable the Indians, for whose benefit it is held and who will never use it again as a Reserve, to get some substantial value during their life time, out of this asset.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The Honourable T.A.Crerar:

Unless something like this is done the status quo will go on until the Indians beneficially interested are dead, and the public of this generation will be deprived of what might be made one of the most beautiful parks in the City.

My idea is that a lease, enabling us to let the public use it, but on such short tenancy as to prevent us from spending any real money on it, is what is required to get the public behind an effort to negotiate the purchase. This lease could be cancelled in thirty days.

I know that you are in sympathy with the idea of seeing this land enjoyed by the people of the City of Vancouver as a whole, if it is of no value to the Indians as a Reserve, and I know that you are in sympathy with the idea of the Indians who are entitled, getting something substantial out of it before they die.

I am sending a copy of this letter to Major Mackay, the Inspector here, and one to the Squamish Tribe, through Chief Mathias Capilano, who has indicated to me in a conference I had with him, that some action, in his opinion, should be taken.

Yours very truly,

RRH/C

R. Roome Holland

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

28835-3

Minister's Office

MEMORANDUM

June 30, 1938

The Deputy Minister

Department of Mines & Resources
Indian Affairs Branch.
JUL 1938
RECORDS

Squamish Indian Reserve

I am enclosing a letter addressed to the Minister by Mr. R.R. Holland, of Grossman, Holland & Co., Barristers, Vancouver, B.C., dated June 27th, ~~xxxx~~ written by him as Chairman of the Vancouver Parks Board and with respect to their desire to lease the Reserve West of Burrard Street Bridge on a monthly basis of $1.00 per month.

The correspondence is referred for departmental attention and reply.

W.J.P. Pratt

W.J.P. Pratt
Private Secretary.

Dr. McGill -

For attention of your Branch.

Encl.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

28835-3.

July 6th, 1938.

Dear Mr. Holland:-

Your letter of June 27th, addressed to the Honourable Mr. Crerar, has been referred to this Branch for consideration and reply.

In your letter you suggest a lease to the Vancouver Parks Board of a portion of the Kitsilano Indian Reserve at a nominal rental of $1.00 per month, in order that the area involved might be made suitable for recreation purposes. The proposition which you submit is I believe not one which would appeal favourably to the Squamish Tribe, and you will understand that we could not take any action in this regard without obtaining the band's consent. Further I may say that our local officers have reported very definitely against such a leasing arrangement, and have indicated that the Squamish Tribe would not, under any circumstances, approve. I regret therefore that it is not possible to give further consideration to this matter.

Yours very truly,

TRL-M

T.R.L. MacInnes,
Secretary.

R. R. Holland, Esq.,
Greenman, Holland & Company,
Barristers, Solicitors, Etc.,
Stock Exchange Building,
VANCOUVER, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

28835-3.

July 6th, 1938.

Dear Mr. Holland:-

Your letter of June 27th, addressed to the Honourable Mr. Crerar, has been referred to this Branch for consideration and reply.

In your letter you suggest a lease to the Vancouver Parks Board of a portion of the Kitsilano Indian Reserve at a nominal rental of $1.00 per month, in order that the area involved might be made suitable for recreation purposes. The proposition which you submit is I believe not one which would appeal favourably to the Squamish Tribe, and you will understand that we could not take any action in this regard without obtaining the band's consent. Further I may say that our local officers have reported very definitely against such a leasing arrangement, and have indicated that the Squamish Tribe would not, under any circumstances, approve. I regret therefore that it is not possible to give further consideration to this matter.

Yours very truly,

T.R.L.M

T.R.L. MacInnes,
Secretary.

R. R. Holland, Esq.,
Grossman, Holland & Company,
Barristers, Solicitors, Etc.,
Stock Exchange Building,
VANCOUVER, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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ARCHIVES PUBLIQUES
CANADA

R. A. Hoo

July 6th, 1928.

Dear Mr. Holland:-

Your letter of June 27th, addressed to the Honourable Mr. Graver, has been referred to this Branch for consideration and reply.

In your letter you suggest a lease to the Vancouver Parks Board of a portion of the Kitsilano Indian Reserve at a nominal rental of $1.00 per month, in order that the area involved might be made suitable for recreation purposes. The proposition which you submit is I believe not one which would appeal favourably to the Squamish Tribe, and you will understand that we could not take any action in this regard without obtaining the band's consent. Further I may say that our local officers have reported very definitely against such a leasing arrangement, and have intimated that the Squamish Tribe would not, under any circumstances, approve. I regret therefore that it is not possible to give further consideration to this matter.

Yours very truly,

T.R.L.

T.R.L. MacInnes,
Secretary.

R. H. Holland, Esq.,
Greenwood, Holland & Company,
Barristers, Solicitors, Etc.,
Stock Exchange Building,
VANCOUVER, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

EXTRACT
ORIGINAL ON
63-167

R

AUG 27

MINUTES OF MEETING OF SQUAMISH COUNCIL HELD JULY 27th 1938.

x x x

A letter received by the Secretary from Mr. R. Rowe Holland, Chairman of the Vancouver Parks Board asking the Council to lease Kitsilano Reserve to the Parks Board for $1.00 per month so as to create a movement in Vancouver to purchase the reserve for Park purposes was brought before the Council but its reception was such that it could not be discussed seriously. The Council treated the letter with levity, and it was laid on the table. No motion was made either to refuse or accept the offer, as the Council did not consid r it should go on record as they thought the letter was not written seriously. I suggested Mr. Holland be asked to attend the next meeting, but Chief Matthias Joe and others objected, and the matter was then dropped.

x x x

F. J. C. Ball.
Indian Agent.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY
ORIGINAL ON
File 63-167

416 Federal Building,
Vancouver, B.C.,
August 4th, 1938.

Sir:

I enclose herewith, for your information, a copy of the Minutes of the meeting of the Squamish Indian Council held on July 27th 1938. The various resolutions contained therein will be dealt with in separate letters.

I have the honour to be,

Sir,

Your obedient servant,

F. J. C. Ball.
Indian Agent.

B/DH.

The Secretary,
Indian Affairs Branch,
Ottawa.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

GROSSMAN, HOLLAND & Co.
BARRISTERS AND SOLICITORS

TRINITY 1377

STOCK EXCHANGE BUILDING
VANCOUVER, B.C.

July 12, 1938.

T. R. MacInnes, Esq.,
Secretary, Indian Affairs,
Parliament Buildings,
Ottawa, Ontario.

R

Dear Sir:

Thanks for your letter of July 6th. I have already received letters from Major MacKay and Mr. Ball, indicating that they, in their wisdom and out of their knowledge of what is best for the Indian, have recommended against the proposal contained in the letter to Mr. Crerar of June 27th.

In the face of the opposition of Major MacKay and Mr. Ball, I am afraid that there is nothing can be done in the matter. I think, however, that opposition came from their lack of understanding of our intentions. A month to month lease would not allow us to improve the Reserve except to put in hot water for picnickers and to make it more accessible to the public. That would, I am sure, create a strong public demand for its acquisition and improvement as a park. Without that demand, the status quo is perfectly satisfactory to everybody, particularly the City of Vancouver.

Yours very truly,

R. Rowe Holland

RRH:H

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

GROSSMAN, HOLLAND & Co.
BARRISTERS AND SOLICITORS

TRINITY 1377

STOCK EXCHANGE BUILDING
VANCOUVER, B.C.

July 12, 1938.

T. R. MacInnes, Esq.,
Secretary, Indian Affairs,
Parliament Bldgs.,
Ottawa, Ontario.

Dear Loftus:

I am enclosing herewith an official letter for your files. I had the greatest difficulty in getting the money that Ian MacKenzie had voted by Federal Government parliament, used in cleaning up the reserve and at that time I had to promise the Indians that we would put up "No Trespassing" signs and help them in preventing the public from using it.

There it now stands, no longer an eyesore but a rather pretty biece of second growth and clean white beach abutting our Kitsilano Park on one side and the Burrard Street Bridge on the other. It is owned jointly by the Provincial Government and the Department of Indian Affairs, or better I should say it is owned by the Department of Indian Affairs on behalf of the Province with a right, recognized by an Order-in-Council, of $300,000.00 by the Provincial Government.

The City of Vancouver has zoned it on an unsaleable basis. The Indians don't use it and the public don't know anything about it or its possibilities.

My thought was to simply remove the "No Tresspassing" signs, allow us to clean it up after every holiday and after the public had been using it for picnicking, on the very shortest lease possible, namely a monthly rental basis. If the Indians would allow us to take the "No Tresspassing" signs away and clean it up after every holiday, not only would the citizens be grateful, but you know what human nature is, the demand to improve it would immediately follow. With that demand increasing crescendo, in no time we would be able to obtain the necessary leverage on the City Council to open negotiations and a deal might be entered into that would give the Indians something out of it before they die.

In my letter to you of July 4th, which crossed yours, I suggested that you show my letter to Norman Senior and

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

get his reaction (I note my Secretary has indicated him as Sr. Mr. Norman).

I want to see the Reserve purchased by the City. I think I can get the Provincial Government to waive their claim and have the City zone the portion of the reserve which we don't want, along to the east of Burrard Street Bridge, for industrial purposes, making this part of the consideration and giving some cash and also some saleable tax sale lands as the other part of the consideration. Nothing, however, can be done until we get some public opinion demanding it.

Will you write to me personally, letting me know your reaction in the matter.

Yours truly,

R. Rowe Holland

RRH:H

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
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CANADA

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I want to see the Reserve purchased by the City. I think I can get the Provincial Government to waive their claim and have the City zone the portion of the reserve which we don't want, along to the east of Burrard Street Bridge, for industrial purposes, making this part of the consideration and giving some cash and also some saleable tax sale lands as the other part of the consideration. Nothing, however, can be done until we get some public opinion demanding it.

Will you write to me personally, letting me know your reaction in the matter.

Yours truly,

R. Bowe Holland

RRH:H

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

416 Federal Building,
Vancouver, B. C.
July 18th 1938.

Dear Sir:

Replying to your letter of the 4th instant which I have carefully perused, I must point out that I cannot discuss a matter of this kind with a private party unless I am instructed to do so by my Department in Ottawa.

As you state you have been in correspondence with the Honourable T.A.Crerar, who is Superintendent General of Indian Affairs, I have no doubt that if he has any instructions to give me regarding Kitsilano Indian Reserve, I shall receive them in due course through the Director of this Department in Ottawa.

Your obedient servant,

(F.J.C.Ball)
Indian Agent.

B/DH.

R. Rowe Holland Esq.
Stock Exchange Building.
Vancouver, B. C.

Poor Copy

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(COPY)

GROSSMAN HOLLAND & CO. STOCK EXCHANGE BUILDING
VANCOUVER, B. C.
July 4th 1938

F.J.C.Ball,Esq.
416 Federal Building,
City.

Sir:

I have your letter of the 28th instant in reply to mine of the 27th. I appreciate the immediateness and promptness of your reply.

Your characterization therein of the suggestion contained in my letter as an attempt to acquire this valuable Reserve without payment for the same and also as part of a programme not in the best interests of the Squamish Indians indicates that you have misconstrued or misunderstood the proposal. We do not wish to do anything that would render you unworthy of the trust, as you suggest the Indians repose in you and the writer appreciates personally, your attitude.

Before I wrote the letter to Mr.Crerar, the matter was subject to correspondence between myself and himself and Alderman Crone, M.L.A.,. It seemed that this was the proper way to open negotiations.

I perhaps didn't point out sufficiently clearly, to make it understood, that the Parks Board could not possibly spend any money developing the Reserve when they have nothing but a monthly tenancy. All that we could do would be, in fact, to put a few picnic tables up and take down the no trespassing signs, and let the public use it for picnicking purposes. In this way a demand for improvementsand a clamour for the acquisition of the Reserve as a Park would arouse. This would give us the public demand that would enable us to successfully open up negotiations with some hope of arranging a deal, fair to both the Indians and to the People of the City of Vancouver.

I had hoped that you might explain this situation to the Indians in such a way that they would understand that there was a reason for our suggestion and that the situation as it stands at present constitutes an impasse that will successfully prevent them from personally enjoying such monies asmay be spent on the Reserve in their lifetime. It is of the utmost importance that you should understand and appreciate and perhaps sympathize with our attitude and endeavour to proceed with negotiations with the Squamish Tribe, as they repose their trust and confidence with good reason in you and will undoubtedly abide by your advice in the matter. Their consent is necessary before Mr.Crerar can implement our official request.

Yours truly,
"R. Rowe Holland"

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Department of Mines & Resources
Indian Affairs Branch
JUL 23 1938
RECORDS

PLEASE QUOTE
FILE

416 Federal Building,
Vancouver, B. C.
July 19th 1938.

Sir:

re: Kitsilano Reserve.

I have the honour to refer to my letter of the 28th ultimo enclosing copy of correspondence with Mr.R.Rowe Holland, re Kitsilano Reserve.

He has written me further in the matter, and a copy of his letter and my reply is enclosed herewith.

There is a meeting of the Squamish Indian Council to be held on the 27th instant, and they will undoubtedly want information as to Mr.Holland's plans. He wrote the Secretary of the Council, and several of the Councillors came in to see me. They did not take kindly to Mr.Holland's ideas and are quite satisfied it is only another scheme to get the Reserve without paying for it. I suppose if they made a park of the Reserve, the valuation would go to arbitration, and the last arbitration is still remembered by the Indians.

Last year an outbreak of typhoid was traced to False Creek, so it would be a poor sort of bathing beach with sewers emptying into the sea in that vicinity.

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

F.J.C.Ball

B/DH.

(F.J.C.Ball)
Indian Agent.

Harold W. McGill, Esq., M.D.
Director of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

RVES AND TRUSTS

INDIAN AFFAIRS
BRANCH

July 25, 1938.

MEMORANDUM:

Acting Director

Re: Kitsilano Reserve

I return herewith the file concerning the above matter and have noted the contents of Agent Ball's letter of July 19 hereunder.

It appears to me to be of some interest to note that the proposition recently submitted by Mr. Holland is in direct conflict with paragraph 3 of his letter of December 31, 1937, turned out below. This paragraph reads as follows:

> "That the beach will not be used as a bathing beach, and that the Parks Board is agreeable to set up, both on the beach and on the land west of the Burrard Street Bridge, signs indicating that it is private property and that bathing and picnicing is not allowed."

It is now apparently the desire of the Parks Board to obtain temporary possession for the purpose of picnicing.

J. C. Caldwell
Chief, Reserves Division

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, September 2, 1936.

Dear Mr. Holland:-

I have to refer to your letter of July 12, and previous correspondence regarding the Kitsilano Indian Reserve, British Columbia.

In a letter dated July 19, Agent Ball advised that the question would be discussed at a meeting of the Squamish Indian Council on July 27, and also enclosed copy of your letter to him of July 6. A report of this meeting was subsequently received and the Agent stated that no motion had been made by the Indians either to refuse or accept the offer of the Vancouver Parks Board to lease the reserve for $1.00 per month for park purposes.

In connection with this matter there are certain aspects of the situation to which I would draw your attention. I understand that your present proposal is that the reserve should be opened for picnicing purposes. This appears to be in conflict with paragraph 3 of your letter of December 31, 1936, to Agent Ball, which states as follows:-

> "That the beach will not be used as a bathing beach, and that the Parks Board is agreeable to set up, both on the beach and on the land west of the Burrard Street Bridge, signs indicating that it is private property and that bathing and picnicing is not allowed".

Apparently the Board has changed its mind on this point. I may say, however, that it is unusual and also that past experience has shown it to be undesirable to open an Indian Reserve to the public in the manner suggested and that the department is not

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

prepared to make an exception in the present instance.

You will appreciate that any disposal of this reserve, whether by sale or lease, or granting of any privileges thereon is regarded as a serious matter by this department in view of its history.

I note the observation contained in your letter of June 27 last to my Minister, which is before me, to the effect that unless some such arrangement as a lease to you on the basis of $1.00 a month is made the status quo will go on until the Indians beneficially interested are dead. The eventuality which you suggest is unlikely. It is true that in 1913, the Government of British Columbia, purported to buy the reserve by paying an amount of $218,750.00 to certain, but not all, of the members of the former Kitsilano Band which then owned the reserve,- this transaction as you know being void under the Indian Act. Since that time the ownership of the reserve has passed to the Amalgamated Squamish Band, which has a present population of 447; on the increase and unlikely to die out.

I do not know the present valuation of the property but I note that in 1916, pursuant to an application from the Vancouver Harbour Commissioners, the Board of Arbitration valued the reserve at $660,200.00, which at that time was considered too low to be acceptable to this department, which in the same year obtained an independent valuation of $1,250,000.00 from the Yorkshire Guarantee Company. This may seem high, but I may say it is not out of keeping with offers that we received from private companies desiring the reserve for industrial purposes. True, these valuations, unfortunately, may not apply today, but who shall say that they may not be restored in due time, and that it may not be the part of wisdom for the Indians to wait.

I note your observation that the reserve is unsaleable for industrial purposes due to a zoning by-law of the city. Such a by-law, of course, is inapplicable to the property so long as it remains a reserve, although it would apply following sale.

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(Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

There is nothing, however, to prevent a lease for industrial, or any other purpose, even an emphyteutic lease, which would be tantamount to sale.

In view of all these circumstances, you will understand that the Indians and the department are reluctant to accede to any course which might in any way compromise their future policy concerning this valuable real asset and its possibilities, having regard to the Indian interest.

Yours very truly,

T.R.L.M

T.R.L.MacInnes.
Acting Director.

R.Rowe Holland,Esq.,
Messrs. Grossman, Holland and Company,
Barristers, etc.,
Stock Exchange Building,
Vancouver,B.C.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
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R.Rowe Holland,Esq.,
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Stock Exchange Building,
Vancouver,B.C.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, September 2, 1938.

Dear Mr. Holland:-

I have to refer to your letter of July 12, and previous correspondence regarding the Kitsilano Indian Reserve, British Columbia.

In a letter dated July 19, Agent Ball advised that the question would be discussed at a meeting of the Squamish Indian Council on July 27, and also enclosed copy of your letter to him of July 4. A report of this meeting was subsequently received and the Agent stated that no motion had been made by the Indians either to refuse or accept the offer of the Vancouver Parks Board to lease the reserve for $1.00 per month for park purposes.

In connection with this matter there are certain aspects of the situation to which I would draw your attention. I understand that your present proposal is that the reserve should be opened for picnicing purposes. This appears to be in conflict with paragraph 5 of your letter of December 31, 1936, to Agent Ball, which states as follows:-

> "That the beach will not be used as a bathing beach, and that the Parks Board is agreeable to set up, both on the beach and on the land west of the Burrard Street Bridge, signs indicating that it is private property and that bathing and picnicing is not allowed".

Apparently the Board has changed its mind on this point. I may say, however, that it is unusual and also that past experience has shown it to be undesirable to open an Indian Reserve to the public in the manner suggested and that the department is not

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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You will appreciate that any disposal of this reserve, whether by sale or lease, or granting of any privileges thereon is regarded as a serious matter by this department in view of its history.

I note the observation contained in your letter of June 27 last to my Minister, which is before me, to the effect that unless some such arrangement as a lease to you on the basis of $1.00 a month is made the status quo will go on until the Indians beneficially interested are dead. The eventuality which you suggest is unlikely. It is true that in 1913, the Government of British Columbia, purported to buy the reserve by paying an amount of $210,750.00 to certain, but not all, of the members of the former Kitsilano Band which then owned the reserve,- this transaction as you know being void under the Indian Act. Since that time the ownership of the reserve has passed to the Amalgamated Squamish Band, which has a present population of 447; on the increase and unlikely to die out.

I do not know the present valuation of the property but I note that in 1918, pursuant to an application from the Vancouver Harbour Commissioners, the Board of Arbitration valued the reserve at $660,200.00, which at that time was considered too low to be acceptable to this department, which in the same year obtained an independent valuation of $1,250,000.00 from the Yorkshire Guarantee Company. This may seem high, but I may say it is not out of keeping with offers that we received from private companies desiring the reserve for industrial purposes. True, these valuations, unfortunately, may not apply today, but who shall say that they may not be restored in due time, and that it may not be the part of wisdom for the Indians to wait.

I note your observation that the reserve is unsaleable for industrial purposes due to a zoning by-law of the city. Such a by-law, of course, is inapplicable to the property so long as it remains a reserve, although it would apply following sale.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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In view of all these circumstances, you will understand that the Indians and the department are reluctant to accede to any course which might in any way compromise their future policy concerning this valuable real asset and its possibilities, having regard to the Indian interest.

Yours very truly,

T.R.L.MacInnes.
Acting Director.

R.Rowe Holland,Esq.,
Messrs. Crossman, Holland and Company,
Barristers, etc.,
Stock Exchange Building,
Vancouver,B.C.

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

September 12,1938.

Dear Sir:

I am enclosing herewith for your information copy of a letter that has been forwarded from the department to Mr. R. Rowe Holland, of the firm of Messrs. Grossman, Holland and Company, Barristers, Vancouver, in connection with the Kitsilano Indian Reserve.

A copy of this letter has also been forwarded to Indian Commissioner MacKay for his information.

Yours very truly,

T.R.L.MacInnes.
Secretary.

F.J.C.Ball, Esq., Indian Agent,
416 Dominion Public Bldg,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

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EX'D. 28836-3

September 12,1938.

Dear Major MacKay:-

I am enclosing herewith for your information copy of a letter that has been forwarded from the department to Mr. R. Rowe Holland, of the firm of Messrs. Grossman, Holland and Company, Barristers, Vancouver, in connection with the Kitsilano Indian Reserve.

A copy of this letter has also been forwarded to Indian Agent Ball for his information.

Mr. Holland happens to be a life-long, very intimate friend of mine, and for that reason I discussed the matter frankly and fully in writing to him.

Yours very truly,
(sgd) T. R. L. MacInnes.

T.R.L.MacInnes.
Secretary.

Major D.M.MacKay,
Indian Commissioner,
P.O.Box 70,
Vancouver,B.C.

enc

RL

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

No. 23167-4 TY

ORIGINAL SENT TO D.M.

10-8-39

INDIAN AFFAIRS BRANCH

DEPARTMENT OF MINES AND RESOURCES

VANCOUVER

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Indian Affairs. (RG 10, Volume 7797, File 29167-5-3 Pt.4)

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CANADA

Indian Affairs.
Headquarters Files

(RG 10, Volume 7798)

File 29167-5-3	5	New Westminster Agency - Sale of portion of Kitsilano Reserve and dispute between the City of Vancouver, the Province of British Columbia and the Federal Government (clippings and maps enclosed). 1928 - 1947
File 29167-5-3	6	New Westminster Agency - Sale of portion of Kitsilano Reserve and dispute between the City of Vancouver, the Province of British Columbia and the Federal Government (clippings, maps and photos enclosed). 1947 - 1948
File 30001	1	Canada - Issuing of permits and licenses to cut timber on Indian Reserves throughout Canada, and regulations governing the cutting of timber on reserves (detailed estimate of timber on reserves 1923, maps and clippings). 1903 - 1936
File 30001	2	Canada - Issuing of permits and licenses to cut timber on Indian Reserves throughout Canada, and regulations governing the cutting of timber on reserves (detailed estimate of timber on reserves 1923, maps, clippings). 1937 - 1944

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

No. 29835-3 VOL. 5

INDIAN AFFAIRS BRANCH

DEPARTMENT OF MINES AND RESOURCES

VANCOUVER

SURVEYS AND RESERVES
KITSILANO INDIAN RESERVE

R. 1948

Indian Affairs. (RG 10; Volume 7798, File 29147-5-3 Pt.5)

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ARCHIVES PUBLIQUES
CANADA

...t from letter of S...eptemb...
...Mr. R. Rowe Holland to Mr. ...chm...
...ilano Reserve - Burrard Bridge.

...I am enclosing you a rough map showing that section of the reserve inside the Burrard Bridge. I have a client who is willing to purchase it at $7500.00 an acre. It was on this basis that the City paid for such land as they took over for the Burrard Street Bridge, and I don't think that anyone would assert that it was worth any more. I told my clients that before making a move I intended to write to a friend of mine in Ottawa and find out just how the application should be framed, to whom it should be made, and whether or not there was any chance of it being given any consideration. Methinks the Indians might be glad to divide some $67,000.00, in cash, between themselves. There are about forty acres on the west side of the bridge, I believe, so you can see the value this would place upon the whole reserve. Zoned as it is by the City it, frankly, is not worth any such money. However, these people are prepared to offer $7500.00 an acre for the portion of the reserve east of the Burrard Bridge. If you will write me personally and confidentially concerning the matter you may rest assured that your confidence will not be abused.

People don't come along making $67000.00 cash offers for anything, in very large droves these days and it might suit the purpose of the Department of Indians to sell. This might have the effect of shaking up the City of Vancouver as far as the Western portion of it is concerned also. If you will give me the low down on the way to go about it I would appreciate it.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

OFFICE OF THE
INDIAN AGENT

Indian Affairs Branch
JAN 4 1939
RECORDS

PLEASE QUOTE
FILE

R

416 Federal Building,
Vancouver, B. C.
December 30th 1938.

EXD.

Sir:

I have the honour to report to you in connection with Kitsilano Reserve, which for awhile was receiving its periodical attention from parties not altogether disinterested.

Recently Mr.Rowe Holland found another tract of land which lies vacant on False Creek some distance from the Reserve and which he thinks will make a park, and he used his well-worn familiar arguments of "eye-sore, menace to health, dumping ground, etc." to obtain this land for park purposes, and, as it was under City control, I believe it will be set aside for a park. This will use up all the money he has available for park purposes, and we shall probably hear nothing from him for a few years.

He is also interesting himself, with Mr.Leyland, the Reeve of West Vancouver, in making a park on Hollyburn Ridge on the North side of Burrard Inlet. These two projects will keep his mind off Kitsilano Reserve.

However, you will probably receive all kinds of petitions, etc., to hand over Capilano Reserve to the Municipali of West Vancouver now the new Lions Gate Bridge is completed, and the Reserve is within 10 or 15 minutes of the City centre. Already applications have been received to lease or purchase it, but as half of this Reserve was cut off by the Royal Commission, the Indians will strongly oppose any further loss of land. The Health Officer at West Vancouver was interesting himself in the Reserve and one of his claims was an improper water supply. He received a complete surprise when shown that we use city water through the city mains on Capilano Reserve, and I have heard nothing further from him. We have recently built three new houses on this Reserve, buildings which equal most of those in the same district, and as Mission Reserve at North Vancouver is becoming overcrowded, it will be necessary to use Capilano Reserve for future expansion of the Squamish Tribe. For this reason, any attempts to take this land from the Indians should be opposed.

I have taken the liberty of writing you the above, so that you will be acquainted with the local situation shoul any enquiries be made in Ottawa.

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

Fredk J. C. Ball
(F.J.C.Ball)
Indian Agent.

B/DH.

Harold W. McGill Esq., M.D.,
Director of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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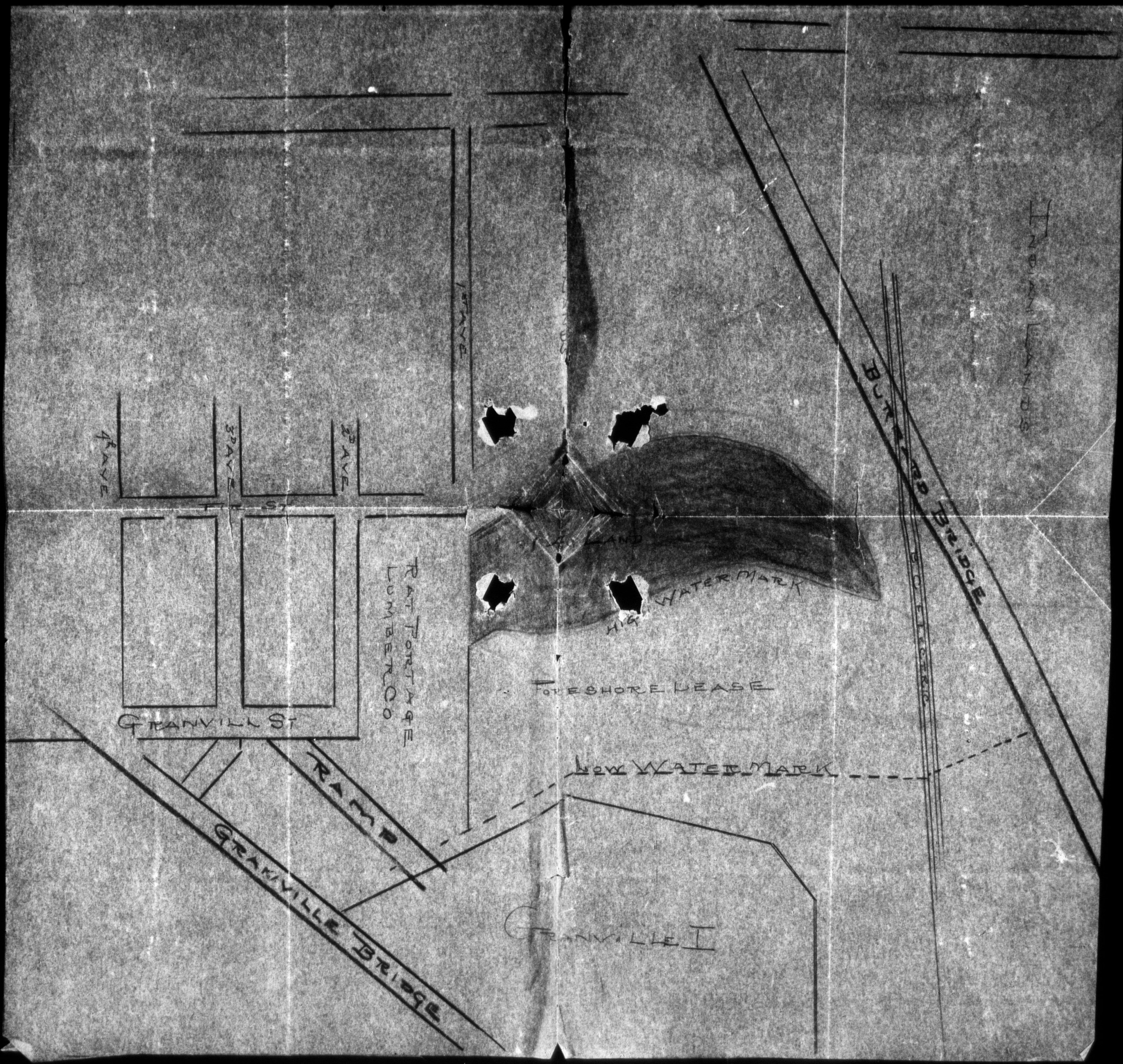
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

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...CE OF THE
...DIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

R

PLEASE QUOTE
Department of Mines & Resources
Indian Affairs Branch.
JUN 16 1939
RECORDS

Acc'd

416 Federal Building,
Vancouver, B. C.
June 12th 1939.

Sir:

I have the honour to report that the Squamish Indian Council is complaining that certain Indians of the tribe are holding clandestine meetings and circulating a petition disrupting the Squamish amalgamation. The active ones are, of course, Andrew Paull, Louie Lewis and Chief Matthias Joe. Their petition is in connection with Kitsilano Reserve, and they are telling the Indians they are supported by the Hon.Ian MacKenzie.

I would like to say that Louie Lewis has only recently been released from jail after a year's imprisonment and 15 lashes for what the Judge described as a particularly brutal assault on the woman who has borne him eight children, though they are not married. She is the wife of another Squamish Indian. Andrew Paull, of course, is known to the Department, and Matthias Joe is a confirmed troublemaker, but has not the intelligence of the others.

These three have been trying to obtain signatures of the Indians to this petition and many of them have called to repudiate the trio. I do not know what is behind the agitation, although, of course, I think I know the instigators, but I have promised the Councillors that I would call your attention to it so that no action will be taken unless the Council is fully advised.

A former Indian woman of the Caughawagna Tribe, now married to a Pullman porter named Fraser, and living in Vancouver, is also helping them. She calls herself "Princess Red Eagle" and as we could not accept her as an Indian, she has promised to "make plenty of trouble among the Indians". I notice she is a frequent visitor to Matthias Joe's place. There are others of this ilk also - the Indian Commissioner has met some of them.

It will be unfortunate if such people cause strife in this tribe, as they are quite content and prosperous. I do not know how the three referred to exist, as they do not work. Matthias sells a few totem poles, but the others do nothing at all. They travel in taxis and appear quite prosperous but even the Indians cannot understand the source of their apparent opulence.

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

B/DH.

Fred J.C. Ball

(F.J.C.Ball)
Indian Agent.

The Secretary,
Indian Affairs Branch,
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Daily Province
June 11 [illegible]

Will Be In Full Swing

IAN MACKENZIE FOR PARK PLAN

Minister Will Attend Parley On False Creek Project.

The portion of Kitsilano Indian Reserve west of Burrard Bridge, comprising approximately thirty-five acres of open second growth, may soon be obtained by the city as a new and lovely park.

This announcement was made to park commissioners Friday by Chairman R. Rowe Holland following a lengthly consulation with Hon. Ian Mackenzie, minister of national defence.

HELD IN TRUST.

At present, the reserve is held in trust for the Kitsilano Indians by the Federal government. It is under a $250,000 mortgage, and has been zoned—uselessly, in the opinion of Mr. Holland—for two-storey dwellings.

According to the chairman, Hon. Mr. Mackenzie and himself have made a tentative start on plans which, besides giving Vancouver a new park in its western section, would provide Indians with a regular income. He was not at liberty to give details, but said the scheme would be discussed at a three-way conference to be held at 11 a.m. Monday in Hotel Vancouver.

CONFEREES NAMED.

Attending will be Hon. Mr. Mackenzie, representing the federal government; Attorney-General Gordon S. Wismer, for the province; Aldermen John Bennett and H. J. De Graves for the city; and Mr. Holland and Commissioner A. E. Branca for the Park Board.

Under present agreement with the Squamish Council the land in question has been cleaned of eyesores, but trespassing and picnicking is forbidden.

Indian Affairs. (RG 10, Volume [illegible], File [illegible] Pt. 5)

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PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

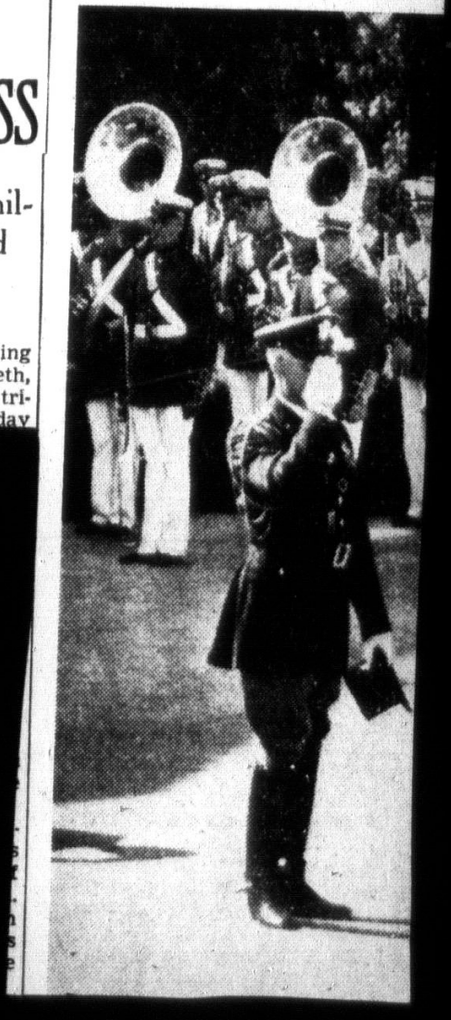
Millions Acclaim King G

CITY FLAUNTS GAYEST DRESS

1,000,000 School Children Massed Round Central Park.

(By Canadian Press.)

NEW YORK, June 10.—King George and Queen Elizabeth, fresh from their Washington triumph, came to Manhattan today



Indian Affairs. (RG 10, Volume 7296, File 29147-5-3 Pt.5)

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ARCHIVES PUBLIQUES
CANADA

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CE OF THE
DIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE R

Let 7

Department of Mines & Resources
Indian Affairs Branch
JUN 17 1939
RECORDS

416 Federal Building,
Vancouver, B. C.
June 13th 1939.

Sir:

I wrote you yesterday regarding the agitation of Chief Matthias Joe, Andrew Paull, and Louie Lewis and the enclosed press cutting has given the Indians the idea that these men are being consulted about Kitsilano Reserve, rather than the Squamish Council.

I have the honour to be,

Sir,

Your obedient servant,

B/DH.

Fred J C Ball

(F.J.C.Ball)
Indian Agent.

The Secretary,
Indian Affairs Branch,
OTTAWA

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

EX'D

June 19,1939.

Dear Sir:- Re Squamish Band.

I have to acknowledge receipt of your letters of the 12th and 13th instants and newspaper clipping with regard to the agitation of Chief Matthias Joe, Andrew Paull, and Louie Lewis.

The contents of your letter have been noted.

Please advise the Councillors that all matters pertaining to the welfare of their band will be transacted through your office in the usual manner.

Yours very truly,

T.R.L.MacInnes.
Secretary.

F.J.C.Ball,Esq.,
Indian Agent,
Vancouver,B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Memo - Central Registry

Mr. St. Louis.

Please note 3rd para of Mr. Hall's letter of June 12 under.

Do you wish to make a note of this request or is my letter on top sufficient.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Vancouver Sun 17/6/39

DEPARTMENT OF THE INTERIOR
3

Department of Mines & Resources
Indian Affairs Branch.
JUN 29 1939
REGISTERED

Kitsilano Reserve

Good news indeed that the authorities have at last decided to move to install retaining walls in False Creek, to dredge the channel and clean up the waterfront. Kitsilano reserve may be made a decent place to look at.

It was the late Postmaster Jonathan Miller who named Kitsilano beach and reserve, in honor of an Indian chief of that name who flourished in these parts about 75 years ago. Up to 1912, a few families of natives of the Squamish tribe continued on the reserve as a squatting place during certain seasons of the year when the fishing suited that location. It became an eyesore and a hangout for people of low repute who associated with the Indians to the detriment of the latter.

W. J. Bowser, then Attorney-General, authorized Harry Alexander, J.P., to buy out the Indians—and following this successful operation there occurred one of the most unjustified exhibitions of red tape that has ever disgraced this country. Mr. Alexander paid $330,000 to a handful of tribesmen who were glad to get the money and relinquish what rights they had. Then the Federal Government, which apparently had not been consulted about the earlier plans, stepped in and declined to ratify the deal—after the money had been distributed and most of it spent by the Indians. The province, the city, the Indians, all were in favor of the deal except a coterie of officials at Ottawa who wished to show their authority.

To this day the title has not been cleared. The Indians have long since departed, glad to be rid of the corrupting influences of the whites. But the people of Vancouver who are entitled to the benefits of a sane development of the property for some public good are compelled still to endure an eyesore and a display of public futility and ineptitude.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835-3

OFFICE OF THE DEPUTY MINISTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Department of Mines and Resources
AUG 23 1939
REGISTERED

Memorandum to:

Dr. H.W. McGill

Re Kitsilano Indian Reserve

I am enclosing herewith a copy of a letter from the Chairman of the Vancouver Parks Board to Premier Pattulo which has just been forwarded to the Minister by the Hon. Mr. MacKenzie.

The latter is very anxious that some immediate effort should be made to settle this outstanding matter in the near future if possible. Will you please let me have, for the information of the Minister on his return, a full report showing how it stands now and if any recent communications have been received either from Agent Ball or Commissioner MacKay.

Please return the attached copy of letter.

Chief Executive Assistant.

Ottawa, August 22, 1939.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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COPY

August 14th, 1939.

The Honourable T.Dugg Pattullo,
Premier of British Columbia,
Parliament Buildings,
Victoria, B.C.

Dear Mr. Premier: Re: Kitsilano Indian Reserve.

Some months ago when you were good enough, with your Minister of Finance and your Attorney-General, to meet the Honourable Mr. Ian Mackenzie and his delegation of City officials in connection with certain problems, you asked me to put into writing, as briefly as possible, the proposal for settlement of the Kitsilano Indian Reserve problem, which I do herewith.

The map of the Reserve which I enclose will indicate that Burrard Street Bridge right of way divides the Reserve into what we will call the West and East portions.

The 11.16 acres on the East portion, shown as a lumber mill site, is vacant, and about seven acres more or less, being that portion marked "vacant Indian lands" not taken over by the new Federal Government Armouries. The portions marked "A" "B" and "C" are the properties which the City expropriated from the Dominion Government for the construction of the Burrard Street Bridge.

That portion of the Reserve North of the C.P.R. right of way is zoned for two family dwellings, and that portion South of the right of way is zoned for three storey multiple dwellings. In view of its situation the property is comparatively valueless for these purposes.

In 1928 the Provincial Government passed the following Order in Council:

> "The undersigned has the honour to recommend that under subsection 2 of Section 92, Chapter 131, R.S.B.C. 1924, all the right, title and interest of the Crown in the right of the Province of British Columbia, reserved or otherwise in the Kitsilano Reserves No. 6

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

The Honourable T.Duff Pattullo:

> New Westminster Agency, which has been numbered 3610, Group 1, N.W.D. comprising eighty acres more or less, be transferred to the Crown in the right of the Dominion as represented by the Superintendent General of Indian Affairs, for the sum of $350,000. conveyance to be made on payment of said amount.
>
> Dated this 31st day of January, 1928.
> T.D. Pattullo
> Minister of Lands.
> Approved this 31st day of January, 1928.
> J.D. MacLean
> Presiding Member of Executive Council".

An Order in Council was passed by the Dominion Government on the 27th day of February, 1928 which, after reciting the Provincial Order in Council above quoted, provided:

> "Therefore His Excellency the Governor-General in Council is pleased to approve the terms of the aforesaid Order of the Honourable the Lieutenant-Governor of British Columbia in Council dated 31st January, 1928, and they are hereby approved accordingly.

This would leave the two Governments in this position, that the Dominion Government is the owner of the property subject only to the payment of $350,000. to the Government of the Province of British Columbia.

Although this would indicate that the Indians or no one else has any real equity in the Reserve except the Provincial Government, the actual fact is that nothing can be done without the consent of the Indians. We found how hard it was to budge them in this matter when we had to obtain their consent to the Provincial and Federal Governments clearing up the Reserve and clearing off the squatters on the water front some few years ago.

So that the Indians attitude may be understood and their position appreciated, a clipping from the Vancouver Sun of April 14th, 1939, recited in part, a letter from Mr. F.J.C. Ball, the Federal Indian Agent in Vancouver, stating that the Indians received only $187,000. of the $350,000. purported to be paid over to them by the Provincial Government under the late Honourable W.J. Bowser and, further, that only 17 Indians were selected to receive payment when there were 450 Indians of the Squamish Tribe who were the rightful owners of the Reserve. (

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

The Honourable T. Duff Pattullo.

It is agreed that the present impasse will continue and neither the "people" nor the Indians will get any real benefit out of the Reserve until some deal satisfactory to the Indians can be obtained. The proposal that has been worked out is as follows:

1. Through appropriate Orders in Council, Federal and Provincial, the Federal Government will authorize transfer to the Province of British Columbia of all of that Section of the Kitsilano Indian Reserve, being 35.49 acres more or less, lying to the West of C.P.R. and the Burrard Street Bridge right of way.

2. The same Orders in Council, Federal and Provincial, should authorize the release by the Government of the Province of B.C. of their claim or "mortgage" against the vacant Indian lands of the Kitsilano Indian Reserve lying to the East of the C.P.R. and Burrard Street Bridge right of way, being 17 acres more or less. (The exact amount of this acreage requires to be checked.)

3. The necessary steps, by appropriate bodies, to be taken to give to the Federal Department, on behalf of the Indians, the foreshore in False Creek fronting the East portion.

4. The City of Vancouver to implement the rezoning of the East portion of the Reserve for industrial purposes, and to give the Federal Department, on behalf of the Indians an agreement freeing the land from taxes when leased.

5. The Provincial Government either:

   (a) Dedicate the West portion of the Reserve for park purposes and develop it under the Parks Dept. of the Department of Lands, or

   (b) Lease it to the City of Vancouver, under nominal lease, for park purposes.
   (This would enable the property to be carried on the books of the Province at $350,000. and no Provincial asset need be alienated.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

The Honourable T. Dugg Pattullo.

This would make the East portion of the Reserve of some real value to the Indians, so that it might be leased for a sufficiently substantial sum to obtain their concurrence in implementing the proposal.

I have discussed the proposal at length with Mr.Ball, the Indian Agent, and he is personally in favour of it as a satisfactory solution of what has constituted for him and for the Indians as well as for the Municipal authorities in Vancouver a long standing problem.

With the Honourable Mr. Crerar and the Honourable Mr. Ian Mackenzie in sympathy, and the Indian Department Officials here now willing to cooperate, I think, Sir, it requires the initiative of your Government, through your good self, only, to turn this undeveloped piece of land, second only in its potential public value, to Stanley Park, into a very real asset of the whole Province.

Yours truly,
R. Rowe Holland
Chairman, Board of Park Commissioners,
City of Vancouver.

RRH/C

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

NATIONAL TOPOGRAPHIC SERIES

Canada
Department of Mines and Resources
SURVEYS AND ENGINEERING BRANCH
HYDROGRAPHIC AND MAP SERVICE

SHEET 92 G/6



17

(Vancouver South 92 G)

VANCOUVER NORTH

BRITISH COLUMBIA

Scale 1 mile to 1 inch or 1:63,360

Miles 1 ¾ ½ ¼ 0 1 2 3 4 5 Miles

Yards 1,000 0 1,000 2,000 3,000 4,000 5,000 6,000 7,000 8,000 9,000 Yards

Contour interval 50 feet

Datum is mean sea level.

NOTE: The grid squares provide a ready method of referring to or locating features. They are four miles to a side and subdivided into quarters by dotted lines. The east and west sides of the squares are not true north and south lines, but have a deflection to the east varying from 23' on the west side of the map to 45' on the east side. Any square is identified by the numbers along the outer border, for example: Hollyburn will be found in the northeast quarter of square 63-242.

Price 25 cents
Folder form 35 cents. Linen backed 50 cents

PRODUCED IN CO-OPERATION WITH THE DEPARTMENT OF LANDS, PROVINCE OF BRITISH COLUMBIA

Magnetic variation 24°55'E. at Stanley Park, Vancouver, 1938.

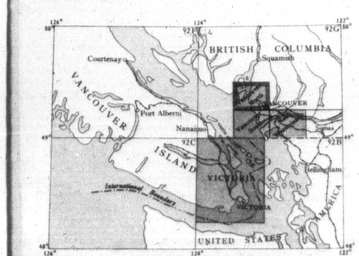
Compiled and drawn at the office of the SURVEYOR GENERAL AND CHIEF, HYDROGRAPHIC SERVICE, Ottawa, 1938, from whom additional copies of this map may be obtained.
Surveyed, 1934; air photographs by the R.C.A.F.
Printed by the Geographic Section, General Staff, Department of National Defence.

REFERENCE

- Boundary: municipality
- " Indian reserve
- Railway: steam, double track
- " steam, single track
- " electric
- " abandoned
- Road: class 1, trunk highway
- " " 2, secondary highway
- " " 3, local road all weather
- " " 4, local road slightly travelled
- Trail or path
- Surveyed line
- Telephone or telegraph line (along road)
- Electric power line (along road)
- Bridge: stone, concrete, iron or wood (S.C. / for W)
- Swing bridge: iron or wood (S. / for W)
- Marsh
- Non-perennial stream
- Wharf

REFERENCE

- Tidal flat
- Contours
- Depth contours in fathoms
- Woods: deciduous
- " coniferous
- Pipe line
- Gravel or sand pit
- Land, timber and mineral surveys
- Building
- School (Sch.)
- Post office (P.O.)
- Church
- Sawmill (S.M.)
- Cemetery (C)
- Lighthouse or lighted beacon
- Triangulation station (△)
- Geodetic bench mark (B.M. 12.3+)
- Height in feet (4214)
- Rocks, reefs and ledges



NOTE: On the above index the sheets published are shown tinted green.

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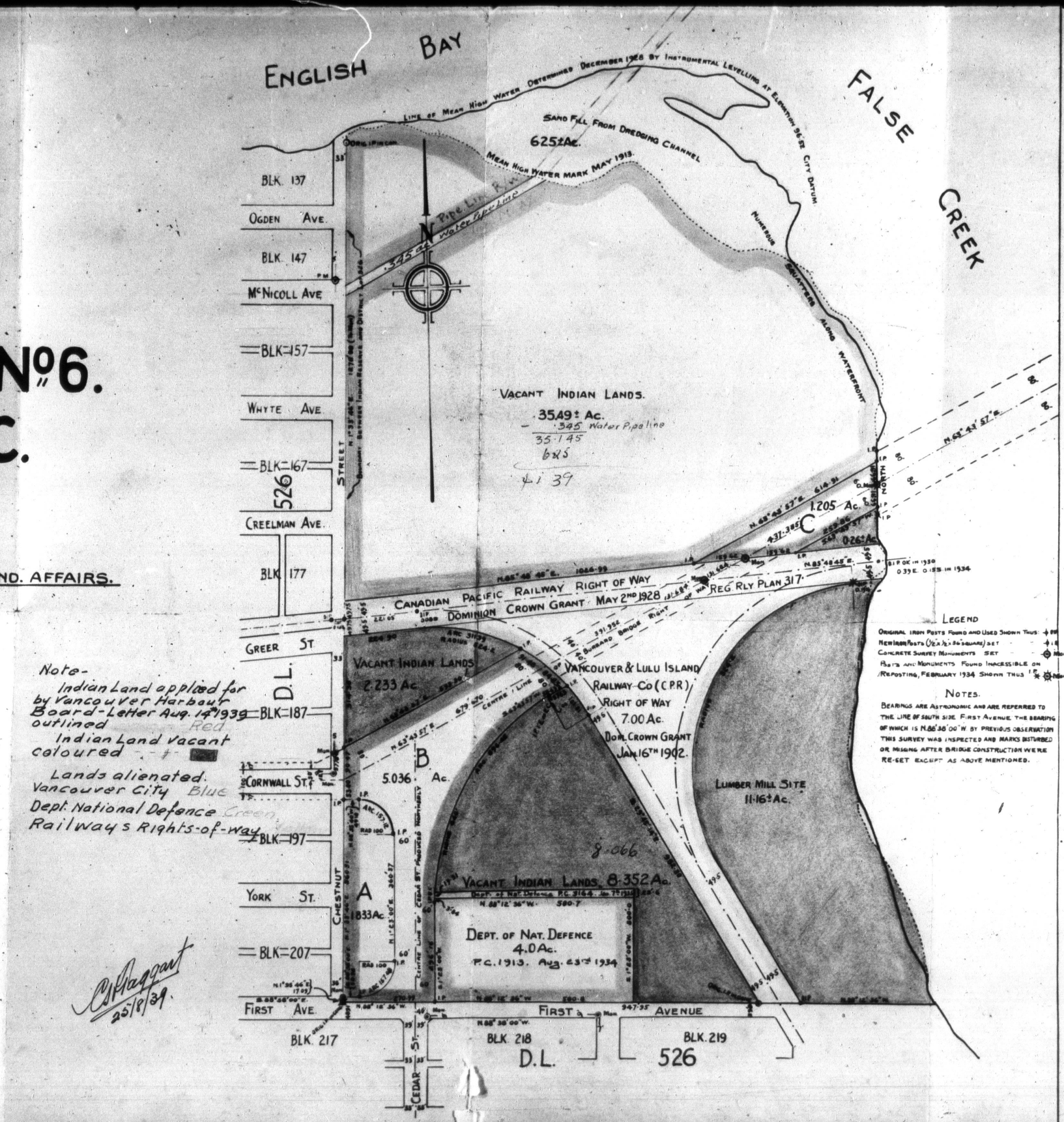
COMPILED PLAN OF KITSILANO I R Nº 6. Vancouver B.C.

Scale: 1 in. = 200 feet.

COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



COPY

North Vancouver, B. C.
Mission Indian Reserve,
December 15, 1927.

WE, THE CHIEFS AND COUNCILLORS of the Amalgamated Squamish Indian Bands in meeting assembled this day, in the presence of W.E. Ditchburn, Indian Commissioner for British Columbia, and C. C. Perry, Indian Agent, wish to express our desire that an early settlement of the contentious matters which have arisen between the Government of Canada and the Government of British Columbia in connection with our Kitsilano (False Creek) Reserve Number Six should be arrived at at as early a date as possible. Upon it being fully explained to us by the Indian Commissioner for British Columbia and interpreted to us by our interpreter that the Government of British Columbia is willing to relinquish all its claim to this Reserve for the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00), we realise the importance of our co-operating with the Government of Canada and the Government of British Columbia in an endeavour to bring about a satisfactory settlement, and as the Indian Commissioner has shown us that the first procedure to be taken must be by way of extinguishment of the claim of the Government of British Columbia against this reserve, it was therefore:-

RESOLVED that this Council of the Amalgamated Squamish Indian Bands hereby express our willingness to assent to a surrender of the Kitsilano (False Creek) Indian Reserve Number Six to the Crown, as represented by the Superintendent General of Indian Affairs, in order that it may be disposed of to our best interests, and we hereby agree that the surrender form shall contain a clause to the effect that the first charge against

the monies

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

the monies arising out of the sale of the said Reserve shall be the payment to the Government of British Columbia of the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00) as a full settlement of all claims which the said Government of British Columbia may have against the said Kitsilano (False Creek) Indian Reserve Number Six.

Signed Chief Jimmy Jimmy his (x) mark

Chief Charlie his (x) mark

Chief Edward Joseph his (x) mark

Chief Andrew his (x) mark

Chief Moses Joseph

Coun. Gus Band

George Wilson

Chief Frank Baker

Chief Ed Williams

Witnesses to marks and signatures: (Charles C. Perry. Indian Agent.

(Andrew Paull Secretary Council.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

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REVENUE - KITSILANO RESERVE NO. 6.

Sale of lands.

1901	Canadian Pacific Railway right-of-way 3.52 acres	$ 704.00
1925	Canadian Pacific Railway right-of-way, .1 acre due to re-survey	35.00
1928	Vancouver and Lulu Island Railway right-of-way, 7 acres	3,500.00
1930	City of Vancouver, approaches Burrard St. Bridge. (Due to deductions for arbitration and legal fees, actual amount paid was $29,042.93)	44,988.86
1934-1938	Department of National Defence, 4 acres	50,000.00
"	" " " .283 "	2,137.50
	TOTAL	$ 81,365.08

LEASES - KITSILANO RESERVE No. 6.

Lease of portion to Rat Portage Lumber Co. by Dominion Government. Rental for 1918-1918 paid to Dominion	$ 844.95
Lease of portion to Rat Portage Lumber Co. by Provincial Government of B.C. Rental for 1924 - 1928 paid to Province	12,942.84
Lease of portion to Rat Portage Lumber Co. by Dominion Government. Rental for 1928, 1929, 1930, paid to Dominion Government	13,156.88
Arrears of rent for 1931, 1932, outstanding	9,921.52
Rent from McCormick 1928	25.00
Rent from Vancouver Rotary Club for Martindale 1932	75.00
Rent from Acme Coal Co. 1936-37	120.00
TOTAL	$ 37,085.59
GROSS TOTAL OF SALES AND LEASES	$118,450.67

25/8/39

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August 25th 1939.

MEMORANDUM

--------ooOoo--------

Re Kitsilano Indian Reserve No. 6.

The following is submitted as pertinent to a full consideration of the request contained in a letter dated August 14th, 1939, by the Chairman of the Board of Park Commissioners, City of Vancouver, addressed to the Honourable T.D. Pattullo, Premier of British Columbia, and forwarded to our Department by the Honourable Ian MacKenzie, Minister of National Defence.

This parcel of Indian land is situated almost in the heart of the city of Vancouver, on the south side of False Creek at its mouth. (see topographic map 92 G 6 Vancouver North attached herewith)

The original Reserve as set aside by Governor Douglas prior to Confederation consisted of approximately 37.45 acres. The Joint Reserves Commission on Indian Affairs in British Columbia in 1877 reviewed the claims of the Indians on this Reserve and increased its area by an addition of 42.85 acres, thus establishing its status as an Indian Reserve in accordance with the terms of Union.

In 1904 the Canadian Pacific Railway acquired 10.52 acres which area was corrected by a later survey to 10.62 acres. This alienation was confirmed by Dominion Government Patents of January 16th, 1908, and May 2nd, 1928.

The Royal Commission on Indian Affairs for British Columbia, 1913-1916, again reviewed the claims of the Indians on this Reserve and in Volume 3 of the Official Report this Reserve is classified "Kitsilano or False Creek Reserve No. 6 - unoccupied - 69.48 acres - fishing station and camping place on the south shore of False Creek at its mouth - virtually in Vancouver City - no buildings - valuation $465,920.00. Abandoned by the Indians for public requirements, value to be arbitrated. Upwards of $1,000,000.00 has been offered?

The Commission treated this as a surrendered Indian Reserve, therefore it does not appear in their schedule of Reserves confirmed. (Reference p.672 Volume 3)

Throughout the years prior to 1914 many offers had been made to acquire this valuable piece of property.

In 1886 the Canadian Pacific Railway applied for the whole Reserve.

In 1890 the Municipality of Vancouver applied for this land offering $1,000.00 per acre.

The Citizens Exposition Committee in 1901 applied for 40 acres for exposition purposes. All of these were refused.

In May 1901 the Provincial Government requested to have the Reserve surrendered and to have the Indians removed to a more desirable locality. The Indians unanimously refused to surrender any portion whatsoever for any price or on any condition.

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In March 1913, the Department of Public Works on behalf of the Vancouver Harbour Commissioners made application to secure all the Reserve not otherwise alienated for the construction of wharfs, etc.

This application was referred to the Royal Commission on Indian Affairs and by authority of Interim Report No. 82 was approved by the Commission. These negotiations fell through later due to lack of cooperation on the part of the Indians and the Provincial Government. The arbitration value fixed at this time under Expropriation proceedings was $666,200.00 which was considered all too small since the Department's determined valuation by an independent agent was $1,200,000.00.

In the same year, 1913, an offer of $2,000,000.00 was received from a private concern. This also was turned down.

During the same period of negotiations with the Harbour Board Commissioners and other concerns, the Government of British Columbia under the leadership of the then Attorney-General for that Province, the late W.J. Bowser, negotiated abortively with certain members of the Squamish Band of Indians to induce them to surrender their Reserve No. 6 for a cash payment. On April 9th, the Pacific Coast newspapers announced to the world that the Kitsilano Indians had agreed to accept Attorney-General Bowser's offer and abandon their homes on the Reserve. On April 10th, the same newspapers, as one of the principal news items, accompanied by photographs, showed these people with their effects being removed from the Reserve to other points up the coast.

It appears that the plan was, after removing the Indians from the City of Vancouver, to throw the Reserve open to be sold to private interests with profit to the Provincial Government.

It is believed that Attorney-General Bowser contended that this deal as put through was not contrary to the Indian Act by the fact that negotiations were carried on by the "Crown" Provincial and that it was not actually necessary according to law that dealings with the Indians should pass through the Crown Dominion.

It should be borne in mind that the Provincial Government has always claimed a reversionary interest in Indian lands originally set aside as Reserves and that title to such Indian lands so far as those parcels lying outside the Railway Belt and Peace River Block are concerned had not been transferred to the Government of Canada, root title remaining in the Crown Provincial and that for years the Indian Affairs Department had endeavoured to have these lands conveyed to Canada as provided for by the terms of Union. The title of these lands was transferred to Canada July 29th, 1938 by Order-in-Council No. 1036 to which was attached a schedule of lands so conveyed. This schedule does not contain a reference to the Kitsilano (False Creek) Indian Reserve.

Immediately after the removal of the Indians in April 1913, the Provincial Government placed an "Official Reserve" upon this property giving the following notice in a special issue of the British Columbia Gazette, dated April 11th, 1913. "Notice is hereby given that the certain

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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portion of land officially known as Burrard Inlet Reserve No. 6 and commonly called Kitsilano or False Creek Reserve, situated on the south side of False Creek an arm of Burrard Inlet and containing 80 acres more or less is reserved from any entry or alienation under the Mineral Act; the Placer Mining Act; the Coal and Petroleum Act or the Land Act".

The action of the Provincial Government in so dealing with the Indians on this Reserve was seriously objected to by the citizens of Vancouver who backed by the Honourable H.H. Stevens the then sitting member for Vancouver Centre, considered that the City of Vancouver had first claim to this property for industrial purposes and that no action should be taken that would be to the disadvantage of the Indians in view of the previous applications and the amounts of money offered which proved the amount paid to the Indians by the Provincial Government, namely $219,750.00 to be ridiculously small.

The first official notification the Department had of the negotiations carried on by the Provincial Government with the Indians was a letter from Mr. Inspector of Indian Agencies, W.E. Ditchburn, dated the 11th April, 1913, enclosing newspaper clippings.

Later under date of April 26th, Inspector Ditchburn further confirmed the reports in the press and his letter of April 11th, above referred to, in-so-far as those Indians conferred with had given their consent to the sale and received the money. He gives the following details:-

"The negotiations with the Indians were carried out by H.O. Alexander, Stipendiary Magistrate of Vancouver, on behalf of the Government of British Columbia. The amount paid was $219,750. Nineteen heads of families received $11,250.00 each, and one received only $5,000.00, making twenty families in all. The Indians were also paid $1,000.00 for the removal of the dead bodies in the grave-yard. Upon the Indians signing the agreement, (April 8th) and receiving their money, their effects were placed on a scow, (April 10th) and they were towed up to the Squamish River to another Reserve to which place most of the Indians also went. The expense in this connection was borne by the Provincial Government.

The amount paid to the Indians in consideration of their giving up this Reserve, namely $219,750.00, seems to be extremely small in-so-far as land values in that portion of the City of Vancouver are concerned, but at present without going into the matter very fully it is impossible to state definitely as to the true value of the Reserve. However, it would not be very wide of the mark to say that it was worth at least ten times the amount paid to the Indians.

The Act of the Provincial Government appears to have been in contravention of Sub-Section 24, Section 91, of the British North America Act, and contrary to the provisions of the Indian Act Sections 46-51".

The whole matter of this transaction was raised in the House of Commons at Ottawa, on Thursday the 24th of April, 1913, and the discussion which took place is set forth in the House of Commons Debates No. 80 of the same date.

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This action on the part of the Provincial Government was deemed contrary to the provisions of the Indian Act and further since the negotiations were carried on only by a portion of the membership of the Squamish Band, the balance seriously protesting, the Superintendent General of Indians Affairs as official guardian of the Indians, wards of His Majesty the King, had no option but to refuse approval of such negotiations.

The Provincial Government claimed that the amount spent in negotiations and other expenses connected with this deal in addition to the $19,750.00 made a sum total of $350,000.00, and proceeded forthwith to claim a lien or mortgage upon the property in that amount, which action was approved by His Excellency the Governor-General in Council on the 27th day of February, 1928, P.C. 318, which states as follows:-

"That under authority of Sub-Section 2 of Section 92 of Chapter 131, Revised Statutes of British Columbia, 1924, all the right title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise in the Kitsilano Indian Reserve No. 6, New Westminster Agency, which has been assigned Lot No. 3610, Group 1, New Westminster District, comprising 80 acres more or less be transferred to the Crown in the Right of the Dominion of Canada as represented by the Superintendent General of Indian Affairs for the sum of three hundred and fifty thousand (350,000.) dollars, conveyance to be made upon the payment of the said amount".

As no such amount has been paid to the Provincial Government in respect to this Reserve, and as approval was given by the Dominion of Canada to the terms mentioned in the Provincial Order-in-Council, title to this Reserve remains in the Crown Provincial until such time as the mortgage referred to above is satisfied.

Down through the years in spite of any other action, The Dominion of Canada has proceeded to alienate several parcels of this Indian land as follows:-

Canadian Pacific Railway right-of-way 3.62 acres: Vancouver and Lulu Island Railway 7 acres: Vancouver City Burrard Bridge right-of-way 3 parcels, 1.833 acres, 5.036 acres, and 1.205 acres, total 8.074 acres: Department of National Defence two parcels, 4 acres and .885 acres, a total of 4.885 acres: City of Vancouver for water pipe line .345 acres: making a total alienated 33.334 acres, leaving a balance within the boundaries of the Indian Reserve for the benefit of the Indians of 57.15 acres.

In recent years the Federal Government carried on dredging operations in the channel of False Creek depositing the spill on the northern foreshore of the Indian Reserve thereby making an addition of 6.25 acres which it is deemed would naturally accrue to the benefit of the Indians although the Provincial Government have intimated that this additional land is the property of the Crown Provincial.

As stated in the letter from the Chairman of the Board of Park Commissioners of the City of Vancouver dated 14th of August, this Indian Reserve is divided into two parts by the right-of-way of the Canadian Pacific Railway and a portion of the Burrard Bridge right-of-way. By reference to the attached plan, scale 200 feet to the inch, a complete picture of the status of the lands will be had. That portion

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

applied for, for park purposes, is outlined in red and constitutes an area of 35.145 acres of the original Indian Reserve established, to the north of which lies the sand fill from dredging, 6.25 acres, which it is assumed, would also be required by the Commissioners for park purposes. The total area, therefore, would be 41.395 acres. If this request is granted there would remain to the benefit of the Indians four distinct and separate parcels of vacant land. One parcel .86 acres with a foreshore frontage on False Creek of a hundred feet. One parcel 11.16 acres with a foreshore frontage on False Creek of approximately twenty-three hundred feet. One parcel 8.352 acres lying between the right-of-way of the Vancouver and Lulu Island Railway and of the Burrard Bridge and the property of the National Defence with a frontage on First Avenue of three hundred and seventy- feet. One parcel 2.253 acres lying between the Canadian Pacific Railway right-of-way and the Burrard Bridge right-of-way having a frontage on Chestnut Street of three hundred and fourteen feet. The above four parcels total in area 22.005 acres and consist solely of vacant land.

Some years ago the City of Vancouver passed zoning by-laws for building and development purposes and included the lands of the Indian Reserve within their scheme of restrictions placing that portion north of the rights-of-way already mentioned for the development of two-family dwellings, and the remaining southern portion was zoned for three-storey multiple dwellings.

It is doubtful if the City of Vancouver has the legal right to impose its will to govern property held under authority of His Majesty the King.

There has accrued to the benefit of the Indians by sale of land, rents, etc., a gross sum of over one hundred and eighteen thousand dollars a statement of which revenue is attached hereto. This income is in addition to the sum of two hundred and nineteen thousand seven hundred and fifty dollars paid to some of the Indians of the Band abortively.

The position, therefore in which this property stands at present is that the Crown Dominion holds the property to the use and benefit of the Indians of the Squamish Band subject to the payment of three hundred and fifty-thousand dollars to satisfy a lien or mortgage held by the Government of British Columbia.

Due to the previous dealings and particularly to those carried out under the administration of Attorney-General W.J. Bowser, the attitude of the Indians has created an impasse in dealing with this land for it is recognized by all that a complete surrender by the whole Squamish Band is essential to any further negotiations for the disposal of any of the remaining lands in this Reserve.

It appears that in 1927 the question of clearing up the impasse so created was a rife question, and in order to cooperate and express their understanding of the situation a meeting of the Council of the Amalgamated Squamish Indian Bands was held on December 15th, and a resolution was duly passed a copy of which is attached hereto.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The proposal of the Park Commissioners offers to the Indians a clear title to the four parcels above referred to totalling an area of 22.005 acres with complete foreshore rights for that portion fronting on False Creek, which is said to amount to nearly 12 acres; the removal of the present zoning restrictions and a re-classification as industrial property free of taxes for all time, for which they will have to surrender all their right, title and interest in that portion of their Reserve lying north of the Railway and Bridge rights-of-way as outlined in red on the plan herewith, 35.145 acres, and the area of sand fill from dredging 6.25 acres. The Provincial Government apparently has signified their willingness to discharge their lien or mortgage if this agreement is consummated. In the consummation of any agreement in this connection it would seem wise that the Department should receive from the Provincial Government a Quit Claim to any portion of any revenue or benefit previously derived from any former dealings in connection with this Reserve.

The plan of procedure outlined in the letter from the Board of Park Commissioners would seem to be in order with corrections, etc., as to facts.

However, the first essential factor necessary is the consent of the Indians of the Squamish Band to a full surrender of the portion applied for by the Parks Board in exchange for a clear title to the remaining Indian lands. This may be difficult of accomplishment because their mental attitude seems to be "once bitten twice shy".

Attention might be drawn to the fact that in the latter part of 1928 the Department had the property then standing to the benefit of the Indians valued by Mr. R.K. Houlgate of the Yorkshire Guarantee And Securities Corporation Limited of Vancouver. Mr. Houlgate put a valuation of one million two hundred and twenty-four thousand four hundred and ninety-seven (1,224,497) dollars on it.

Mr. H. Cathcart, Deputy Minister of Lands raised the matter of administration of this Indian Reserve during discussion with Mr. Taggart while the latter was in Victoria recently. Mr. Cathcart challenged the right of the Dominion to retain the moneys already received as revenues from this Reserve. Premier Pattullo also mentioned this matter to Mr. Taggart.

C. Taggart

L. Brown

25/8/39

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3 C

Ottawa, Ontario,
August 31st, 1939.

EX'D.
A.

MEMORANDUM Deputy Minister

Re Kitsilano Indian Reserve.

In reply to Mr. Jackson's memorandum of August 22nd, 1939, I am enclosing herewith copy of a very complete analysis of branch files re this matter prepared by Mr. Taggart at the request of the Superintendent of Reserves and Trusts. I am also enclosing excerpts from letters received from Agent Ball under date of December 30th, 1938, and June 12th, 1939. These would appear to be the most recent comment on the subject from British Columbia.

It would indeed be gratifying if some solution to this controversy between the two Governments in respect of Kitsilano could be found. It is one of the outstanding annoyances which stand in the way of complete cooperation between the Governments of British Columbia and Canada. Whether the solution suggested in the letter which you enclosed from the Chairman of the Board of Parks Commissioners of Vancouver can be implemented by appropriate action is open to doubt.

The Indian Affairs Branch must at all times remember that it represents the Indian interest, and in this instance the many Indians of the Squamish Band who as a Band have received no share of the distribution of funds paid to twenty families of their number by the British Columbia Government.

The course of action in relation to the Reserve which was pursued by Mr. Bowser when he was Attorney-General of that province failed because there was no legal foundation for what he set out to do.

While.....

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

While it cost him, presumably, $350,000.00, the loss incurred was a loss to the people of British Columbia whom he represented. It would appear that by Order-in-Council, P.C. 318, 1928, Canada undertook to underwrite that loss by engaging to pay $350,000.00 to the Province of British Columbia in exchange for a title to the Kitsilano Indian Reserve, (which save as to the right of reversion it already had).

We must not overlook the fact that the whole Kitsilano Reserve and not any half or part of it belongs to the Indians of the Squamish Band. Their right to it is unaffected by any consideration of what it may have cost, or may cost, Canada to acquire it. It would appear that if Canada wishes to extinguish its debt to British Columbia by a transfer of 35.98 acres of Indian lands then Canada must first buy that acreage from the Band on such terms as can be arranged. If such lands were acquired from the Band then Canada would be in a position to legally exchange it for a discharge of the debt of $350,000.00 owing to the Province of British Columbia. In short Canada must pay her debt to the Province out of her own proper funds and not with funds or property which are the property of the Squamish Band of Indians. The Kitsilano Indian Reserve in the judgment of this branch belongs to them and to them only.

The value of this memorandum may only be to place our view of the facts of the controversy before you. It is acknowledged that it will be of little assistance in furthering a compromise agreement with British Columbia however desirable such a settlement may be. A surrender from the Indians is, in the view of this branch, a prerequisite to any settlement and it is anticipated that a surrender from the Band save on their own terms will be exceedingly difficult to obtain.

As requested the copy of the letter which accompanied Mr. Jackson's memorandum is returned herewith.

Director.

DJA/G
Encl.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

At the request of Dr. McGill
this memorandum although unsigned
was sent forward today Sept 5,
Dr. McGill being out of the city.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28435-3

OFFICE OF THE DEPUTY MINISTER

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

Department of Mines & Resources
Indian Affairs Branch.
SEP 20 1939
REGISTERED

Ottawa, September 19th, 1939.

MEMORANDUM:

Dr. H.W. McGill,
Dir. of Indian Affairs Branch.

The Minister has considered your memorandum of the 31st ultimo in reference to the Kitsilano Indian Reserve. The situation would appear to be that so long as the lien or claim of the Province remains undischarged, no disposition can be made of the property. It is evident that only a small fraction of revenue has been obtained from this valuable piece of property and that it is not in the interest of the Indians to allow the matter to continue in its present state. The Minister expressed the view that every effort should be made to work out a solution with, of course, the consent of the Indians. It will be noticed that Mr. Holland in his letter to Premier Pattulo stated he had discussed the matter with Agent Ball who personally expressed the view that he was in favour of the settlement suggested by him.

Whether it will be possible to obtain the consent of the Indians is another question, but the Minister desires that a copy of Mr. Holland's letter be forwarded to Commissioner MacKay and that he be instructed to go into the whole matter carefully and report upon the advisability and possibility of attempting to secure the consent of the Indians who are interested in a settlement along the lines suggested by Mr. Holland or along any other lines that he might consider satisfactory. The Minister expressed the view that the important point to bear in mind was the fact that little, if any, revenue had been received by the Indians for many years and that they could not hope to benefit by allowing the matter to remain in its present position.

C.W. Jackson,
Chief Executive Assistant.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Ottawa, Ontario,
October 6th, 1939.

Dear Sir: Re Kitsilano Indian Reserve.

Under date of August 14th, 1939, this Department received a letter signed by Mr. R. Rowe Holland, Chairman of the Board of Parks Commissioners, City of Vancouver, suggesting a settlement of the Kitsilano Indian Reserve dispute between the Provincial and the Dominion Governments. On instructions from the Minister a copy of the letter is being forwarded herewith.

It is the Minister's wish that you should go into this whole matter carefully and report upon the advisability and possibility of attempting to secure the consent of the Indians who are interested to the settlement along the lines suggested by Mr. Holland, or along any other lines that you might consider satisfactory.

You of course are aware that little if any revenue has been received by the Indians for many years from this Reserve and that they cannot hope to benefit to any greater extent than in the past if the matter is allowed to remain in its present position.

For your information and guidance, and for whatever value it may hold for you, a digest of the whole course of dealings with respect to the Kitsilano Indian Reserve No. 6 recently made by Mr. C.H. Taggart and Mr. L.L. Brown of this Branch is enclosed. We are also enclosing a compiled plan of the Reserve with a legend attached by Mr. Taggart which will assist you in getting the present picture as disclosed by Departmental records.

Please.....

Major D.M. MacKay,
Indian Commissioner,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

Please give this whole matter your attention and report thereon to this Branch as soon as you are in a position to do so.

Yours very truly,

Director.

DJA/G

Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

28835-3

AIR MAIL

Ottawa, Ontario,
October 6th, 1939.

Dear Sir: Re Kitsilano Indian Reserve.

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It is the Minister's wish that you should go into this whole matter carefully and report upon the advisability and possibility of attempting to secure the consent of the Indians who are interested to the settlement along the lines suggested by Mr. Holland, or along any other lines that you might consider satisfactory.

You of course are aware that little if any revenue has been received by the Indians for many years from this Reserve and that they cannot hope to benefit to any greater extent than in the past if the matter is allowed to remain in its present position.

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Please.....

Major D.M. MacKay,
Indian Commissioner,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Poor Copy

Please give this whole matter your attention and report thereon to this Branch as soon as you are in a position to do so.

Yours very truly,

Director.

DJA/G

Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

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Victory of Common Sense

IT is splendid news that comes from Victoria. After more than a quarter of a century of bickering, the major portion of Kitsilano Indian Reserve may shortly come under Vancouver Park Board jurisdiction. English Bay foreshore between Cardero and Bute streets will also be made available for park and beach purposes.

At last in sight is the cherished goal of many generations of commissioners. The entire seafront of Vancouver from Stanley Park to Burrard Bridge and thence around Point Grey to the Musqueam Indian Reserve may gradually be landscaped for beauty.

Last week representatives of all public bodies affected met together in Victoria and arrived at a decision which surely could have been reached long ago. The thirty-four acres of the reserve west of the bridge will be transferred to the B. C. Government, which made the original purchase of the property, and by it leased at nominal rental to the city. The province in turn releases to the Dominion in trust for the Indians the "industrial" eleven acres east of the bridge and this will be leased to private interests in much the same manner as are the lots on Granville Island.

Many other difficulties must be faced before this little wilderness in the heart of Vancouver can be transformed into a park, but at least the site has been transferred to one authority rather than three.

The duty of the commissioners will how be to take a long range view of their new acquisition and, arming themselves with a programme of general English Bay development, forestall any attempt to turn the reserve to a purely local or short-time advantage.

Vancouver Daily Province Oct 11 '33

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

OF THE
GENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Dept. of Mines & Resources
Indian Affairs Branch.
OCT 23 1939
REGISTERED

PLEASE QUOTE
FILE

416 Federal Building,
Vancouver, B. C.
October 17th 1939.

1. W. MacKay
To be returned
when dealt with
Reed Hon
2.

Sir:

I have the honour to enclose herewith another editorial re Kitsilano Reserve. It mentions that "representatives of all public bodies met together in Victoria " - apparently they were representatives of all but the owners of the Reserve, who are the most important.

The scheme they mention is another one of Mr. Rowe Holland's ideas. He has written in one letter that I am in favour of it. That is a decided untruth. He called to see me and gave me a sketchy idea of what was in his mind and I told him it was the first time he had suggested anything which could even be considered by the Indians. Whether I am favourable or not is of no moment, it is for the Squamish Indians to decide.

However, Mr.Commissioner MacKay now has the matter in hand, and we will meet the Indian Council in the near future.

In another part of the Reserve, east of the bridge, adjoining the Seaforth Armoury,the Department of Defence has applied for a "loan", of five acres, for the erection of huts, and have commenced operations. It will be necessary for the Department to arrange a lease of the five acres, and they have been so advised. The Indian Councillors cannot see why they should give this land as a contribution to the State, when elsewhere, white people are not giving up land free for military purposes. On the cut-off portion of Capilano Reserve, another piece of land has been taken for military purposes, and these three matters have again disturbed the Squamish people.

EXTRACT
re 29167-4
for reference
purposes

The present state of war should not be made an excuse for taking Indian lands without payment. However, I have no doubt Mr.Commissioner MacKay, who now has these matters in hand, will protect the Indians' interest in this instance.

The site is a most valuable one for ship-building, if the City of Vancouver would only forget the park idea. An offer will shortly be made for the property for that purpose, and as it would be for war purposes, at present, I consider it should have preference over any park . This refers to the 35 acre piece west of the bridge, which structure prevents the use of the portion of the Reserve east of the bridge.

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

B/DH.

(F.J.C.Ball)
Indian Agent.

Harold W. McGill, Esq., M.D.
Director of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

"B.F." SLIP

"B.F."

FOR

Date JAN 1

Initials

R 7562

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

EXTRACT
ORIGINAL ON
63-167

416 Federal Building,
Vancouver, B.C., Nov. 21, 1939.

Sir,-

I beg to advise that ameeting of the Squamish Council was held on Nov. 17, 1939, in the Council House on Squamish I.R. No. 1, North Vancouver, commencing at 7.30 P.M.

x x x

After a number of motions had been considered, and the usual Council business attended to, the meeting was addressed by the Indian Commissioner on the proposed exchange of land on Kitsilano Reserve, which he will no doubt report upon in due course. No settlement was made, as the Council wishes to discuss it at a general meeting of the whole tribe.

x x x

F. J. C. Ball,
Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

File No. 28835-3

Credit Advice

Dec. 12 1939

The following remittance has been received from

Indian Agent F. J. C. Ball at Vancouver

and recorded in the Official Cash Book. Folio

Amount $ 10.00

Agency Receipt No. 38712 dated Nov. 28/39

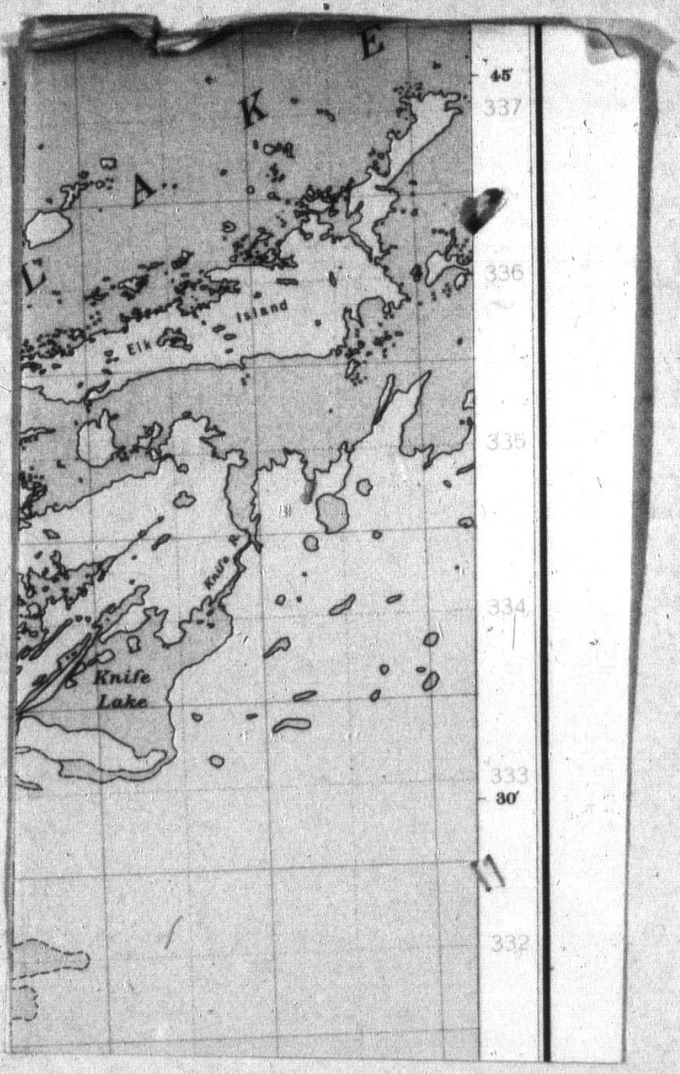
Payer Geo. M. Grant on account of Rental pt. I. R. #6. for Dec/39.

Lease Susp. 576.

For Treasury Branch.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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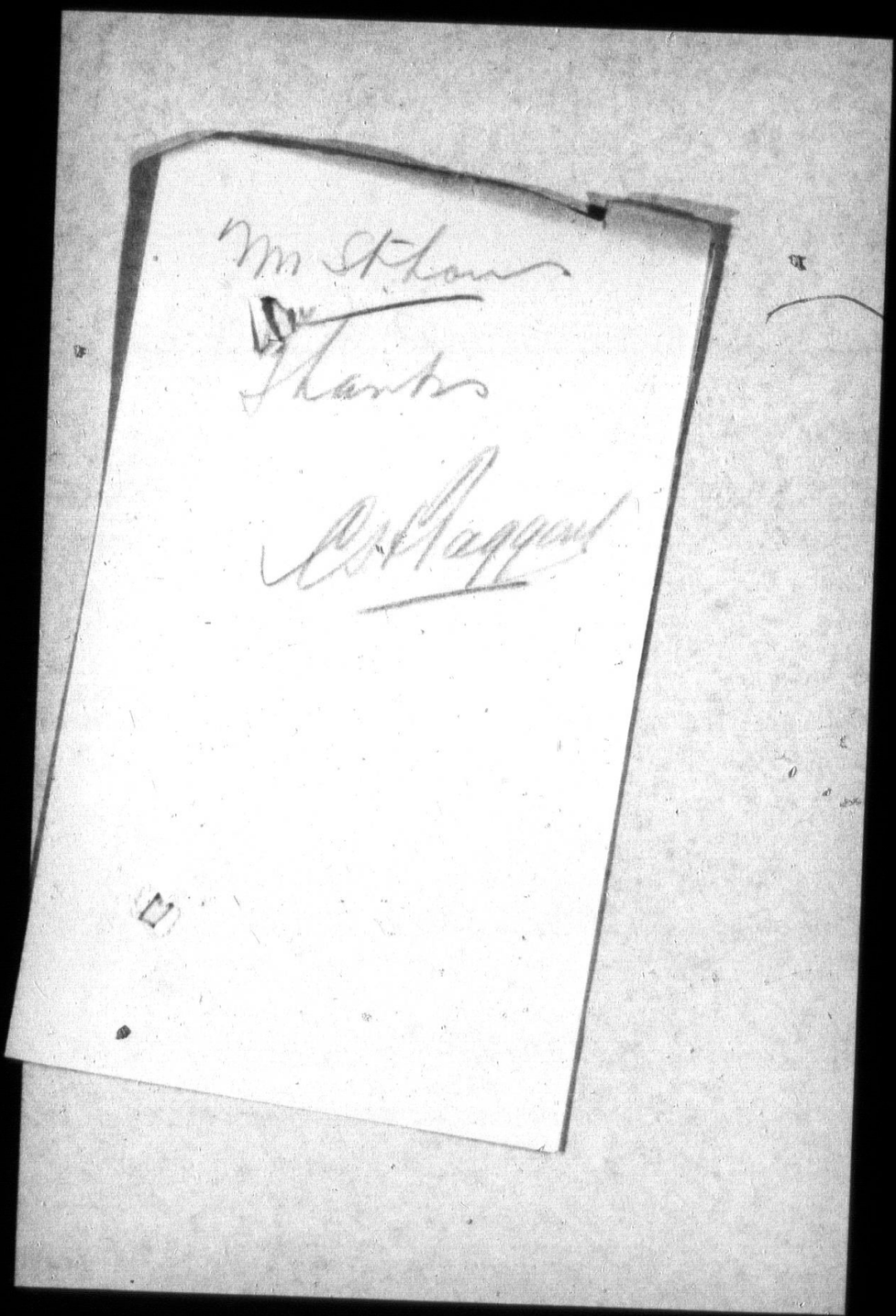
CANADA



Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 105/3094.
ALSO TO DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Department of Mines & Resources
Indian Affairs Branch
DEC 26 1939
REGISTERED

P.O. BOX 70
VANCOUVER, B.C. December 20, 1939.

Dear Sir:

I have to refer to your letter of October 6th, your file 28835-3, regarding certain proposals suggested by Mr. Rowe Holland, Chairman of the Board of Park Commissioners of this city, for a settlement of the Kitsilano Indian Reserve question.

The proposals submitted by Mr. Holland were explained by me to the Squamish Indian Council at a meeting on November 17th, due notification of which had been given by the Agent in the regular way. In view of the importance of the subject, the Council considered that the matter should be discussed with the Band as a whole and requested typed copies of Mr. Holland's proposals together with prints of the suggested subdivision of the Reserve for this purpose. This information was supplied to the Indian Council through the office of the Indian Agent on November 28th. The Council agreed to call a meeting of the Squamish Indians so that the proposals submitted could be fully discussed. Following this meeting the Council is to notify Mr. Ball of the date when the Band would be prepared to meet the Departmental representatives to further discuss the subject.

This is how the matter stands at the moment and it is not expected that the Indians will be in a position to make known their views with respect to these proposals until some time in January.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

/AC

Dr. H. W. McGill,
Director of Indian Affairs,
Department of Mines and Resources,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

Minister's Office

MEMORANDUM

2nd January, 1940.

Department of Indian Affairs
JAN 4 1940
REGISTERED

The Deputy Minister.

Re - Kitsilano Indian Reserve.

Referring to Dr. McGill's memorandum of August 31st, has Major MacKay's report been received? If so, a further letter to the Honourable Ian Mackenzie might be prepared for the Minister's signature.

W.J.F. Pratt,
Private Secretary.

Dr. McGill -

For information and
draft letter as requested.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EXTRACT from letter dated October 19, 1939, from Mr. R. Rowe Holland, of the firm of Grossman , Holland & Co., Barristers and solicitors, Vancouver, B. C., and also Chairman of the Board of Park Commissioners of Vancouver, addressed to Mr. T. R. L. MacInnes, Indian Affairs Branch, Ottawa.

x x x x x x

I appreciate very much your letter of October 11th, and just as soon as I had things in shape I intended to write you in connection with Kitsilano Indian Reserve. I have sounded out both Mr. Ball and Major Mackay and they regard the proposal as thoroughly sound from the viewpoint of the Indians. The City and Harbour Board authorities will co-operate, and I am quite sure that when the time comes we can obtain the co-operation of your Department and the Federal Government as I had quite a long talk with the Honourable Mr. Crerar on several occasions, and he agrees thoroughly that the Western portion of the Reserve is of no value for anything but park purposes.

In the meantime, however, the Honourable Mr. Hart seems to balking. He sees an opportunity of doing some horse trading with the Federal Government, and trying to get a credit of $350,000.00 that was abortively paid by the Province, on the somewhat large loan from the Federal Government to the Province for relief. I will write you personally just as soon as the situation is clarified a bit.

x x x x x x x x x x x x x

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Ottawa, January 9, 1940.

Dear Rowe:

Re: Kitsilano Indian Reserve.

I have deferred replying to your letter of October 16 last as I have been awaiting more information from our local officers on the question of your plan for the acquisition of part of the Kitsilano Reserve for park purposes.

I am now in receipt of an interim report from Commissioner MacKay in which he states that your proposals were explained to the Squamish Indian Council at a meeting held on November 17, and that the Council proposed to call a meeting of the whole band to consider them.

I shall be interested to learn the result of the meeting. In any event, however, as I think you understand fully, progress in the matter is dependent essentially upon two factors; first, the consent of the Indians to the surrender of the land, and second, the waiver by the Province of its claim. Having in mind your observations regarding Provincial policy I would point out that the first of the considerations above mentioned cannot be met satisfactorily without a clear-cut understanding among all parties concerned as to the second.

The Honourable Mr. Mackenzie is being advised as to the present position and I shall let you know when further information is available.

Yours very truly,

T. R. L. MacInnes,
Acting Director of Indian Affairs.

R. Rowe Holland, Esq.,
Barrister, Etc.,
Stock Exchange Building,
Vancouver, B. C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

Ottawa, January 9, 1940.

Dear Sir:

I have to acknowledge receipt of your letter of December 30 with further reference to the proposals suggested by Mr. Rowe Holland, Chairman of the Board of Park Commissioners of Vancouver, for a settlement of the Kitsilano Indian Reserve question.

I shall be obliged if you will let me know as soon as the meeting of the Band is held or any other developments occur in connection with the matter.

In the meantime, for completeness of record here, I have advised Mr. Holland of the gist of your report, although I presume he has already received this information from you.

Yours very truly,

T. R. L. MacInnes,
Acting Director.

Major D. M. MacKay,
Indian Commissioner,
P. O. Box 70,
Vancouver, British Columbia.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Ottawa, January 9, 1940.

MEMORANDUM:

Deputy Minister.

I have to refer to Mr. Pratt's memorandum of January 2 regarding the Kitsilano Indian Reserve.

An interim report has been received from Major MacKay stating that the proposals submitted by Mr. Holland were explained by him to the Squamish Indian Council which proposed to hold a meeting of the whole Squamish Band to discuss them further.

Major MacKay has been requested to advise this office as soon as this meeting is held or any other developments occur. I would suggest that this information as to the present position of the matter be conveyed to Mr. Mackenzie with the intimation that further information will be furnished him as soon as available.

T. R. L. MacInnes,
Acting Director.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

ADDRESS REPLY TO THE SECRETARY, INDIAN AFFAIRS BRANCH

CANADA
DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE FILE 28835-3

OTTAWA, January 15, 1940.

MEMORANDUM:

Mr. Allan.

Interim correspondence re the Kitsilano Park proposal was dealt with in the Director's office as agreed, and the file is referred to you for such action as may be considered necessary when a further report is received from Commissioner MacKay.

T. R. L. MacInnes,
Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835 3

TRINITY 1377

ROSSMAN, HOLLAND & Co.

BARRISTERS AND SOLICITORS

EXD.

STOCK EXCHANGE BUILDING

VANCOUVER, B.C.

January 15th, 1940

Department of Mines and Resources
Indian Affairs Branch
JAN 18 1940
REGISTERED

T.R.MacInnes, Esq.,
Department of Mines & Resources,
Indian Affairs Branch,
Ottawa

Dear Loftus: Re: Kitsilano Indian Reserve

Thanks for your letter of January 9th. Just as soon as we have a definite concurrence between the Provincial Government and the Federal Government, then a meeting of the whole Squamish Tribe to consider it, would be in order. In the meantime the Honourable the Premier, T.Duff Pattullo, is on his way to Ottawa and our mutual friend, the Honourable Ian Mackenzie, who has always been a great co-operator and enthusiast, will contact him and he, the Premier, has promised that he will discuss the whole matter with the Honourable Mr. Crerar.

If we have the Province and the Dominion in agreement, it might be a good idea to adopt Mr.Crerar's suggestion that he would send out Dr.McGill. There is no doubt that this proposal has a better chance of meeting with the concurrence of the Indians than any other that has been put up to date.

My thought was not to tackle the Indians except in the tentative way already undertaken until the Honourable Mr. Mackenzie has been able to get the Dominion and the Province seeing eye to eye. He and I have worked together on it from the start.

I know that anything that you can do to help matters along on behalf of the old home town, you will do and particularly when this proposal seems to be so obviously in the interest of the Indians themselves, in which you are naturally primarily concerned.

Yours very truly,

R. Roome Holland

Chairman, Vancouver Parks Board

RRH/C

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

File No. 28835-3

Credit Advice

M[redacted]O.

Feb. 7th 1940

The following remittance has been received from

Indian Agent F. J. C. Ball at Vancouver

and recorded in the Official Cash Book. Folio

Amount $ 10.00

Agency Receipt No. 38764 Date Jan. 3rd/40

Payer Geo. M. Grant on account of Rental portion of I.R.6. for January 1940.

Lease Susp. 576.

For Treasury Branch.

Mr. Bellins

Department of Mines & Resources
Indian Affairs Branch
FEB 12 1940
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

February 10, 1940.

EXD.
A.

Dear Sir:

Our records indicate that recently you have forwarded to the Department two payments of rental in the amount of $10.00 each, paid by George M. Great for some privilege affecting the Kitsilano Indian Reserve. Will you be good enough to advise the Department of the reason for these payments and, if the occupation of reserve lands is involved, supply the necessary application for permit or lease.

Yours very truly,

T. R. L. MacInnes,
Secretary.

F. J. C. Ball, Esq.,
Indian Agent,
416 Federal Building,
Vancouver, B. C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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[redacted]

3

28835

Department of Mines & Resources
Indian Affairs Branch
FEB 13 1940
REGISTERED

MINUTES OF MEETING OF SQUAMISH COUNCIL -Held Feb.8, 1940.

x x x

Meeting called to order 7.30 P.M. to discuss Kitsilano Reserve matters, and the Holland offer of dividing the reserve between the City of Vancouver and the Indians. After a full discussion the following resolution was presented:

Moved by Councillor Gus Band
Seconded by Councillor Denny Paull.

That the Council regrets they cannot accept the offer of the Vancouver Parks Board proposed by Mr. R. Rowe Holland to the Squamish Indian Council as outlined in his letter dated August 14th, 1939 to the Premier of British Columbia, the Hon. T. D. Pattullo.

Carried Unanimously.

Moved by Councillor Denny Paull
Seconded by Chief Moses Joseph

That the Squamish Indian Council is always prepared to consider any reasonable proposition with regard to Kitsilano reserve.

Carried Unanimously.

x x x

F. J. C. Ball.
Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

OFFICE OF THE INDIAN AGENT

CANADA
DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

416 Federal Building,
Vancouver, B. C.
February 16th 1940.

Sir:

re: File No.28835-3

In reply to your letter of the 10th instant regarding payments of $10.00 a month by George M. Groat affecting Kitsilano Reserve, this man had piled a quantity of wood on the Reserve for the cook-houses of the Seaforth Armoury, but the place where it was piled was needed for a hut, and I instructed him to remove it, which he did, to a place still on the Reserve adjacent to the cook-houses. I made a temporary arrangement with him until he could get rid of the wood, which he is doing as quickly as possible, and when it has gone, no further money will be forthcoming from Groat.

I did not apply to the Department for the usual permit as it was a small matter, and only a temporary arrangement, but I felt that he should pay something for having the wood there. It was really piled on the Reserve without permission in the first place, but the circumstances did not warrant action for trespass.

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

(F.J.C.Ball)
Indian Agent.

B/DH.

The Secretary,
Indian Affairs Branch,
OTTAWA.

Department of Mines & Resources
Indian Affairs Branch.
FEB 20 1940
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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GOVERNMENT OF CANADA

CLASSES OF SERVICE

DAY MESSAGES X

DAY LETTER [redacted]

NIGHT MESSAGE

NIGHT LETTERS

File

CANADA

RADIOTELEGRAPH SERVICE

ADMINISTERED BY

DEPARTMENT OF NATIONAL DEFENCE—OTTAWA, CANADA

TELEGRAPH, CABLE AND RADIO CONNECTIONS TO ALL PARTS OF THE WORLD

NUMBER	SENT TO	SENT BY	REC'D BY	TIME SENT	TIME FILED	CHECK

SEND THE FOLLOWING MESSAGE SUBJECT TO THE TERMS ON THE BACK HEREOF :—

Ottawa February 26 1940

Major D M MacKay
Indian Commissioner
Vancouver British Columbia

AGENT BALL REPORTS SQUAMISH COUNCILL FEBRUARY EIGHTH UNANIMOUSLY REJECTED VANCOUVER PARKS BOARD PROPOSAL AS OUTLINED IN CHAIRMANS LETTER TO PROVINCIAL PREMIER ON AUGUST FOURTEENTH stop PRESUME THIS CLOSES QUESTION FOR PRESENT BUT BEFORE OFFICIALLY ADVISING INTERESTED PARTIES TO THAT EFFECT WOULD LIKE TO HAVE ANY COMMENTS YOU MAY WISH TO MAKE BY AIR MAIL

T. R. L. MacInnes
Secretary

Phoned by: Jon
Rec'd. by: B W
Time: 1214
Indian Affairs.

N.D.—G. F. 4c.
1,600—pads 100—6-38 (732)
H.Q. 82-20-5

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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PUBLIC ARCHIVES
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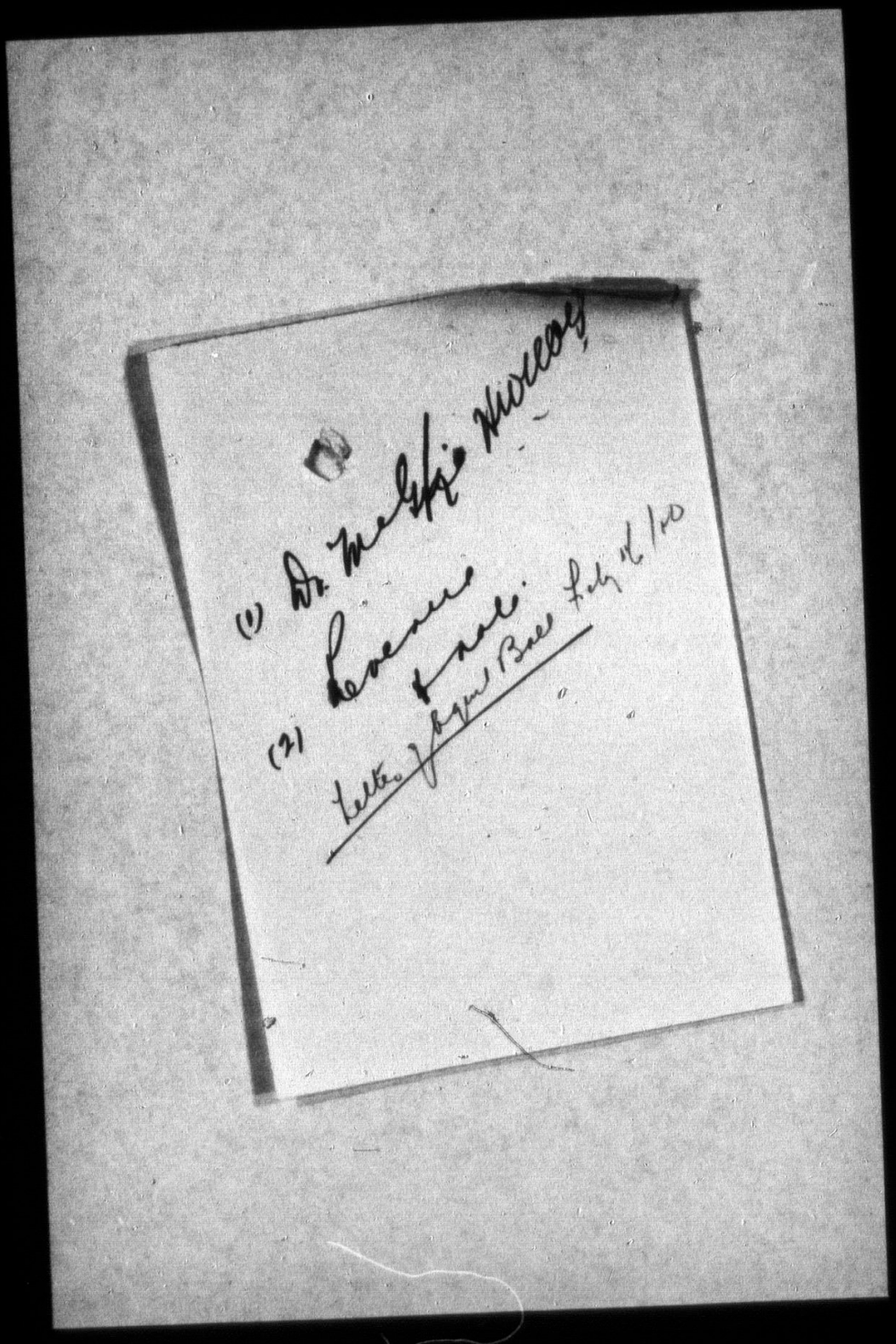
CANADA



Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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MEETING OF SQUAMISH INDIAN COUNCIL

FEBRUARY 8th 1940.

PRESENT:	Indian Agent	F.J.C.Ball, Chairman of Council
	Secretary	Tim Moody
	Interpreter	Councillor Louie Miranda
	Councillors	Chief Moses Joseph
		Louie Miranda
		Chief Jimmie Jimmie
		Denny Paull
		Frank Baker
		William Baker
		Henry Jack
		Stanley Joseph
		Alfred Jacob
		Edward Charlie
ABSENT:	Councillors	Chief George Williams (sick)
		Elvie Andrew (no report)
		Chief Matthias Joe (in U.S.A.)

RESOLUTIONS

Moved by Councillor Gus Band
Seconded by Councillor Denny Paull

THAT the Council regrets they cannot accept the offer of the Vancouver Parks Board proposed by Mr.R.Rowe Holland to the Squamish Indian Council as outlined in his letter dated August 14th 1939 to the Premier of British Columbia, the Hon.T.D.Pattullo.

CARRIED UNANIMOUSLY

Moved by Councillor Denny Paull
Seconded by Chief Moses Joseph

THAT the Squamish Indian Council is always prepared to consider any reasonable proposition with regard to Kitsilano Reserve.

CARRIED UNANIMOUSLY

I HEREBY CERTIFY that I was personally present and presided at the meeting of the Squamish Indian Council at which the foregoing resolutions were unanimously passed and carried.

Fredk G Ball
.....
Indian Agent.

INDIAN COMMISSIONER
FEB 10 1940
VANCOUVER, B. C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835 31

INDIAN AFFAIRS BRANCH

INDIAN COMMISSIONER
BRITISH COLUMBIA

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

IN YOUR REPLY REFER TO
NO 105/4193.
ALSO TO DATE OF THIS LETTER

Dept. of Mines & Resources
FEB 28 1940
REGISTERED

P.O. BOX 70
VANCOUVER, B.C.

February 26, 1940.
AIRMAIL

Dear Sir: Re Kitsilano Indian Reserve No.6,
Your File 28835-3

I have to refer to your letter of October 6th, 1939, and subsequent correspondence regarding certain proposals suggested by Mr. Rowe Holland, Chairman of the Board of Park Commissioners, Vancouver, with respect to the marginally noted Reserve.

Following a meeting with the Squamish Indian Council on Nov. 17th at which the proposals referred to were very carefully explained, the subject has been considered by the Band and Council jointly at regularly called meetings, and finally by the Council on February 8th when a resolution rejecting the proposals was passed. A copy of this resolution is attached for your information and records.

Perhaps I should say that at no time did the Indians indicate any enthusiasm in regard to the proposals but on the other hand were inclined to oppose any division of the Reserve as that suggested from the outset. Indeed it might be well for me to observe here that it would be extremely difficult to get the Indians to favorably consider any proposals short of outright purchase of their full right and interest.

As the years pass Municipalities and others, sometimes without regard to the rights and best interests of the Indians, continue to press for Reserve lands for one purpose or another. As the Government of Canada has assumed the trusteeship of Indian estates or in other words, holds trust title to Indian lands, it goes without saying of course what its duty is with respect to such trusteeship. The Department will agree that our position is quite clear in such cases as the one before us and that is as the advocate of Indian rights to the fullest extent. Any

Dr. H. W. McGill,
Director of Indian Affairs,
Department of Mines and Resources,
Ottawa, Ont.

departure ...

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

departure from this position can only result in the Indian ceasing to regard the Government of Canada as his protector and would tend to create suspicion, if not distrust of our motives, with the usual consequences. In long drawn out disputes such as the one under review one might be inclined to assume the role of arbiter which no doubt the Department would seek to steadfastly avoid as it could not possibly be consistent with its duty as trustee.

It is my considered opinion that any proposals with respect to the acquisition of this reserve to have any chance of being favorably considered by the Indians, would have to be on a cash purchase basis.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

/AC

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

File No. 28835-3

Credit Advice

MEMO.

Feb. 29 1940

The following remittance has been received from

Indian Agent F. J. C. Ball at Vancouver

and recorded in the Official Cash Book. Folio

Amount $ 10.00

Agency Receipt No. 38801 dated Feb. 3-1/40

Payer Geo. M. Grant on account of Rent - February/40. I.R. #6.

Lease Susp. 576.

For Treasury Branch.

Department of Mines & Resources Indian Affairs Branch FEB 28 1940 REGISTERED

28835-3

Minister's Office

MEMORANDUM

29th February, 1940.

Department of Mines & Resources Indian Affairs Branch MAR 1 1940 REGISTERED

The Deputy Minister

Re - Kitsilano Indian Reserve.

Referring to the memorandum of January 9th last submitted by the Acting Director of Indian Affairs, and previous memoranda, has a meeting of the Squamish Band been held and a report submitted by Major MacKay?

W.C. Bethune,
Asst. Private Secretary.

Dr. McGill -

For information as requested.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Ottawa, February 29, 1940.

Memorandum.

The Deputy Minister.

I have to refer to memorandum of January 9, 1940, regarding the Kitsilano Indian Reserve, and to previous correspondence.

I am enclosing herewith copy of report received from Commissioner MacKay on the subject. As the Indians have rejected the proposal I do not think that there is any further action to be taken in the matter at this time.

DIRECTOR.

TRLM
PEY

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

March 1,1940.

Dear Rowe:

As I think no doubt you are quite well aware the Squamish Band of Indians at a meeting held especially for the purpose on February 8, 1940, unanimously rejected the proposal as outlined in your letter of August 14, 1939, to Premier Pattullo.

From reports received from our local officials I am convinced that any other suggestion along similar lines would also be rejected by the band. As I have made clear to you before this department has no power to compel the Indians to consent against their will, nor would it be proper to place any undue pressure upon them to that end. Frankly, I do not think that anything can be done until the city is prepared to offer a very substantial sum of cash, which moreover, would have to be accompanied by a waiver from the Province of its claim. I understand quite well that anything like that is not practicable at this time.

In the circumstances I am afraid that we will all have to forget about the proposition, at least, for the present.

With kindest personal regards,

Yours sincerely,

R.Rowe Holland,Esq.,
Messrs Grossman, Holland
and Company,
Barristers, etc.,
Vancouver, B.C.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Air Mail

28835-3

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original signed
T.R.L. MacInnes.

R.Rowe Holland,Esq.,
Messrs Grossman, Holland
and Company,
Barristers, etc.,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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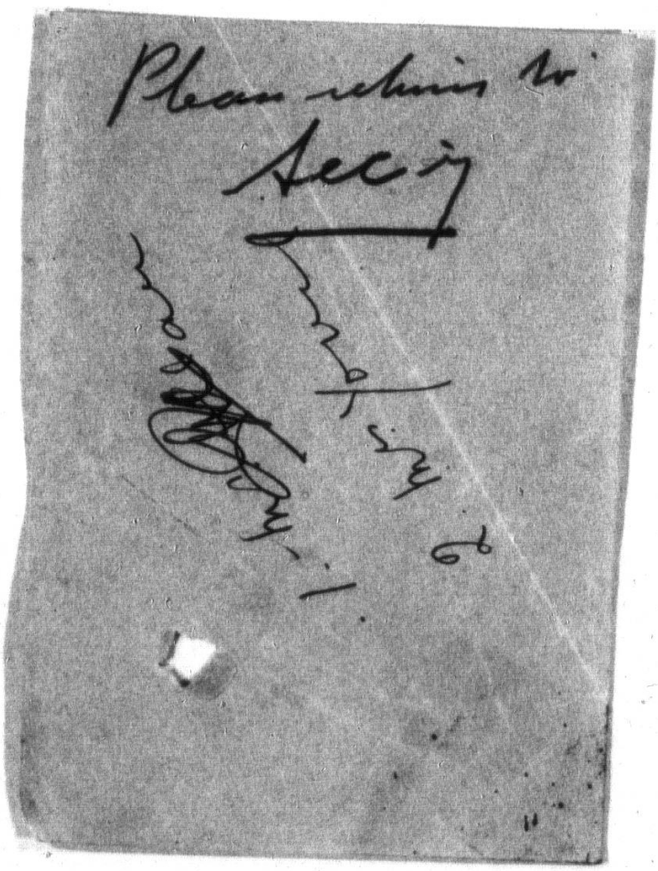

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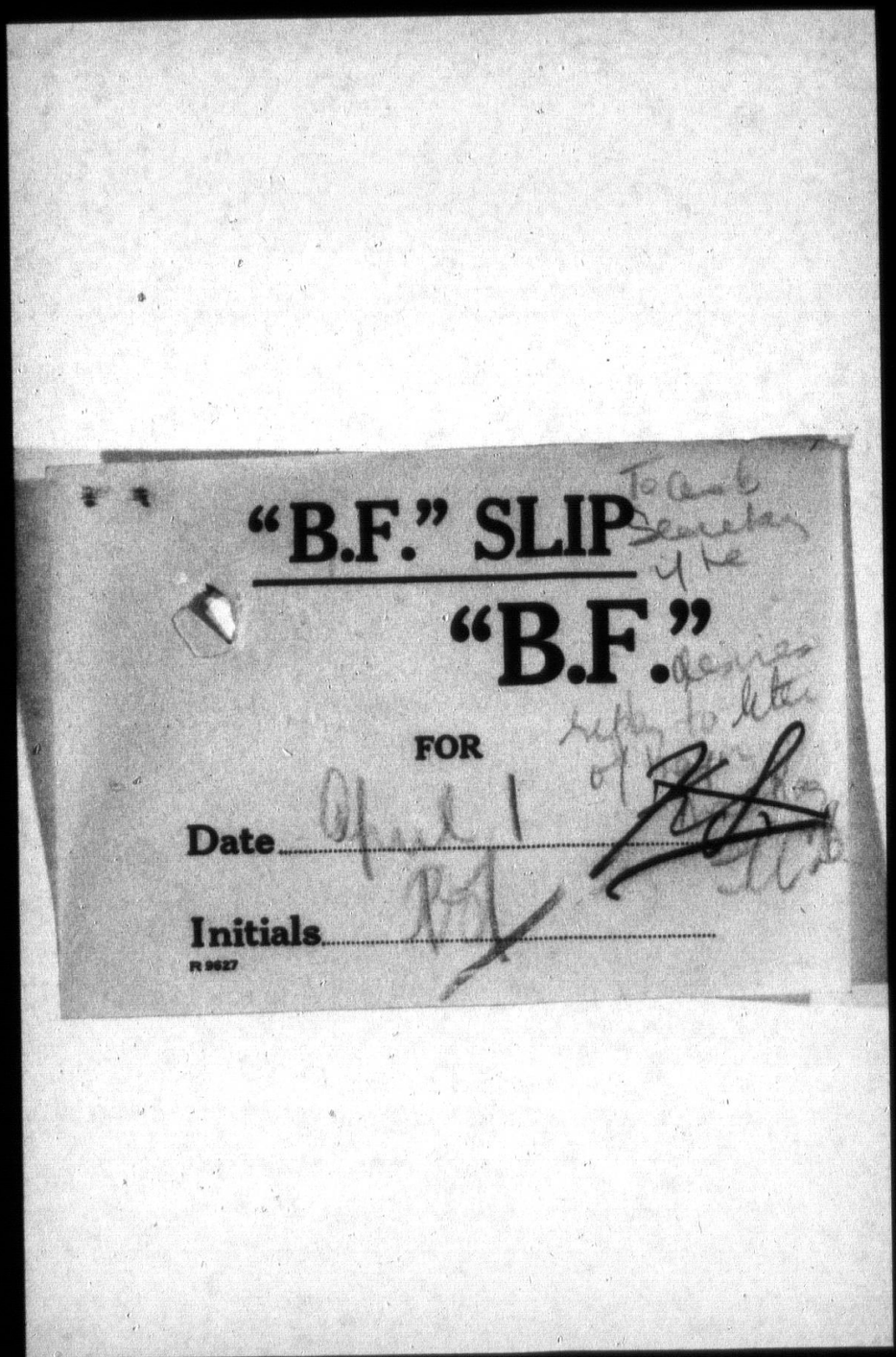

"B.F." SLIP

To Asst Secretary if he desires reply to letter of [illegible]

"B.F."

FOR

Date April 1

Initials RJ

R 9627

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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EXTRACT

FOR

FILE

from a letter from Mr. R. R. Holland of
Grossman, Holland & Co.
Barristers and Solicitors,
Stock Exchange Building,
Vancouver, B. C.

dated March 4th, 1940.

to:

T. R. L. MacInnes, Esq.,
Department of Mines & Resources,
Indian Affairs Branch,
Ottawa

x x x

I was delighted to hear from you as of March 1st. You were quite wrong in assuming that I knew that the Squamish Indians had held a meeting for considering the Kitsilano Reserve proposal, or that they had turned it down unanimously or otherwise.

I had no idea that the proposal would be put to the Band until such time as I had the concurrence of the Provincial Government. In the shape that the proposal was in in my letters, and in view of the fact that there could be no advocacy and was not, I presume, on the part of your officials, I am not at all surprised that the proposal was rejected.

Had I thought that the proposal would be made, I would have written covering all the elements, so that the letter could have been read to the Council. I certainly should have pointed out:

1. That the Provincial Government have a mortgage, in effect, of some $350,000.00;

2. That on a basis of all sales made in the last few years, namely, for the Burrard Street Bridge, for the Armouries, etc. the arbitration price was $7,000. which puts a value of $350,000. on the 50 acres, which means that the Indians at present, have no actual monetary interest;

3. With the zoning restrictions imposed and with the powers of taxation, unless specially exempted by the City of Vancouver, on Lessees, the property

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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will not, in any Indian's life time, be worth any more:

4. That as far as the Provincial Government and the Indians are concerned, it is a sort of a dog in the manger position that is bringing them both into bad esteem and repute with the people of the City of Vancouver who, in the aggregate, amount to about half the population of B.C.:

5. That the 18 acres, more or less, that the Indians would be getting free and clear, would be subject to tax exemption; to a foreshore lease; which 18 acres could be leased to one man for $6,000.00 per year, but would probably bring $10,000.00 if they handled it themselves, as I think they would. (Sharples, the real estate man, says he can move most of the Coal Harbour small boat industries out there.)

6. That $10,000.00 is 5% interest on $200,000.00, which capitalizes their interest in the Reserve at $200,000.00 increasingly as the years to come make the rental value of their land more, so that they can both have their cake and eat it.

7. That in cases in Vancouver where the City is making use of their taxing power on Lessees of Government land, the tax is generally as much or more than the rent reserved by the Government and that, therefore, the 18 acres of tax exempt land is economically as useful as 36 acres of land subject to tax. They are, therefore, getting the equivalent to a 50/50 split; therefore, the Reserve is being valued for the purpose of the split at $700,000. - 50% to them and 50% to the Government for park purposes.

8. That we intend to use the land we get for an "Indian Park" erecting a symbolic Indian House, the last one of which crumpled to dust in Alert Bay some years ago, to house therein the Lipsett collection of Indian relics and Indian art work, and to add to it through the years, making the park a centre of Indian cultural life and interest; to make available to the public, with the help of the Indians, authentic Indian work so that our tourists will not be purchasing imitation stuff made in Germany or Japan, and in little factories in Vancouver; to gather

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together the bibliography of the colorful, romantic legendary history of the Coastal Indians, from whom we inherited this country; to make of the property "their Park" and "their Memorial" and to use it very largely for "their purposes.

You will see that I was somewhat surprised to know that the matter had been put up to the Indians at all before I had received the assent of the Provincial Government.

I am afraid that if you are correct and on the "unadvocated submission of my letters, nothing further can be done with the Indians - and I do not think that that is the situation - then there is only one thing to do and that is, on a basis of realism, to urge upon the Department to bring pressure to bear on the Indians to put a value upon their interest, subject to the $350,000.00 mortgage, and if it is at all reasonable, to ask the Federal Government to liquidate it for us, and by arrangement with the Provincial Government to jointly turn this into a Park.

After all, while I have every sympathy with the Indians and understand thoroughly the position which the Federal Government and your Department have got to take officially towards the Indians, there is a limit to the extent to which the Indians may be allowed to stand between 750,000 tax payers ~~xxx~~ in an obdurate retention of a bull headed and thoroughly unjustifiable position.

x x x x

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835--3

EXTRACT
FOR
FILE

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dated March 4th, 1940.

1. File
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to:

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x x x x

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

File No. 28835-3

Credit Advice

MEMO. Supt. Reserves & Trusts

Apr. 10th 1940.

The following remittance has been received from

Indian Agent F. J. C. Ball at Vancouver

and recorded in the Official Cash Book. Folio

Amount $ 10.00

Agency Receipt No. 38834 dated Mar. 4/40

Payer Geo. M. Groat on account of Rent for March.

Lease Susp. 60

Department of Mines & Resources
Indian Affairs Branch
MAY 28 1940
REGISTERED

For Treasury Branch.

Mr. Bellins

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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C O P Y.

Minister of Lands
Province of
British Columbia.

VICTORIA, May 10, 1940.

The Hon. T. A. Crerar,
Minister of Mines and Resources,
Ottawa, Canada.

Dear Mr. Crerar:

re Kitsilano Indian Reserve.

Having reference to the Provincial Order in Council approved on the 31st January, 1928, and P. C. Order No. 318, approved 27th February, 1928, providing for the transfer to the Dominion of this reserve, and the payment by the Dominion to the Province of the sum of $350,000.00. The Province up to the present time has not received any of the consideration money referred to although there is reason to believe that the Dominion has disposed of portions of the reserve and received payment therefor, as instanced the right of way of the Burrard Street bridge and approaches which was the subject of arbitration with the City of Vancouver. Rights of way have also apparently been granted to the Vancouver and Lulu Island Railway Company and the Canadian Pacific Railway Company.

It has also been represented that certain of these lands have been taken over or set aside as a site for the new Federal Government armory.

On the 29th October, 1934, the then Minister of the Interior was communicated with in this matter, and I would refer you to his letter dated the 2nd April, 1935, dealing therewith. The conference suggested therein does not appear to have taken place and the matter is still in abeyance.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Owing to the length of time which has elapsed since the arrangement was made, it would seem desirable that action should be taken with as little delay as possible to bring the matter to a conclusion in accordance with the terms of the agreement.

Faithfully yours,

A. Wells Gray.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Owing to the length of time which has elapsed since the arrangement was made, it would seem desirable that action should be taken with as little delay as possible to bring the matter to a conclusion in accordance with the terms of the agreement.

Faithfully yours,

A. Wells Gray.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Minister's Office 28835 - 3

MEMORANDUM

May 17 1940

Department of Mines & Resources
Indian Affairs Branch
MAY 28 1940
REGISTERED

THE DEPUTY MINISTER

1. Mr Wallace
2. Secy -

Kitsilano Indian Reserve, B.C.
re- Transfer to Dominion and
payment to Province.

Will you please let the Minister have a draft reply covering the attached letter of May 10th from the Hon. A. Wells Gray, Minister of Lands for British Columbia, having reference to the above.

W.J.F. Pratt
Private Secretary.

Encl.

Dr. McGill -

For draft reply as requested.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

C H Taggart.

This looks like a polite request to pay B.C. a small matter of $9.000 odd dollars as their monthly of lands sold and leased at Kitsalano.

J. Dallas

Will you assist me in preparing a
the requ[illegible] rep

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Prov. O/C #91 31st Jan 1928

" ------

That all right of the Prov B.C. reversionary or otherwise in Kitsilano I.R. No 6. New Westminster which has been assigned Lot 2610 G.1. N.W. District Comprising 80 ac more others be transferred to the Crown in the right of the Dom of Canada as represented by Supt Genl I.A. for the Sum of $350.000.00) Conveyance to be made upon payment of said amount.

See also letters Feb 7 1928 file 28835 - 3A

P.C 318 - 27th Feb 1928
Concurred in the above.

This may be an endeavour compensation of the revenues, or amounts of sales from land alienated an amount approximating $87500.00 + any transactions recently.

I am not sure that the Prov. could make any claim stick under the circumstances,

The only way to clear the decks so as to deal with the Indians is to wipe out the $350.000.00 mortgage by applying it to the Prov. Debt.

We are not obligated to clear this off indebtedness at any given time

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY

P.C. 318

PRIVY COUNCIL
CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 27th day of FEBRUARY, 1928.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Superintendent General of Indian Affairs submits a Certified Copy of a Minute of the Executive Council of British Columbia approved by the Honourable the Lieutenant-Governor of the Province of British Columbia on January 31st, 1928, recommending as follows:

> THAT under authority of subsection 2 of Section 92 of Chapter 131, Revised Statutes of British Columbia, 1924, all the right title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in the Kitsilano Indian reserve, No. 6, New Westminster Agency, which has been assigned Lot 2610, Group 1, New Westminster District, comprising 80 acres, more or less, be transferred to the Crown in the Right of the Dominion of Canada as represented by the Superintendent General of Indian Affairs, for the sum of Three Hundred and Fifty Thousand ($350,000.00) Dollars, Conveyance to be made upon payment of the said amount.

AND WHEREAS the Superintendent General of Indian Affairs reports that the terms of the aforesaid Order are considered satisfactory, and recommends that they be concurred in and approved.

THEREFORE His Excellency the Governor General in Council is pleased to approve the terms of the aforesaid Order of the Honourable the Lieutenant-Governor of British Columbia in Council, dated January 31st, 1928, and they are hereby approved accordingly.

(Sgd.) E. J. Lemaire

Clerk of the Privy Council.

The Honourable
the Superintendent General
of Indian Affairs.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File No. 28835-3.

Ottawa, May 24th, 1940.

Dear Mr. Gray,-

Your letter of May 10th last in which you refer to Federal Order in Council P. C. 318 of February 27th, 1928 is acknowledged. I am of the opinion that you raise a subject of discussion the answer to which lies outside my Department and which will have to engage the attention of my Colleagues in the Government.

I am aware that the Order in Council of February 27th, 1928 was passed and that under its terms it would appear that the Federal Government of that day undertook to pay at some unspecified time the sum of $350,000.00 in extinguishment of "all the right, title and interest of the Crown in the Province of British Columbia, reversionary or otherwise, in the Kitsilano Indian Reserve No.6, New Westminster Agency." Why the undertaking was given or on what grounds it was based is quite outside my knowledge or understanding.

It is also true that portions of the Reserve have since been alienated and the proceeds were paid to the Indians or held in trust for them. I am quite convinced however that if any sum of money is owing to your Province under the Order in Council above referred to it is an obligation of the Dominion of Canada and is not payable out of Indian Trust Funds which are under the control of this Department.

Honourable A. Wells Gray,
Minister of Lands,
Victoria, British Columbia.

D.J.A.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

It is therefore a matter which must be referred to the Minister of Justice and Minister of Finance in order that the question of Federal liability and provision for payment may be settled and arranged.

In view of the unusually serious problems engaging the attention of all Departments and the increased volume of work with which all staffs are burdened at this time may I suggest that the question be allowed to rest for the present. The facts will not alter.

Yours sincerely,

(For the Minister's signature)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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(For the Minister's signature)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File No. 28835-3

Credit Advice

MF[redacted]

June 12th 1940

The following remittance has been received from

Indian Agent F. J. C. Ball at Vancouver

and recorded in the Official Cash Book. Folio

Amount $ 20.00

Agency Receipt No. 43088 dated May 3rd/40

Payer Geo. M. Grant on account of rent sheds on I.R.6. for April/40.

Lease Susp. 607.

For Treasury Branch.

M. Bellins

RESERVES and TRUSTS DIVISION JUN 15 INDIAN AFFAIRS BRANCH

EX.D.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(COPY)

CITY ARCHIVES,
City Hall,
Vancouver, B. C.
9th June 1940

PERSONAL

Dear Mr.Ball:

The "Province" newspaper, Sat.June 8th 1940 publishes as an editorial, a comment on this Reserve. It contains a sentence "ALL THE SAME, SOMETHING SEEMS TO BE HOLDING UP THE COMPLETION OF THE DEAL".

The Indians sold this land for about $350,000 and received about $200,000 one way or another; what happened to the balance is well known, and there are those who consider what happened highly discreditable to us as a community. If the Indian Dept. is holding up "the deal" until the approx.$150,000 with compound interest is paid the Indians, then some of us are thankful to the Indian Dept., and I wish you would be so good as to let the Indian Dept. know it. We should like the outside of the bridge as a park, but we dont want it if our posterity is to point the finger of scorn at us, and tell that we acquired it by slight of hand. Our proposal is: either take the outside of the bridge in return for monies we have paid the Indians, or pay them what we agreed to pay, and take the whole of it, and, further, dont confuse the issue by introducing proposals to undo one injustice if they (Indians) will agree to us perpetrating a bigger one.

The Indian Dept. Ottawa,do not know me. It may be, therefore, that I should say that I am the Hon.President, Kitsilano Ratepayers Assn., but do not speak in their name, as the matter has not come before them recently, although scores of times in recent years. Further, the original idea of converting this area into a park was mine; was published, with a map, on the front page of the Vancouver "Star" about 18 years ago at the time it was proposed to turn it into a lumber yard, and I have followed the matter closely since.

What I am particularly desirous the Indian Dept. should know is that those most familiar with the matter very strongly approve of the Department's action in witholding agreement.

Most sincerely,

"J.S.Matthews"

City Archivist.

F.J.C.Ball Esq.
Indian Agent,
Vancouver, B. C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

Department of Mines & Resources
Indian Affairs Branch
JUL 2 1940
REGISTERED

416 Federal Building,
Vancouver, B. C.
June 25th 1940.

Sir:

I beg to enclose herewith copy of a letter received recently from Major J.S.Matthews, Honorary President of the Kitsilano Ratepayers Association, and City Archivist. The Kitsilano district is adjacent to Kitsilano Indian Reserve.

This is somewhat of a new angle as the press always leave their readers under the impression that the Kitsilano people are pressing the City to obtain this Reserve.

While the Squamish Indian Council has not gone on record, I understand they will sell their interest in the whole Reserve for $175,000 cash. The purchaser would then have to assume the charge against the property of $350,000 but if the City of Vancouver was the purchaser, they might persuade the Provincial Government to forego this lien.

I am writing this only as a covering letter to Major Matthew's letter, as he mentions that he would like you to know his views.

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

B/DH.

(F.J.C.Ball)
Indian Agent.

Dr.H.W.McGill,
Director of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-S

Air Mail

July 4th, 1940.

Dear Sir:

Your letter of June 25th, 1940, re Kitsilano Indian Reserve, forwarding a copy of a letter received from Major J.S. Mathews under date of June 9th, 1940, is acknowledged.

Although the matter is receiving attention, we cannot suggest what conclusions will be reached in connection with this troublesome problem.

Yours truly,

T.R.L. MacInnes,
Secretary.

F.J.C. Ball, Esq.,
Indian Agent,
416 Federal Building,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

RESERVES TRUSTS

1 Director
2 Secy

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH
28835-3

Ottawa, Ontario,
July 4th, 1940.

Memorandum to: Director.

An examination of the file hereunder would indicate that the letter to the Honourable A. Wells Gray, dated May 24th, 1940, and submitted to the Minister's Office about that date, was not sent.

If the question of adjustments at Kitsilano is still troubling head office you might consider it advisable to have copies of the latest correspondence sent over. This would at least direct the matter to their attention.

It would appear that there is nothing further that we can do about it at the moment save to acknowledge Agent Ball's letter in connection with which a draft reply is submitted herewith.

D.J. Allan,
Superintendent,
Reserves and Trusts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C
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P
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MINISTER OF LANDS

PROVINCE OF

B. C.

Victoria
July 17, 1940.

The Hon. T.A. Crerar,
Minister of Mines and Resources,
O t t a w a,
Canada.

Dear Mr. Crerar:

Re Kitsilano Indian Reserve.

I take the liberty of referring to my letter to you of the 10th May last, to which, up to the presxnt time, no reply has been received.

In view of applications being received from time to time bearing on the administration of this land and the foreshore thereof, which this Department is unable to deal with in a comprehensive and satisfactory manner, in the light of the Agreement which was made regarding these lands as provided in the Orders in Council cited in my said letter of the 10th of May, and from the fact that beneficial use of the land and foreshore is being prevented in the meantime, it is submitted that an early settlement of the arrangement is desirable.

Faithfully yours,

Sgd. A. Wells Gray.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for Indian Affairs
as requested

Minister's Office

MEMORANDUM

July 22, 1940

THE DEPUTY MINISTER

R U S H

Kitsilano Indian Reserve, B.C.
re- Transfer to Dominion &
payment to Province.

With memorandum of MAY 17th we submitted for draft reply a letter from the Hon. A. Wells Gray, Minister of Lands for British Columbia.

Please note the attached further letter from Hon. Mr. Gray, referring to his letter of May 10th quote: "to which, up to the present time, no reply has been received", and asking an early settlement.

I understand the previous correspondence is still under consideration.

Will you please have the draft reply expedited, covering the attached as well as the previous submission.

W.C. Bethune
Asst. Private Secretary.

Encl.

Dr. McGill -

For draft reply as requested.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, Ontario,
July 24th, 1940.

Memorandum to: Deputy Minister.

The attached letter was submitted to this Branch over the signature of the Assistant Private Secretary.

Please be advised that a draft letter, dated May 24th, 1940, was forwarded to you, and that it is at the moment, it is our understanding, receiving consideration by the Chief Executive Assistant and the Departmental Solicitor. It is assumed that this escaped your notice.

Director.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MINISTER OF LANDS

PROVINCE OF BRITISH COLUMBIA

Minister of
JUL 22 1940
Mines & Resources

VICTORIA

July 17, 1940.

The Hon. T. A. Crerar,
Minister of Mines and Resources,
Ottawa,
Canada.

Dear Mr. Crerar:

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Faithfully yours,

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

Ottawa, Ontario,
July 25th, 1940.

Memorandum to: Mr. Cory,
Departmental Solicitor.

Re Kitsilano Indian Reserve.

Enclosed herewith please find copy of a memorandum addressed to the Deputy Superintendent General of Indian Affairs, dated April 2nd, 1935, over the signature of the Deputy Minister of Justice, in connection with the surrender of the Kitsilano Indian Reserve.

D.J. Allan,
Superintendent,
Reserves and Trusts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

MINISTER OF LANDS
Province of
BRITISH COLUMBIA

VICTORIA
1940
August 14th.

The Honourable T.A. Crerar,
Minister of Mines and Resources,
Ottawa, Canada.

Dear Mr. Crerar:

I have to acknowledge your letter of the 25th ultimo in the matter of agreement between the Dominion and the Province regarding the transfer of Kitsilano Indian Reserve.

Your remarks in this respect are received with considerable surprise when the fact is taken into consideration that this agreement was entered into in good faith after a good deal of negotiation with the Department of Indian Affairs, which I understand is under your administration. The questions of legality and obligation which you raise would seem to be matters for the attention of your own Department in the circumstances.

The amount of $350,000.00 should long since have been paid and the matter closed out, but there will be no objection on our part to allowing the question to rest for the present as requested.

Faithfully yours,

sgd) A. Wells Gray

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Copy

MINISTER OF LANDS
Province of
BRITISH COLUMBIA

VICTORIA
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Faithfully yours,

sgd) A. Wells Gray

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Minister's Office

28435-3

Department of Mines & Resources
Indian Affairs Branch
AUG 24 1940
REGISTERED

MEMORANDUM

Aug. 19, 1940

THE DEPUTY MINISTER

Agreement bet. Dominion and Province of British Columbia re transfer of Kitsilano Indian Reserve.

Please have special note taken of the attached letter, dated Aug. 13th, from the Hon. A. Wells Gray, Minister of Lands for British Columbia, in acknowledgment of the Minister's of July 25th.

LAND DIVISION
AUG 28
INDIAN AFFAIRS BRANCH

W.J.F. Pratt
Private Secretary.

Encl.

EXT

Dr. McGill -
To note.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

10

DEPARTMENT OF MARINE AND FISHERIES

Deputy Minister's office

Ottawa, Canada

14th April, 1926.

Kitsilano Indian Reserve.

Dear Sir,-

Further to my letter of the 30th ultimo in reply to yours of March 25th, in the above connection, with respect to the disposition of the Vancouver Harbour Commissioners toward acquiring title to this Reserve; I now have to advise you that a communication has been received from the Harbour Commissioners in which they state their intention to abandon interest in this property as they are not prepared to proceed with its purchase.

Yours very truly,

A. Johnston

Dr. Duncan C. Scott,
Deputy Superintendent General,
Department of Indian Affairs,
O T T A W A.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Copy

9

FARRIS FARRIS STULTZ & SLOAN,

Standard Bank Bldg.,
VANCOUVER, B.C.

October 9th, 1928.

W.D. Harvie, Esq.,
Secretary - Vancouver Harbour Commissioners,
Vancouver, B.C.

re: Kitsilano Indian Reserve.

Dear Sir,-

In perusing the correspondence in this matter we find a copy of a letter dated May 31st, 1928, from the Department of Justice to the Department of Indian Affairs advising the Department of Indian Affairs that a formal notice should be filed by the Commissioners under Section 215 of the "Canada Railway Act" that the Commissioners have abandoned interest in the Kitsilano Indian Reserve, and that the notice should expressly state that the Commissioners abandon the notice which was given under Section 215 of the "Canada Railway Act" and all proceedings thereunder.

We have gone carefully through all the documents submitted to us by you in this matter and we cannot find that any notice of expropriation was ever given by the Commissioners under Section 215, and we cannot see therefore the necessity for formally withdrawing a notice which never was given.

Section 215 of the "Railway Act" provides specifically that the notice of expropriation should be in a certain form and should contain -

First - a description of the lands to be taken, etc.
Second - a declaration of readiness to pay a certain sum or rent as compensation for the lands.
Third - a notification that if within a certain time the party to whom the notice is addressed does not accept the same, that the company will proceed to arbitration.

We repeat that we cannot find any record of any such formal notice.

We would suggest that you draw this fact to the Attention of the Department of Indian Affairs and the Department of Justice.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

We might also add that there is absolutely nothing on record in the Land Registry Office in the City of Vancouver dealing with any expropriation proceedings against the Indian Reserve.

Yours truly,

(Sgd) FARRIS FARRIS STULTZ & SLOAN
by R. STULTZ.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

8

North Vancouver, B.C.
Mission Indian Reserve,
December 15, 1927.

WE, THE CHIEFS AND COUNCILLORS OF the Amalgamated Squamish Indian Bands in meeting assembled this day, in the presence of W.E. Ditchburn, Indian Commissioner for British Columbia, and C.C. Perry, Indian Agent, wish to express our desire that an early settlement of the contentious matters which have arisen between the Government of Canada and the Government of British Columbia in connection with our Kitsilano (False Creek) Reserve Number Six should be arrived at at as early a date as possible. Upon it being fully explained to us by the Indian Commissioner for British Columbia and interpreted to us by our interpreter that the Government of British Columbia is willing to relinquish all its claim to this Reserve for the sum of Three Hundred and Fifty Thousand Dollars($350,000.00), we realize the importance of our co-operating with the Government of Canada and the Government of British Columbia in an endeavour to bring about a satisfactory settlement, and as the Indian Commissioner has shown us that the first procedure to be taken must be by way of extinguishment of the claim of the Government of British Columbia against this Reserve, it was therefore:-

RESOLVED that this Council of the Amalgamated Squamish Indian Bands hereby express our willingness to assent to a surrender of the Kitsilano (False Creek) Indian Reserve Number Six to the Crown, as represented by the Superintendent General of Indian Affairs, in order that it may be disposed of to our best interests, and we hereby agree that the surrender form shall contain a clause to the effect that the first charge against the monies arising out of the sale of the said Reserve shall be the payment to the

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Government of British Columbia of the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00) as a full settlement of all claims which the said Government of British Columbia may have against the said Kitsilano (False Creek) Indian Reserve Number Six.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

7

Copy

MINISTER OF LANDS
Province of British Columbia

Victoria

February 7, 1928.

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

Dear Sir: Re Kitsilano Indian Reserve.

Replying to your letter of the 24th ult. and following the suggestion contained in your letter of the 5th ult. His Honour the Lieutenant-Governor in Council has approved an Order authorizing the sale of the Provincial interest in this reserve to the Dominion Government, as represented by your Department, for the sum of $350,000.00, and I enclose herewith a certified copy of the Order No. 91, approved on the 31st day of January, 1928.

The consideration mentioned is to be a first charge against the purchase price on a sale by your Department after surrender by the Indians as suggested in your letter of the 5th ult. The transfer of the Provincial rights will be subject, however, to a lease which we granted to the Rat Portage Lumber Company, Ltd. of some 11.2 acres of this area known as Lot 1 subdivision of Lot 3610 Group 1, New Westminster District, under date of the 22nd day of May, 1924, for a period of twenty-one years at an annual rental of $3235.56 for the first five years and $4960.76 per annum for the succeeding sixteen years, subject to renewal for a further term of twenty-one years at a rental then to be agreed upon to be based on the then current rent of similar property. In carrying out the sale the interests of the lessee should be considered. I am advising the Company that hereafter the rentals must be paid to your Department.

The foreshore fronting the above mentioned parcel, comprising 15.55 acres, and known as Lot 5360, Group 1, New Westminster District, is also held under lease by the said Company for the same term and renewable on the same conditions.

Faithfully yours

T.D. Pattullo

Enclosed is a certified copy of the land lease herein mentioned.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

For the information of Dr. McGill

1. Secretary
2. S.R.-M.

Ottawa, August 20, 1940

The Deputy Minister,
Department of Justice,
OTTAWA, Canada.

Dear Sir,

Re Kitsilano Indian Reserve No. 6,
British Columbia -
Your File J.R. 574-35

Matters referring to the title to and the ownership of the above Reserve have been referred to you from time to time during the past ten or fifteen years. Your attention is particularly referred to the letter of the Deputy Superintendent General of the 12th October, 1926 and your reply dated 8th March, 1927, to which is attached a departmental memorandum prepared by one of the officers of your Department. You are also referred to the Deputy Superintendent General's letter of the 29th March, 1938 and your reply of the 2nd April in the same year.

I am enclosing herewith a copy of a lengthy departmental memorandum which deals briefly with the history of the Reserve and may be of some help to you in forming an opinion in regard to the various questions referred to hereunder.

On reading this memorandum it will be noticed that a portion of what is now known as the Kitsilano Indian Reserve No. 6 was set aside as such by Governor Douglas prior to the Act of Union and consisted of approximately 37.45 acres. In 1877 a Commission known as the Joint Reserves Commission on Indian Affairs in British Columbia reviewed the claims of the Indians on the Reserve and increased its area by an addition of 42.55 acres, establishing its status as an Indian Reserve in accordance with the Terms of Union.

Since this time the Dominion, through the Department of Indian Affairs has conveyed portions

Department of Mines & Resources
Indian Affairs Branch
SEP 6 1940
REGISTERED

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3.Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

the property to private and public bodies, the conveyance being by way of Crown Grants, some of the areas conveyed being from that portion of the Reserve which was established at the time of Union and some from that portion which was added in 1877.

Recently my Minister received a letter from the Honourable A. Wells Gray, Minister of Lands, Victoria, B.C., upon the question of the payment to British Columbia of the sum of $350,000.00 in accordance with the terms of the Orders in Council passed by the Dominion and the Province dated February 27th and January 31st, 1928, respectively. Copies of the Orders in Council are enclosed. Mr. W.M. Cory, Solicitor of the Department, discussed with your Mr. Plaxton the subject matter of the reply to this letter and a copy of it is also enclosed.

In view of the peculiar circumstances of the case, this Reserve has remained unoccupied for many years and it is most desirable from the point of view of the Indians that the claim, if any, of the Province should be settled and the Indians and the Department placed in such a position that they can deal with the land to the best advantage. Your views on the following questions would therefore be appreciated.

1. Can the Dominion, in view of the provisions of the B.N.A. Act, Section 91, subsection (24), and Section 13 of the Act of Union, upon surrender give a good title to -
   (a) any part of the Reserve as originally set aside, and
   (b) the addition made in 1877,

   having in mind that the title to neither of these areas has yet been conveyed to the Dominion by the Province by way of a formal conveyance. It is suggested that the title to (a) was sufficiently conveyed by Section 13 of the Act of Union but that a conveyance from the Province of (b) might first be necessary. Your attention is also drawn to the letter from J.K. Ellis, K.C., dated October 6, 1928 (copy attached) and to the possible effect of Sec.47 of the Land Registry Act referred to therein.

2. Considering the terms of the McKenna-McBride Commission and the Interim Report of the Commission, No. 82 (copy attached) dealing especially with this Reserve, and of the passing of the Order in Council dated March 28, 1916, permitting the sale of the property to the Harbour Board and recognizing an interest of the Province therein, might it not be considered that the Orders in Council passed in 1928 by the two Governments was the final settlement of the matters in dispute in connection with

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

this Reserve (the property having been abandoned by the Harbour Board) and that the said Orders were passed under the provisions of Chapter 51, Statutes of Canada, 1920, and Chapter 32 - 1919 Statutes, B.C.

3 Your attention is also drawn to the letter from the Minister of Lands for the Province dated February 7, 1928 (copy attached). Copies of the letters of January 5th and 24th, 1928, are missing from the departmental file but from the remarks in the above letter it would appear that it was suggested by the then Deputy Superintendent General of Indian Affairs that the fixed price of the reversionary interest of the Province should be a first charge against the proceeds of the sale after surrender by the Indians. While the file does not indicate what discussions preceded the above correspondence and the passing of the Orders in Council, it would seem to be quite clear that the Province will contend an arrangement was reached that the Province would be paid the agreed sum from the first monies received from the sale. This is what the Chiefs and Councillors of the Amalgamated Bands agreed to in the resolution which they passed on December 5, 1927. The question then arises, had the Dominion power to enter into such an arrangement creating a lien on the first proceeds of sale on the authority contained in Chap. 51 of the 1920 Statutes or in the above resolution without first securing a proper formal surrender from the Indians of the bands.

4. What is the nature of the reversionary interest of the Province in the Reserve, assuming its claim for $350,000.00 is not recognized. If it does not arise until the Indians in the Band become extinct, can the Dominion in the meantime sell or otherwise dispose of the land or the proceeds thereof without the consent of the Province.

5. For the reasons set out in the letter of October 9, 1928, from Messrs. Farris, Farris, Stultz and Sloan (copy attached), is it still necessary for the Harbour Board Commissioners to give the notice as suggested in your letter of the 31st May, 1928. See letter dated 14th April, 1926, from Deputy Minister of Marine (copy attached).

If, before replying to this letter, you should wish any further information, Mr. Cory will be only too glad to attend upon your Department and will bring the relevant files.

Yours very truly,

Acting Deputy Minister.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Copy

(Sgd) J.L. White.
Deputy Clerk, Executive Council

3

The Government of
The Province of British Columbia.

Certified Copy of a Minute of the Honourable the Executive Council, approved by His Honour the Lieutenant Governor on the 31st day of January, A.D., 1928.

No. 91.

TO HIS HONOUR

THE LIEUTENANT-GOVERNOR IN COUNCIL:

The undersigned has the honour to recommend:

THAT under authority of subsection 2 of Section 92 of Chapter 131, Revised Statutes of British Columbia, 1924, all the right title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in the Kitsilano Indian reserve No. 6, New Westminster Agency, which has been assigned Lot 2610, Group 1, New Westminster District, comprising 80 acres, more or less, be transferred to the Crown in the Right of the Dominion of Canada as represented by the Superintendent General of Indian Affairs, for the sum of Three hundred and fifty Thousand ($350,000.00) Dollars, Conveyance to be made upon payment of the said amount.

DATED this 31st day of January A.D. 1928.

"T.D. Pattullo"

Minister of Lands.

APPROVED this 31st day of January A.D. 1928.

"J.D. MacLean"

Presiding Member of the
Executive Council.

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Copy

ELLIS & BROWN

403 - 406 Rogers Building
VANCOUVER, B.C.
Oct. 6, 1928.

Dr. Duncan C. Scott,
Superintendent General Indian Affairs
Ottawa, Ontario.

Dear Sir: RE. KITSILANO INDIAN RESERVE.

After receiving your letter of the 27th ultimo herein, I have gone thoroughly into the situation and find as follows:

1. There has never been any filing of any kind in the Land Registry Office in this City by the Harbour Board in connection with the expropriation proceedings or otherwise.

2. There is nothing to show in the Land Registry Office by way of record who is the owner of the Kitsilano Indian Reserve excepting as follows:

(a) Transfer of 7 acres in the shape of a Y, to the Canadian Pacific Railway, on the 16th January, 1902, from the Dominion Government.

(b) Transfer of 3.62 Acres on May 22, 1923 from the Department of Indian Affairs to the Canadian Pacific Railway.

I went thoroughly into the matter with the Registrar of Titles, and he takes the position that nothing could be filed by anyone, as there is no title vested in anyone. The Registrar is further of the opinion that the Order in Council passed by the Government of

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British Columbia should be implemented by Legislation which would then give the Indian Department absolute authority to transfer the reserve to any third person. Of course, under Section 47 of our Land Registry Act, the Registrar says that he would naturally be bound to register the title if instructions under that Section were given to him by the proper authority.

The situation therefore, is that at the present time there is nothing in our Land Registry Office to show the title of this property in the name of anyone. If the title is given in the future by your Department to anyone, Section 47 would have to be complied with.

This Section reads as follows: "There shall not be registered in any Land Registry Office any title derived from His Majesty in the right of his Dominion of Canada to foreshore or tidal land, land under the sea, or land forming part, or that at one time formed part, of an Indian reserve, without the sanction of the Lieutenant-Governor in Council."

If I can be of any further service, kindly advise.

Yours truly,

J.N. Ellis

JNE/M

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EM/MG.

Dept of Mines & Resources
SEP 18 1940
OFFICE OF THE
DEPUTY MINISTER

PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

OTTAWA 9th September, 19 40.

Sir,-

JR.574-35
Re: Kitsilano arbitration.

I have the honour to acknowledge receipt of your letter of August 20th. It is noted that in his reply of July 25th to the Minister of Lands at Victoria your Minister suggested that the question be allowed to rest for the present in view of the unusually serious problems engaging the attention of all departments and the increased volume of work with which all staffs are burdened at this time. The papers accompanying your letter do not indicate that the province has pressed further for immediate consideration of the questions involved.

Unless, for reasons of administration, you desire the matter to be disposed of at this time I would suggest that the words used by your Minister are as applicable to-day as when the letter in question was written; consequently, until otherwise advised by you, I shall assume that consideration of the subject matter can be reserved to an opportune time.

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

W. Stuart Edwards

Deputy Minister of Justice.

The Deputy Minister of Mines and Resources,
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

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CANADA

DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

LEGAL DIVISION

OTTAWA 18th September, 1940.

Department of Mines & Resources
Indian Affairs Branch
SEP 20 1940
REGISTERED

MEMORANDUM:

Dr. McGill.

Re - Kitsilano arbitration.

I enclose herewith letter from the Deputy Minister of Justice, dated the 9th instant, in connection with the above.

The subject matter of a reply to this letter has been discussed with Mr. Jackson. Mr. Miall of the Department of Justice, who is handling this matter, has been communicated with by telephone, the question of our urgency explained and he has suggested that this matter be brought to his attention in six weeks. I have made the necessary note on my file and will take this up with him about the end of October.

Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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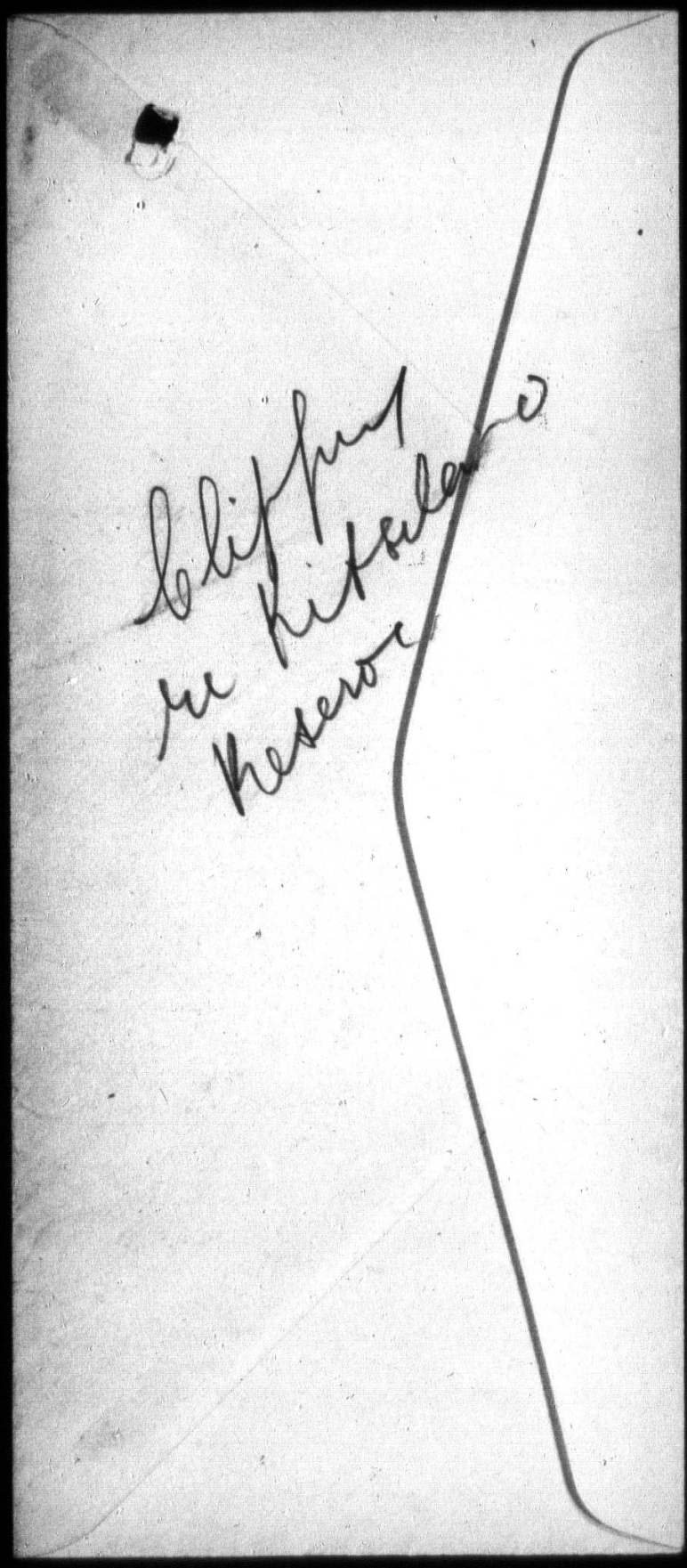

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CANADA



ampbell, British high com-
e of Lieut. Denis Coolican,
ther officers of the groom
he couple following the cere-

Judge MacGill Heads Auxiliary

Officers Elected for Red Shield Centre.

Judge H. G. MacGill was chosen president of Women's Auxiliary to Red Shield Service Centre for His Majesty's forces, formerly the Women's Building, at a meeting Tuesday afternoon. Other officers are: Vice-presidents, Mrs. Paul Smith, M.L.A., Mrs. F. J. Rolston, Mrs. B. C. Grant, Mrs. F. W. Smelts, Mrs. W. A. Akhurst, Mrs. E. Cruickshank and Mrs. James Gray.

Corresponding secretary, Mrs. E. Reece; recording secretary, Mrs. E. F. Harmer; treasurer, Mrs. W. A. MacArthur. Conveners are: Furnishing, Mrs. W. M. Traynor; library, Mrs. Florence Thompson; entertainment, Mrs. W. A. Akhurst; recreation, Mrs. F. J. Thomson; canteen, Mrs. E. Cruickshank.

Book shelves are waiting their contents, and games of all sorts are required. Coverlets, sheets, pillowcases, chesterfields and easy chairs are some of the needs of the centre, which is operated by the Salvation Army. Women's Building Ltd. gave $10 and a sewing machine for the work, and next meeting will be held on Tuesday at 10:30 a.m.

LONDON.—(CP)—The engagement has been announced between Sergt. R. F. J. Duncan of the Royal Air Force, only son of Mr. and Mrs. A. G. Duncan of Vancouver, B. C., and Miss Margaret Susanna Wright. The bride-elect is the only daughter of W. Newcombe Wright, J. P., and Mrs. Newcombe Wright of

Begin New Year With Enthusiasm

Members of Canadian Women's Training Corps are asked to attend parade on Thursday at 7:45 p.m. in Charles Dickens School.

Vancouver Welsh women's patriotic group has postponed its meeting from Thursday to January 16.

Ladies' Service Club to Imperial Veterans in Canada will hold a general meeting on Monday at 8 p.m. in the home of Mrs. S. Lynch, 1218 Denman street.

Henderson - Jubilee United Woman's Missionary Society at its recent meeting elected Mrs. A. Wilson president. Other officers are: Vice-presidents, Mrs. E. Evans, Mrs. M. E. Douglass and Mrs. W. C. Rutherford; secretary, Mrs. H. A. Allison; treasurer, Mrs. J. A. Hunter; Christian stewardship, Mrs. W. C. Taylor; associate helpers, Mrs. A. E. Mannings and Mrs. Crispen; strangers, Mrs. E. Hazelton; expense, Mrs. A. Forsythe; temperance, Mrs. A. G. Fulton; library, Mrs. J. Parks; Missionary Monthly, Mrs. E. Hazelton; press, Mrs. A. G. Fulton; supply, Mrs. W. C. Rutherford, and pianist, Mrs. R. Kingston.

Mrs. T. Heys was re-elected president of Women's Association of Canadian Memorial Chapel at the recent annual meeting. Other officers are: Vice-president, Mrs. R. Armstrong; recording secretary, Mrs. T. Fry; corresponding secretary, Mrs. R. McGougan; treasurer, Mrs. G. Bellhouse; social, Mrs. H. A. Harris and Mrs. Thomas Kent; press, Mrs. H. George Barber. The annual congregational dinner will be served on January 28. Rev. G. Harrison Villett spoke, and vocal solos were given by Miss Beth Boyd.

District King's Daughters will hold their church service on Sunday at 11 a.m., in First Baptist Church. This is in connection with their annual meeting Friday in Shaughnessy United Church.

Engagements Are Announced

Mr. and Mrs. J. L. Grinder, 1171 East Fifteenth, announce the engagement of their eldest daughter, Maude Jeannette, to Mr. Cecil Francis Morrison, second son of Mr. and Mrs. T. M. Morrison, Somerset, England. The marriage will take place on January 25 at 8 p.m. in the Redeemer Church, Eighth and Prince Edward.

* * *

Mrs. E. G. Collins, 27 West Nineteenth, announces the engagement of her elder daughter, Maud Matilda, to Mr. Robert Irvine Ross Forrester of West Vancouver. The wedding will take place January 15 at 8:30 p.m. in Chown Memorial Church.

* * *

Mr. and Mrs. Denis T. Katch announce the engagement of their daughter, Sonia, to Cpl. Harold H. F. Pardey, R.C.A.F., son of

Who Smokes a Pipe



Birks offer a fine variety of London made briars, featuring the new flat grip.

1.00 These handsome pipes have just arrived from England and represent really outstanding value at their price.

See Our Granville St. Window

Birks VANCOUVER

brim gathered and raised at the sides and back. Wide black grosgrain crown band.

Brighten up your dark town clothes with a light hat. A new model is in dusty pink felt, the

To Relieve Quickly, Mix

Does the Work in a Hurry Saves Money. Easily Mixed

Here's an old home remedy your mother probably used, and, for real results, it is still a very dependable thing for distressing coughs. Try it once and you'll swear by it.

It's no trouble at all. Make a syrup by stirring 2 cups of granulated sugar and one cup of water a few moments until dissolved. No cooking is needed—a child could do it.

Now put 2½ ounces of Pinex into a 16 oz. bottle, and add your syrup. This gives you 16 ounces of really splendid

"The Smartest

Betty's

BI

1/2 P

Clearanc

Starts Thu

This semi-annual sale is respo made on all our better qualit store—as quantities and sizes shop

COATS Luxurio Values

ALL OTHER CO

DRESSES

ALL OUR BETTER WOOL

GOWNS For wear

OTHER EVENING

HATS In smart styles. Valu to 7.95 for

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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WHERE NEW SHIPYARDS WILL BE BUILT—This picture, taken from Burrard Bridge, shows a portion of the Kitsilano Indian Reserve, where John Coughlan & Sons Ltd. will build a large new shipyard. The area, comprising 42 acres, has been leased to the company by the Squamish Indian Council, which has agreed to an annual rental of $12,000. The piledriver and squatters' shacks visible on the foreshore were removed by order of the City Council two years ago.

HISTORIC BATTLEGROUND

KITSILANO SQUABBLES RECALLED

* * * * * *

Government Bought Property From Indians At One Time

Kitsilano Indian Reserve — which has just been acquired by John Coughlan & Sons as site for a large new shipbuilding plant—has been one of the most publicized reserves in Canada since it was surveyed in 1868 by the Joint Reserve Commission. The establishment of the shipyard will terminate, temporarily at least, the controversies which have raged over the 42 acres.

The Indian territory is now linked with another name famous in Vancouver history. In the first World War Coughlans' yards on False Creek, just east of Cambie street bridge, built 9000-ton steel freighters, and, at the height of the boom, employed over 4000 men. Their rate of production was claimed as a record for the Empire.

REMOVED INDIANS.

The Kitsilano Reserve gained national prominence in the year 1911, when the late W. J. Bowser, then attorney-general for the province, relying on a B.C. statute to acquire the the reserve for the province, caused the removal of the 20 Indians residing on the reserve by giving them the sum of $11,500 each.

The attorney-general had anticipated a hasty validation by a friendly government at Ottawa, but his actions ignited verbal warfare that echoed within the walls of the Parliament of Canada and the B. C. Legislature.

The "Kitsilano Deal" was attacked in the Legislature because, while the province had expended the sum of $300,000, the Indians had collectively received $219,500, and the charge was that a commission of $80,000 had been received by "a politician."

Lending fuel to the fire, Joe Cole, a half-breed from Mission City, sued the province for his share of the booty. His counsel was Senator J. W. deB. Farris and the Conservative government members were not spared by the special committee named to enquire into the Kitsilano deal, and though the political smoke reached the four corners of the province, Joe Cole did not receive a penny.

SQUAMISH BID FAILED.

Cole then turned his attention to the Squamish Indians, who had not received any compensation for their interests, but they too carried their hopes for wealth with them to the eternity of the spiritual world.

The Kitsilano deal was next attacked during the 1913 session of the Parliament of Canada at Ottawa, when Liberal members from every province citicized the Borden government for sacrificing their sacred duty of trusteeship towards the Indians, by allowing a friendly government at Victoria to acquire the reserve at a price lower than should have been justifiably received by the entire membership of the Squamish Indians.

Hon. H. H. Stevens championed the cause of the Squamish Indians, with the result an arbitration board was set up to value the reserve. The award of this board was subsequently set aside by the courts because the B. C. Government was not represented during the proceedings.

With the coming of World War No. 1 the Kitsilano controversy was forgotten until 1927, when the Squamish Indians agreed to reimburse the province to the extent of $350,000 in the event of a sale.

The Kitsilano Reserve was again front-page news when the two governments collaborated for the removal of squatters on the waterfront, with the added allegation the reserve was a hideout for dangerous criminals.

BUSH CLEARED AWAY.

A few years ago the bush on the area which will now be occupied by the Coughlan Shipyards was cleared under a relief scheme of the Dominion Government.

The department of Indian affairs has been advised of the decision of the Squamish Council to lease the required portion to Coughlans. Documents will be forwarded for the Squamish Council to sign, surrendering that portion of the Kitsilano Reserve to the crown Dominion, who in turn will enter into a lease with Coughlans for the benefit of the Squamish Indians. The proceeds will be subsequently distributed among each member of the 506 Squamish Indians.

The Kitsilano Reserve is zoned by the City of Vancouver for two-storey multiple dwellings, but the Indians have been advised that the Zoning By-law only becomes effective when they sell the reserve. So long as they use it for their own benefit, as defined by the B.N.A. Act, the Zoning By-law is not applicable. This is also expected to apply in the case of lease or rent for the benefit of the Indians.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, January 11,1941.

Memorandum.

The Director. EXD.

Re Kitsilano Indian Reserve.

I received a verbal inquiry from the Honourable Gordon Wismer, Attorney General for the Province of British Columbia, concerning the status of the Kitsilano Reserve, and the prospect of having it made available for park purposes for the City of Vancouver. Mr. Wismer, who in addition to being Attorney General, represents Vancouver in the Legislature, has a local interest in the matter, and was approached in the matter by Mr. Rowe Holland, Chairman of The Vancouver Parks Board, who has made extensive representations to the Branch from time to time on the subject.

I explained the situation fully to Mr. Wismer and he finally expressed agreement in my view that while it was desirable that the reserve should become a park, nevertheless, it would be difficult to do anything unless the province waived its lien, and the city made an offer acceptable to the Indians and the Governor in Council. He conceded that it was unlikely that in any event the province would ever realize anything from its lien and that, therefore, there would be little for it to lose. I do not think we should move unless approached with some concrete proposal.

I was given the attached clipping from a Vancouver newspaper which you may wish to note with reference to the application of John Coughlan for a ship building site.

T.R.L. MacInnes.
Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

MINISTER OF LANDS

PROVINCE OF BRITISH COLUMBIA

VICTORIA

June 3, 1943.

The Hon. T. A. Crerar,
Minister of Mines & Resources,
Ottawa,
Canada.

Dear Mr. Crerar:

I have to refer you to previous correspondence which has passed between us, particularly to my letter to you of the 10th May, 1940, your letter of the 25th July, 1940, and my reply of the 13th August, 1940, in the matter of the purchase by the Dominion Government of the provincial interest in the Kitsilano Indian Reserve.

It is noted that portions of this reserve are being used for Dominion purposes not connected with Indian affairs, and that other portions have apparently been otherwise disposed of.

As the arrangements made for settlement of this matter are now of some fifteen years standing, it is submitted, in the circumstances, that action should now be taken to conclude the transaction in accordance with the terms of the agreement.

Faithfully yours,

Abella Gray

Minister of
JUN 9 1943
Mines & Resources

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Minister's Office

28835-3

MEMORANDUM

J.R.J.

June 9, 1943

DEPUTY MINISTER

Department of Mines & Resources
Indian Affairs Branch
JUN 11 1943
REGISTERED

Agreement between Dominion and Prov. B.C. re transfer of Kitsilano Indian Reserve.

Submitted for consideration is the attached letter (June 3) from Hon. A. Wells Gray, Minister of Lands for B.C., in further reference to the matter above mentioned.

Please let the Minister have a draft reply.

L. J. Bratt
Private Secretary.

Encl.

(We have retained a copy).

Dr. McGill -

For draft reply as requested.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Ottawa, June 15, 1943.

EX'D.
A

Dear Mr. Grey:

Your letter of June 3rd last regarding Kitsilano Indian Reserve is acknowledged.

In our previous letter of May 10th, 1940 we asked for a postponement of further consideration of this whole problem as we could not at that time command the attention of the Government and the law officers of the Crown which the matter required and warranted.

As evidence of our good faith in the matter, our departmental officials submitted the whole question very fully to the Deputy Minister of Justice in August 1940, and requested the assistance and advice of that Department in reaching a conclusion. To date it has not been possible for the Minister of Justice to allot a man to do the necessary research work.

I therefore find it necessary to again ask your indulgence until the pressure of work makes it possible for me and my colleagues to give it the attention it requires.

Yours sincerely,

Hon. A. Wells Grey,
Minister of Lands,
Victoria, B.C.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

To be returned to Indian Affairs Branch

Ottawa, June 15, 1943.

Dear Mr. Gray:

Your letter of June 3rd last regarding Kitsilano Indian Reserve is acknowledged.

In our previous letter of May 10th, 1940 we asked for a postponement of further consideration of this whole problem as we could not at that time command the attention of the Government and the law officers of the Crown which the matter required and warranted.

As evidence of our good faith in the matter, our departmental officials submitted the whole question very fully to the Deputy Minister of Justice in August 1940, and requested the assistance and advice of that Department in reaching a conclusion. To date it has not been possible for the Minister of Justice to allot a man to do the necessary research work.

I therefore find it necessary to again ask your indulgence until the pressure of work makes it possible for me and my colleagues to give it the attention it requires.

Yours sincerely,

J. A. Murray

Hon. A. Wells Gray,
Minister of Lands,
Victoria, B.C.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Dr. McGill -
Re-write of your draft
of June 15.

288357 3.

Ottawa, June 18, 1943

EX'D.
A.

Dear Mr. Gray,

Your letter of June 3rd ~~last~~ regarding Kitsilano Indian Reserve is acknowledged.

In our previous letter of May 10th, 1940, we asked for a postponement of further consideration of this whole problem as we could not at that time command the attention of the Government and the law officers of the Crown which the matter required and warranted.

As you know, there are a number of important legal questions involved and it was necessary for the Department to submit the matter very fully to the Department of Justice. This was done in August 1940. To date it has not been possible for the Minister of Justice to allot a man to do the necessary research work.

I therefore find it necessary to again ask your indulgence until the pressure of work makes it possible for me and my colleagues to give it the attention it requires.

Yours sincerely,

T.A. CRERAR

mailed June 19

Hon. A. Wells Gray,
Minister of Lands,
VICTORIA, B.C.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Copy

MINISTER OF LANDS
Provinces of
British Columbia

VICTORIA
June 26, 1943.

The Hon. T.A. Crerar,
Minister of Mines & Resources,
Ottawa,
Canada.

Dear Mr. Crerar:

I have to acknowledge your letter of the 18th inst. in the matter of the acquisition by the Dominion Government of the Kitsilano Indian Reserve.

I note your remarks in this connection; but in view of the circumstances I cannot understand why it should be necessary to submit the matter to our Department of Justice. The transaction in question consists of a contract entered into between the two Governments, as confirmed by Provincial Order-in-Council No. 91, approved on the 31st January, 1928, and by Privy Council Order No. 318. approved the 27th February, 1928.

At the same time, I may point out that no conveyance of this land has been made to the Dominion Government, the title thereof being still vested in the Province.

Faithfully yours,

agd) A. Wells Gray

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835

Minister's Office

Department of Mines & Resources
JUL 6 1943
REGISTERED

MEMORANDUM

July 5, 1943

DEPUTY MINISTER

Kitsilano Indian Reserve.
Agreement bet. Dominion & Prov. B.C.
re transfer.

EX'D.
A

Please note the remarks of Hon. Mr. Gray, Minister of Lands for B.C., in his letter to the Minister June 26, received this morning, copy of which is attached.

Private Secretary.

Encl.

Dr. McGill -

To note.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

EX'D.
A

Ottawa, July 9, 1943.

The Deputy Minister, Department of Justice, Ottawa.

Re Kitsilano Indian Reserve
Your reference JE.574-35

Under date of August 20th, 1940, we communicated with your office setting out at some length the situation as it appears to stand with reference to our title to the Kitsilano Reserve.

Under date of September 9th, Mr. W. Stuart Edwards, then Deputy Minister of Justice, indicated that he would like the matter to be reserved to an opportune time for a complete consideration.

Within the last few weeks, however, the Honourable A. Wells Grey the Minister of Lands for the Province of British Columbia has again raised the point and is somewhat insistent that the matter be pursued to a conclusion.

May we therefore request of you that this matter be considered at your very early convenience?

Deputy Minister

July 12/43

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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To be returned to Indian Affairs Branch

28835 3

Ottawa, July 9, 1943.

The Deputy Minister, Department of Justice, Ottawa.

Re Kitsilano Indian Reserve
Your reference JR.574-35

Under date of August 20th, 1940, we communicated with your office setting out at some length the situation as it appears to stand with reference to our title to the Kitsilano Reserve.

Under date of September 9th, Mr. W. Stuart Edwards, then Deputy Minister of Justice, indicated that he would like the matter to be reserved to an opportune time for a complete consideration.

Within the last few weeks, however, the Honourable A. Wells Gray the Minister of Lands for the Province of British Columbia has again raised the point and is somewhat insistent that the matter be pursued to a conclusion.

May we therefore request of you that this matter be considered at your very early convenience?

Charles Camsell
Deputy Minister

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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EAD:KS

Department of Mines & Resources
Indian Affairs Branch
JUL 26 1943
REGISTERED

DEPARTMENT OF JUSTICE, CANADA

PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

OTTAWA July 22, 1943

TO: The Deputy Minister, Department of Mines & Resources, Ottawa.

J.R. 574-35
Re: Kitsilano Indian Reserve.

This will acknowledge your letter of July 9th requesting the Deputy Minister of Justice to consider the questions raised in your letter of August 20, 1940, respecting the Kitsilano Indian Reserve.

I shall be glad if you will send me a memorandum or an outline showing the manner in which British Columbia Indian Reserves were administered between Confederation and the time when British Columbia Indian Reserves were finally transferred to the Dominion in accordance with Article (13) of the Terms of Union which, I understand, took place in 1938.

E. Maclean

Assistant Deputy Minister.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

DEPARTMENT OF JUSTICE, CANADA

Department of Mines & Resources
OTTAWA
JUL 30 1943
DEPUTY MINISTER

OTTAWA July 29, 1943

TO: The Deputy Minister, Department of Mines & Resources, Ottawa.

Department of Mines & Resources
Indian Affairs Branch
JUL 31 1943
REGISTERED

J.R. 574-35
Re: Kitsilano Indian Reserve.

As requested, I return herewith the enclosures sent with your letter of August 20, 1940. I presume you will return these to me when replying to my letter of July 22nd.

Robert Forsyth
for Assistant Deputy Minister.

Encs.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, October 18,1943.

Memorandum.

Mr. Taggart.

Pursuant to our conversation of this date I should be obliged for any information that you could let me have on the following points:-

1. General practice regarding alienation of Indian Reserve lands outside the Railway Belt and Peace River Block in British Columbia prior to the transfer of the reserves in 1938;

   a) with consent of the Province,
   b) without consent of the Province;

2. Some examples illustrating No. 1;

3. Provincial Legislative references under the Land Registry Act regarding disposal of Indian Reserves;

4. Steps that have been taken or are being taken to clear the title of purchasers of Indian Reserve lands as above mentioned.

T.R.L. MacInnes

T.R.L.MacInnes.
Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

28835-3

Ottawa, Ont., 12th November 1943.

MEMORANDUM.

Mr. T.R.L. MacINNES.

In response to the request in your memorandum of October 18th regarding certain questions of practice in dealing with alienations from Indian Reserves in the Province of British Columbia I am pleased to submit the folling,-

The general practice in dealkng with lands outside the old railway belt and Peace River Block prior to the transfer of the reserves from the Crown Provincial to the Crown Dominion by Provincial Order in Council #1036, 29th July 1938 was varied.

A study of the records will reveal that the attitude of the Province was that the Dominionhad no right to grant or patent any land whatsoever forming part of an Indian Reserve without a confirming order of the Lieutenant Governor of B.C., until such time as the question of transfer of the reserves to the Dominion had been settled.

There are many cases where alienations were made with the consent of the Lieutenant Governor in Council and patents issued by the Dominion. These in most cases have been registered in the several Land Registry Offices.

However there are also numerous instances where patents were issued, without first having obtained the consent of the Province, but in each patent there is a clause subjecting the transfer to any right, title or interest, reversionary or otherwise, held by the Province.

There are also other instances where letters patent were issued by the Dominion without any consent and without any reversioary clause, notably railway rights of way across Kitsolino and New Westminster Reserves. It is a fact that many patents so issued have never been registered in the Land Registry Offices within the Province of British Columbia, due to the restriction under the Land Registry Act, which reads as follows,-

> "There shall not be registered in any Land Registry" Office any title derived from His Majesty in the right of his Dominion of Canada to foreshore or tidal land, land under the sea, or land forming part, or that at one time formed part of and Indian Reserve, without the sanction of the Lieutenant Governor in Council. (ref.Sec. 59-Chap.127 R.S. B.C. 1911)"

This enactment also appeared in the Revised Statutes of 1924, section 47 of Chapter 127. The restriction was repealed under section 2, chapter 32, B. C. Statute 1931, which reads as follows,-

> "Section 47 of the Land Registry Act, being " Chapter 127 of the Revised Statutes of British Columbia 1924 is repealed."

This repeal followed an agreement which was entered into between representatives of the Dominion and the Province dated 22nd March 1929, and became operative after the

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after the passing of Provincial order in council #1036, 29th July 1938, which is the medium by which the 1216 parcels of land forming Indian Reserves out side the Old Railway Belt, from the Crown Provincial to the Crown Dominion.

In some cases land sales were authorized by Dominion order in council, but the issance of patent was with held pending the settlement of the Indian Reserve question and the transfer of the reserves above mentioned. These cases have all been dealt with recently.

In some instances, particularly regarding railway rights of way, the province, prior to 1938 gave a Crown Grant, in which case the area covered by such grant was deducted from the original area of the reserve, and the remaining portion only is mentioned in the Order in Council #1036.

With regard to the numerous patents which were refused registration it is proposed on the completion of the New Schedule of Indian Reserves in British Columbia to suggest that the several companies and other private purchasers be notified that their patents may now be accepted for registration, since the title to the reserves are now vested in the Crown Dominion.

C. H. Taggart.

C. H. Taggart.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Regret delay, but
have been on Rome
holidays. C.J.P.

Indian Affairs." (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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EX'D.
A.

Ottawa, November 17,1943.

Memorandum.

Mr.Driedger.

Further to our recent conversation I am enclosing herewith a memorandum received from Mr. C.H. Taggart of this Department who has been in charge of the work of preparing the Schedules of Indian Reserves of British Columbia and matters related thereto.

This memorandum appears to confirm what I told you in a general way regarding practice with respect to disposal of Indian Reserves in British Columbia prior to the passing of the Provincial Order in Council #1036, of July 29,1938, transferring the reserves to the Dominion.

T.R.L.M

T.R.L.MacInnes.
Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28935-3

VANCOUVER SUN 28/6/44

Verbal Blasting Given Bennett on Dump Issue

A verbal blasting by members of Kitsilano Ratepayers Association greeted Ald. John Bennett's attempt to explain to them Tuesday night that the city would only dump garbage "for one or two years" on the 11.2 acre tract of Kitsilano Indian reserve which the City Council proposes to lease from the Squamish Indians.

"A jury generally goes out and reserves its decision. I ask you to reserve your decision," Ald. Bennett urged those present when a blunt protest was made regarding the proposal.

"For many years I have tried to effect a solution of this problem of the Indian Reserve. It's an anomaly that shouldn't exist in the heart of a city," the alderman said, pointing out that the area was a wasteland in a district that should become highly industrialized.

"ONE OR TWO WINTERS"

Explaining that the proposed dumping of garbage would only take place on the foreshore behind a bulkhead to make a fill and would require only "one or two winters" he added that the eventual purpose would be to claim the land for industrial use.

In reply to the suggestion from John Stanton, president of the Kitsilano branch of the Labor Progressive Party, that the fill might be made by dredging False Creek and thus avoiding the use of garbage, Alderman Bennett pointed out that the yardage required for such a fill would make the project far too expensive.

ALD. WORTHINGTON'S VIEW

Although opposing bitterly the establishment of a dump in the Kitsilano area—"it's like putting garbage out on the front yard of Vancouver," Ald. G. [illegible]. Worthington rose to the defense of his much-heckled fellow alderman.

"Some of the questions asked here have been ridiculous and I beg of you not to embarrass Alderman Bennett with such questions," he said.

He added that the committee investigating had not yet reported to City Council and that "they may not approve."

A resolution was proposed and unanimously adopted protesting establishment of the dump.

A warning in pictures of what might be expected if a dump were established was given by Park Commissioner George Thompson, who showed lantern slides of the city dump in the Grandview area.

M. H. Worthington, representing the Lions Gate branch of the Canadian Legion remarked that the opinion of his organization was that Vancouver needed "modernizing" in this regard.

During a discussion of the sewer nuisance at the foot of Maple Street it was proposed that City Council be asked to allot the necessary $40,000 to establish a pumping system for removal of sewage which is contaminating the beaches of Kitsilano.

Guest speaker was Harry Jackson, chairman of the zoning committee of the Town Planning Commission.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Executive Members
ANGUS HORNE
1226 L[illegible]te Ave.
Buff[illegible]N. Y.
GEORGE R. CREE
2030 Addington Ave.
Montreal, P. Q.
JAMES FOX
St. Francis Island, R. I.

Minister of
AUG 5 1944
Mines & Resources

NORTH AMERICAN INDIAN BROTHERHOOD

Vice-President
JOSEPH DESLISLE, Jr.
Caughnawaga, Que.

President
ANDREW PAULL
P.O. Box 2461
North Vancouver, B. C.

Secretary
HENRY JACKSON
Christian Island, Ont.

Aug. 1st. 1944.

Hon. T.A. Crerar M.P. P.C.
Minister of Mines and Resources
House of Commons
Ottawa Ont. Canada.

Honourable Sir;-

I attach a newspaper clipping which appeared in the Vancouver Sun, 2hich is another glaring example of th4 usurpation of power exercised by an Indian Agent emenating from the edict of Dr. Harold McGill.
The copy of the Indian Act which I have does not indicate where an Indian Agent has the authority to give an option on the leasing or the purchase of an Indian Reserve. If this authority has been conferred upon the Indian Agents we certai b y would like to know, if this hasbeen done officially, because I am sure all the Indian would object to it. I do not think even the Superintendant General is empowered by Parliament to do such things.
When Dr. Scott was Deputy Superintendant General of Infian Affairs a valuator was appointed to act for the Indians, and his valuations are the accepte d basis of rental by the Indians and the Department at that time, and not what shall be agreed upon by an Infian Agent and his friends.
Has the basis of rental been agreed upon as a fundemental issue for the option.
In my opinion these negotiations by the Indian Agent should be ordered by you to be now terminated, and you take charge, and any rental or lease should be based on the valuations submitted by our valuator when the Kitsilano Reserve was arbitrated.
The conce nsus of Indians isthat NO Indian Age nt should be allowed to sell or lease Indian Reserves to his friends without the prote ction of the Government and the knowledge and consent of the Indian owners and to this we will pray, in our search for honest dealing.

Respectfully yours

Andrew Paull

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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in the South African war.

Lease Sought On Indian Land

Negotiations are underway between F. C. Ball, federal Indian agent, and large private interests for the possible leasing of the 11.2 acres of land located in the Kitsilano Reserve, The Vancouver Sun learned today. Identity of the company and other details were not disclosed.

When the question arose some two months ago of the city leasing the area for the possible creation of an industrial district an extension on its option for a period of two months was allowed by Ball.

Condition of the verbal agreement was that Mr. Ball would inform the city of any private inquiries regarding rental of the site and would extend the option a "reasonable" time at the city's request.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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S.R.T.

CANADA

MINISTER
OF
MINES AND RESOURCES

Dept. of Mines & Resources
Indian Affairs Branch
AUG 9 1944
REGISTERED

Aug. 7, 1944

DEPUTY MINISTER

Herewith a letter to the Minister from Mr. Andrew Paull, Presdt. North American Indian Brotherhood, North Vancouver, B.C., Aug. 1, enclosing a clipping from the Vancouver Sun, which I quote:

"Lease Sought on IndianLand"

"Negotiations are underway between F.C. Ball, federal Indian agent, and large private interests for the possible leasing of the 11.2 acres of land located in the Kitsilano Reserve, The Vancouver Sun learned today. Identity of the company and other details were not disclosed.

"When the question arose some two months ago of the city leasing the area for the possible creation of an industrial district an extension on its option for a period of two months was allowed by Ball.

"Condition of the verbal agreement was that Mr. Ball would inform the city of any private inquiries regarding rental of the site and would extend the option a 'reasonable' time at the city's request".

—

I quote, also, from Mr. Paull's letter: (in part) -

"The copy of the Indian Act which I have does not indicate where an Indian Agent has the authority to give an option on the leasing or the purchase of an Indian Reserve. . ..... "In my opinion these negotiations by the Indian Agent should be ordered by you to be now terminated, and you take charge, and any rental or lease should be based on the valuations submitted by our valuator when the Kitsilano Reserve was arbitrated". .....

—

The letter is referred to the department for attention. It has not been acknowledged by this office.

L. J. Gratt
Private Secretary.

Encl.

Dr. McGill -
For attention of your Branch.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

File 88835-5

Ottawa, August 10, 1944.

F. J. C. Bell, Esq., Indian Agent, Vancouver, B. C.

Re Kitsilano Indian Reserve

A communication has been addressed to the Minister enclosing a clipping from the Vancouver Sun stating, first - "Negotiations are under way between F.C.Bell federal Indian Agent and large private interests for the possible leasing of the 11.2 acres of land located in the Kitsilano Reserve", and second referring to an extension of two months granted to the city of its option to lease the area. Another clipping from the Sun is on file discussing proposals by the city to dump garbage on the Reserve for the alleged purpose of building up the water front to make it suitable as an industrial area.

There appears to be nothing on our file indicating that any of these arrangements were under consideration. Will you kindly let us have a report?

Director

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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D.X.U.

VANCOUVER SUN 27/7/44

Lease Sought On Indian Land

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

416 Federal Building,
Vancouver, B. C.
Aug. 17th 1944.

Department of Mines & Resources
Indian Affairs Branch
AUG 22 1944
REGISTERED

Indian Affairs Branch, Ottawa.

File 28835-3

re: Kitsilano Indian Reserve

I beg to acknowledge of your letter of the 10th instant and to report that the press as usual is trying to get a story, in fact their reporter phones almost daily asking if there isn't something interesting about Kitsilano Reserve that he can write up and I advise him constantly that there is not.

There is a piece of the Reserve 11.2 acres which Alderman Bennett of the City Council wanted the city to lease. He called upon me several times saying if they could lease it for a number of years it would be a valuable asset to the city. I asked the Squamish Indian Council what they thought of the proposition and they said they would approve of any application from the city or anyone else, providing the rental was right. I found that this 11.2 acres is assessed by the city at approximately $100,000 and suggested to Alderman Bennett that the rental would be $5000 per annum, which he considered fair as it was based on their own assessment.

He was most enthusiastic about the proposition and there were several rather silly reports in the paper saying how much credit I deserved for all the work I had done in getting this matter settled. However, Alderman Bennett's colleagues on the City Council were not nearly so enthused as he expected them to be and he was bitterly disappointed that they did not immediately apply for the lease and remarked that if the city did not take it, private interests would do so. He asked me if I would hold it open for another two or three months and as it has been held open since time immemorial, a few months more would make no difference. This land would need filling and someone on the City Council said it could be filled with garbage as have many places around Vancouver. This immediately raised howls of complaints from Kitsilano residents that the city was going to'use the Reserve for a garbage dump'. This was explained away by the city Engineer.

The matter rests there so far, and as there was nothing concrete to report I did not think it was worth while writing you until someone made an application for a lease when it would be handled in the usual manner.

Indian Agent

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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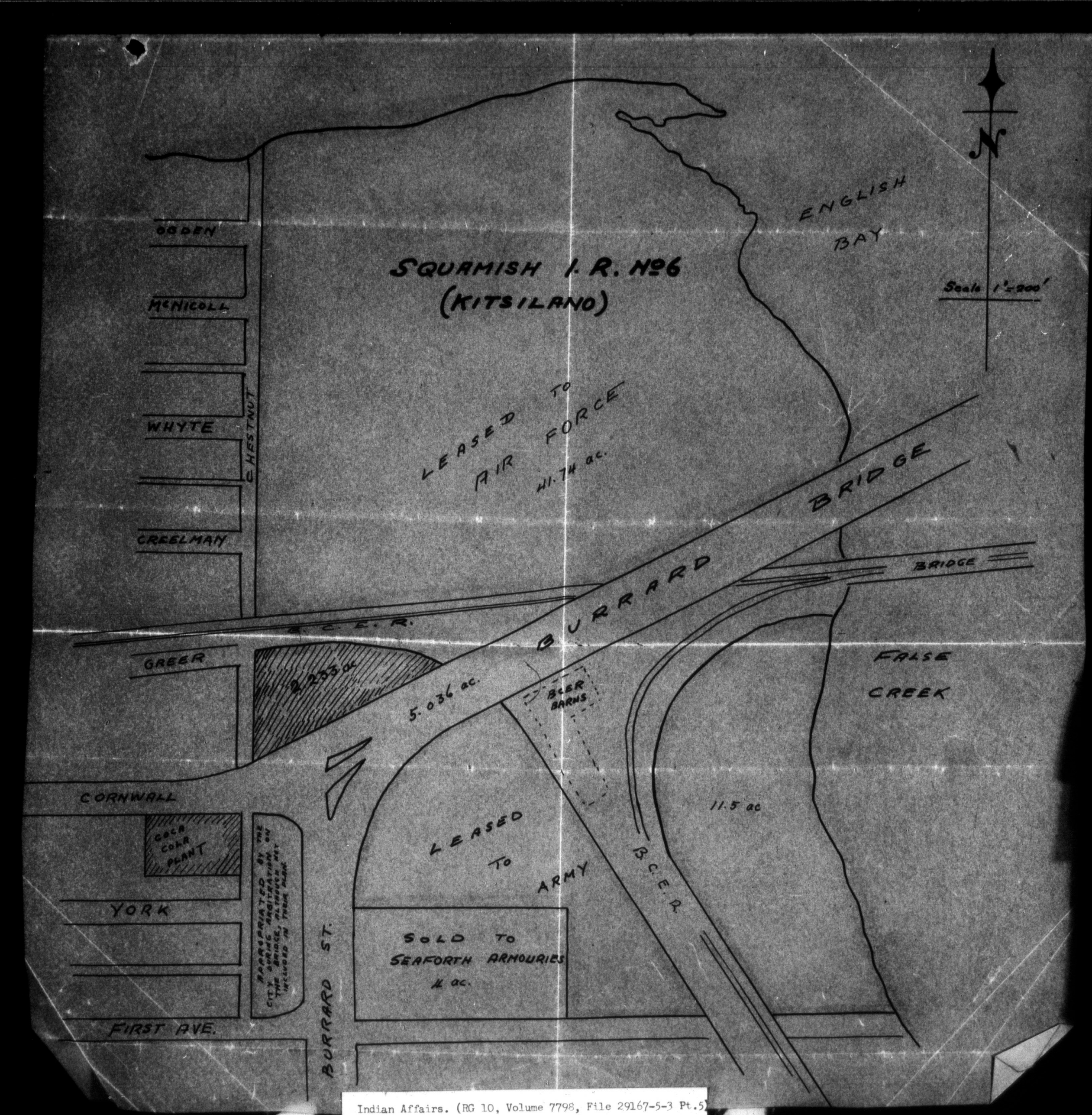
SQUAMISH I. R. No 6
(KITSILANO)



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Pg. 5 7/11/44

11. RE PROPOSED "CANADA DRY" PLANT SITE - INDIAN RESERVE - ADJACENT TO CHESTNUT STREET AND BURRARD BRIDGE APPROACH

At the meeting of the Board of Works held on September 26th 1944, the question of the establishment of a "Canada Dry" plant on the Kitsilano Indian Reserve adjacent to Chestnut Street and Burrard Bridge approach, was referred to the Town Planning Commission for consideration and report.

A letter dated November 2nd 1944, addressed to His Worship the Mayor and Members of the Council, from J. Alexander Walker, Executive Engineer of the Commission, was read as follows:-

"On the 2nd October last, the application of Canada Dry Ginger Ale, Inc., to erect a manufacturing plant on the north east corner of Chestnut and Cornwall Streets at the south approach of Burrard Bridge and containing 2,233 acres, was referred by the City Council to the Commission for consideration and report.

The minutes of the Board of Works, a blue print of the layout and a coloured picture of the proposed plant were considered at a meeting of the Commission held today.

I beg to advise that the Commission recommended that this Company's application for permission to erect a manufacturing plant on this area be not approved.

I was directed to advise the City Council that it has been the Commission's opinion for some years that all that portion of the Kitsilano Indian Reserve north and west of Burrard Bridge should be reserved for park purposes and that industry should be confined to the portions of the Reserve lying south and east.

The blue print and coloured picture of the proposed plant are returned herewith."

It is recommended that the report of the Town Planning Commission in this connection be received, and that a copy of this report be furnished the Canada Dry Ginger Ale, Incorporated, New York City, and also to the Department of Indian Affairs, this City.

It is further recommended that the Canada Dry Ginger Ale, Incorporated, be advised of the City Council's keen interest in their desire to establish a manufacturing plant in the City of Vancouver, and to assure the Company of the Council's fullest co-operation and assistance in any further effort to obtain a suitable site for their plant in this City.

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CITY ENGINEER'S OFFICE
VANCOUVER, B.C.

PHONE FAIRMONT 2711

November 14, 1944.

T. J. Taylor, Jr.,
Real Estate Manager,
Canada Dry Ginger Ale, Incorporated,
100 East Forty-Second St.,
New York City, N.Y.

Dear Sir:

Attached is an extract from the Board of Works Report of November 7th which was adopted by Council on November 13th:-

RE PROPOSED "CANADA DRY" PLANT SITE - INDIAN RESERVE - ADJACENT TO CHESTNUT STREET AND BURRARD BRIDGE APPROACH.

Yours truly,

J. W. Cupping

Secretary, Board of Works.

AAG/IY
c.c. Dept. of Indian Affairs ✓
Town Planning Commission

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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OFFICE OF THE INDIAN AGENT

CANADA
DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Department of Mines & Resources
Indian Affairs Branch
NOV 25 1944
REGISTERED

PLEASE QUOTE
FILE

416 Federal Building,
Vancouver, B. C.
November 20th 1944.

Indian Affairs Branch, Ottawa.

re: Kitsilano Reserve

I beg to enclose herewith a letter sent to the "Canada Dry Ginger Ale Inc." at New York regarding their request to lease a portion of Squamish I.R.No.6(Kitsilano).

This is a case of discrimination and unauthorized interference with administration of an Indian Reserve, and the reason given for preventing this industry locating there is based on improper statements. The portion of the Reserve referred to, except for the 2.233 acres required by the Canada Dry Company, is covered entirely by R.C.A.F. permanent concrete buildings, and hardsurfaced roads, and can never be made into a park as mentioned.

In any case, the Squamish Indians have no intention of allowing the City to take this property for park purposes.

The small portion required by the Canada Dry Company is entirely separate and cut off from the land leased to the R.C.A.F., as shown on the attached sketch.

What makes the whole business ridiculous is that immediately opposite is a large factory making Coca Cola. If they permit Coca Cola on one side of a street and refuse permission for Canada Dry on the other side, it is certainly discrimination against the Indians' interests and should not be permitted. Zoning regulations, etc. cannot cover the Indian Reserve while it remains unsold, and I believe it is the Department's expressed opinion that a lease can be issued without reference to the zoning by-laws of the City, and I recommend that this be done. It is zoned for multiple dwellings, yet the City authorities themselves say that they intend to make it into a park, and if the City does not follow its own zoning regulations, why should we?

The Squamish Indian Council is keenly interested in this matter as it means much loss of revenue. The City was offered a lease of practically all the unleased portion of Kitsilano

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Reserve but did not take any action. Now we have a chance to lease, they are preventing it. In other words, the City intends to keep the Reserve unused so that this can be used as an argument as to why they should get it for a park.

The Indians today are not permitting their affairs to be placed at the mercy of local authorities, and demand full protection of their interests.

Yours truly,

Indian Agent

B/DH.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Ottawa, November 27, 1944.

MEMORANDUM The Acting Director

Re: Kitsilano Indian Reserve

The writer requests consideration of Indian Agent Ball's letter of November 20th hereunder. The writer is completely at a loss to suggest to you how this matter may be dealt with. The Kitsilano Reserve lies within the Corporation of the City of Vancouver. The City Council appear to have assumed jurisdiction over what disposal may be made of the Indian property. Whether they have jurisdiction in the matter is a moot question, but if they have and exercise it it would make it impossible for the Indians to obtain any revenue from this property. The Agent does not say what the Canada Dry Company are willing to pay in rental to the Indians for the site, but we gather from the correspondence that it or similar properties are assessed at $1,000.00 an acre, and based on that valuation the annual rental might well be in the neighbourhood of $1,200.00 to $1,500.00.

It would appear that if the City want the 11 acres at the approaches to the Burrard Bridge for park purposes, they would have to buy it at a proper appraisal. It would further appear that Ball had tentatively offered it to the City for $100,000.00. In assuming to exercise control over the uses to which the property may be put, the City is depressing the value, possibly with the object of buying it eventually at their own price.

The writer directs to your attention another phase of this matter. Indian Agent Ball, as is his custom, has entirely ignored the Commissioner. It is submitted that in a matter of this kind this office is entitled to such assistance in reaching a proper conclusion as the Commissioner can give us. It should not be necessary that in order to

(over)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

obtain the considered advice of the Commissioner we have to submit to him the Agent's report and in doing so countenance the practice of this Agent reporting direct to the Department and ignoring his superior officer. The writer is convinced that we should have a full report on this matter including any negotiations with the Canada Dry Company that we know nothing about. The writer hesitates to ask the Commissioner to furnish such a report and suggests that the Agent be instructed to report to the Commissioner and to furnish the Commissioner with copies of all correspondence and a full report on all negotiations which he is presumed to have carried on with the Company and with the City.

There is little doubt that political considerations will enter the picture whatever course of action we decide upon and for that reason the writer suggests that we take the first opportunity of discussing this matter with the Deputy Minister. Frankly the writer considers it beyond the capacity of this Service to deal with it and possibly beyond the capacity of the Branch.

D. J. Allan,
Superintendent,
Reserves & Trusts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

RES[illegible]S AND TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

discussed with Mr Allan
Suggest that full
report be secured
from Mayor McGuire

Ottawa, November 27, 1944.

MEMORANDUM

The Acting Director

Re: Kitsilano Indian Reserve

The writer requests consideration of Indian Agent Ball's letter of November 20th hereunder. The writer is completely at a loss to suggest to you how this matter may be dealt with. The Kitsilano Reserve lies within the Corporation of the City of Vancouver. The City Council appear to have assumed jurisdiction over what disposal may be made of the Indian property. Whether they have jurisdiction in the matter is a moot question, but if they have and exercise it it would make it impossible for the Indians to obtain any revenue from this property. The Agent does not say what the Canada Dry Company are willing to pay in rental to the Indians for the site, but we gather from the correspondence that it or similar properties are assessed at $1,000.00 an acre, and based on that valuation the annual rental might well be in the neighbourhood of $1,200.00 to $1,500.00. ? ? ?

It would appear that if the City want the 11 acres at the approaches to the Burrard Bridge for park purposes, they would have to buy it at a proper appraisal. It would further appear that Ball had tentatively offered it to the City for $100,000.00. In assuming to exercise control over the uses to which the property may be put, the City is depressing the value, possibly with the object of buying it eventually at their own price.

The writer directs to your attention another phase of this matter. Indian Agent Ball, as is his custom, has entirely ignored the Commissioner. It is submitted that in a matter of this kind this office is entitled to such assistance in reaching a proper conclusion as the Commissioner can give us. It should not be necessary that in order to

(over)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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obtain the considered advice of the Commissioner we have to submit to him the Agent's report and in doing so countenance the practice of this Agent reporting direct to the Department and ignoring his superior officer. The writer is convinced that we should have a full report on this matter including any negotiations with the Canada Dry Company that we know nothing about. The writer hesitates to ask the Commissioner to furnish such a report and suggests that the Agent be instructed to report to the Commissioner and to furnish the Commissioner with copies of all correspondence and a full report on all negotiations which he is presumed to have carried on with the Company and with the City.

There is little doubt that political considerations will enter the picture whatever course of action we decide upon and for that reason the writer suggests that we take the first opportunity of discussing this matter with the Deputy Minister. Frankly the writer considers it beyond the capacity of this Service to deal with it and possibly beyond the capacity of the Branch.

D. J. Allan,
Superintendent,
Reserves & Trusts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

Ottawa, Ontario,
November 29, 1944.

Major D. M. MacKay, Indian Commissioner for B.C., P.O. Box 70,
VANCOUVER, B.C.

Re: Kitsilano Indian Reserve

We are enclosing a copy of a report received from Indian Agent Ball dated November 20th and a copy of our wire in reply. When the facts are before you your advice and comment would be appreciated. On the statement submitted by the Agent we may have to seek legal advice and it is considered essential that all known facts be before us for consideration before becoming involved in further arguments with the City.

Encls.

Acting Director.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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NIGHT MESSAGE	
NIGHT LETTER	X

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RECEIVER'S NO.	TIME FILED	CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to
Veuillez expedier la dépêche suivante aux conditions mentionnées au verso auxquelles je consens par les présentes

OTTAWA, NOVEMBER 29, 1944.

F.J.C. BALL
INDIAN AGENT
416 FEDERAL BUILDING
VANCOUVER, B.C.

EX'D.

REPORT KITSILANO SITUATION ACKNOWLEDGED STOP PLEASE FURNISH COMMISSIONER WITH COPIES OF YOUR LETTER AND ALL CORRESPONDENCE AND WITH FULL REPORT OF CONVERSATIONS AND NEGOTIATIONS WITH CANADA DRY AND CITY STOP HIS COMMENT AND ADVICE CONSIDERED ESSENTIAL TO FURTHER ACTION HERE STOP URGENT.

R. A. HOEY
ACTING DIRECTOR

Charge
Indian Affairs Branch,
Dept. Mines & Resources.

Nov 29/44 - 3 pm

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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(COPY)

CANADA DRY GINGER ALE INCORPORATED

NEW YORK CITY, N.Y. November 29, 1944.

Mr.F.J.C.Ball, Indian Agent,
Vancouver, B. C.

Dear Mr.Ball:

We have received a communication from the Secretary of the Board of Works, stating that our application for a permit to construct a Canada Dry plant on your site near Chestnut Street and the Burrard Bridge approach, has been refused.

We are deeply disappointed as we felt that this site would particularly well suit our requirements and that we would be able to work out a satisfactory lease with you along the lines we discussed when I was in Vancouver this summer.

I suppose that you have read the extract from the Board of Works Report of November 7th which was adopted by the Council on November 13th. The part which appears to be pertinent is the statement that it has been the Commission's opinion for some years that all that portion of Kitsilano I.R. north and West of the Burrard Bridge should be reserved for park purposes. This is not the entire quotation but is taken from the context.

You, of course, are thoroughly ramiliar with this situation and we are wondering if you feel that there is any possibility of obtaining approval of an exception which will permit us to erect our plant, or whether the recent decision is final. We have written His Worship, Mayor Cornett, and asked him whether the City would not reconsider its decision, but we are naturally interested in having your reaction also, if you care to give it to us.

If the recent decision is final, we naturally will have to make other plans, but we do not desire to give up consideration of your site until we are certain that further consideration is useless. With very much appreciation to you for your courtesy and co-operation extended to me when I was in Vancouver and with kind personal regards,

Sincerely yours,

"T. J. Taylor, Jr."
Real Estate Manager

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28435-3

OFFICE OF THE INDIAN AGENT

CANADA
DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

DEC 11 1944 REGISTERED

PLEASE QUOTE FILE

416 Federal Building,
Vancouver, B. C.
Dec.6, 1944.

Indian Affairs Branch, Ottawa.

re: Kitsilano Reserve

EX'D.

With reference to your wire of the 29th ultimo, I enclose herewith copy of a letter received today from the Canada Dry Ginger Ale, Inc.

The only apparent reason why the City is trying to prevent a lease being issued is because at some distant date they think the City will acquire for park purposes this 2.233 acres with the 41.74 acres now leased to the Department of Defence for Air. As the latter portion is now completely covered with hard-surfaced roads, railroad tracks, and solidly constructed concrete buildings, there is little likelihood of it ever being a park.

Meanwhile the Indians are apparently to be deprived of considerable revenue on this flimsy pretext. The City was given an opportunity of leasing 11.5 acres of this Reserve, and did not accept the offer, so I cannot see why they should be allowed to prevent the Indians from leasing it to another party.

When the Parks Board was trying so hard to 'acquire' this Reserve for park purposes before the war, they repeatedly pointed to the fact that we were not using it. When we try to make use of it, they do their utmost to prevent it. It simply does not make sense and I hope a lease will be issued to the Canada Dry Company in spite of the City Park Board's objections.

Fred J. Ball
Indian Agent

B/DH.
Encls.

P.S. Copy given to Indian Commissioner.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Statement of Revenue Received from the Sale of Land, Kitsilano Indian Reserve No. 6.

1901	Canadian Pacific Railway	5.62 acres	$ 704.00
1902	Vancouver & Lulu Island Railway	7 "	3,500.00
1935	City of Vancouver for Burrard Bridge	8.074 "	
	Arbitration Award $44,988.58 Taxed Costs 15,145.65		29,842.93
1938	Department of National Defence	4 "	30,000.00
1936	" " " "	.235 "	2,157.50
			$66,184.43

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Statement of Rentals Received from Kitsilano Indian Reserve No. 6 from 1912 to date.

1912-16	Rat Portage Lumber Co.		$ 344.95
1928-29-30	Rat Portage Lumber Co.		15,156.88
1928	McCormick		25.00
1932	Vancouver Rotary Club		75.00
1934-37	Agne Coal Co.		120.00
1942-43-44	National Defense (Air) $5,000.00 per annum.	41.74 acres	15,000.00
1942-43-44	National Defense (Army) $650.00 per annum.	3.252 acres	1,950.00
	TOTAL		$31,171.83

EX'D

mmcl

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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OFFICE OF THE DEPUTY MINISTER

MEMORANDUM

This plan kept by Deputy Minister's Office.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-8495
ALSO TO DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

P.O. BOX 70
VANCOUVER, B.C. Jan. 16, 1945.

AIR MAIL

Indian Affairs Branch, Department of Mines and Resources,
Ottawa, Ontario.

Your File 28835-3
Squamish I. R. No. 6 (Kitsilano)

I have to refer to your letter of November 29th regarding the application submitted by "Canada Dry Ginger Ale Inc., New York" to lease a part of the above noted Reserve. Your telegram of November 29th, together with a copy of Mr. Indian Agent Ball's letter of November 20th and a copy of your telegraphic reply thereto relating to this matter have also been received.

The Department is aware that for the past ten years the City of Vancouver has strenuously opposed the use of the area of this Reserve to the west of the Burrard Street bridge for industrial purposes, having in mind the acquisition of this part of the parcel for park development. It will be recalled that in December 1940 following the outbreak of war efforts were made by J. Coughlan and Son to secure a lease of this property for ship building purposes, offering a rental of $12,000.00 per annum for same, but owing to the opposition of the City the Company was compelled to go elsewhere for a suitable site. Subsequently, most of this area was leased to the Department of Defence for Air although even here the City did its utmost to prevent a lease despite the fact that the area was required in connection with the defense of this coast and the general war effort.

The action of the City in opposing the present application is consistent with the stand it has taken right along to the use of this part of the Reserve for industrial sites. It is not consistent, however, with its approval of the use of a privately owned site but a few feet away from the Reserve by the Coca Cola Company for similar purposes. The Chairman of the Town Planning Commission endeavoured to explain this to me by stating

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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ARCHIVES PUBLIQUES
CANADA

that the Commission had been misled and made a mistake in approving of the application of the Coca Cola Company but did not intend to fall into a similar error again. He pointed out that this part of the Reserve fell within the area zoned for private dwellings. The enclosed sketch shows the relation between the area of the Reserve applied for by the Canada Dry Ginger Ale Inc., which is coloured green and is 2.233 acres in extent, and the area sold by private interests to the Coca Cola Company and on which the Company erected a large factory with the approval of the Town Planning Commission and the City Council.

The following information in connection with this Reserve may be of interest:-

(1) Title remains with the Crown Province subject to a lien of $350,000.00, reference Dominion Order-in-Council P.C. 318 dated 27th of February 1928.

(2) The Reserve is situate within the corporate limits of the City of Vancouver.

(3) The Reserve is unsaleable for industrial purposes due to a zoning by-law of the City.

(4) In 1916 a Board of Arbitration valued the Reserve at $660,200.00. This was considered too low. The same year the Department obtained an independent valuation of $1,250,000.00 from the Yorkshire Guarantee Company.

It is understood that representations were made some time ago to the Province to transfer its equity in the Reserve to the City. In discussing the subject with some of the Provincial officials a few days ago I was advised that no such action was contemplated and moreover that the Province had every intention of maintaining its claim against the Reserve.

There is no legal obstacle in the way of a long-term lease of the area for industrial or any other purpose. It is doubtful, however, if much progress can be made in the way of negotiating a profitable lease with any concern so long as the present opposition of the City to industrial development thereon continues.

(over)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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The solution of the problem could be found either in the purchase by the City of the area in question at a price in line with existing values or withdrawal of its opposition to the application of the Canada Dry Ginger Ale Inc. in order that negotiations with this firm in respect to a lease may proceed.

D.M. MacKay,
Indian Commissioner for B.C.

/KT

Enc.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO

NO _____

ALSO TO DATE OF THIS LETTER

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

P.O. BOX 70
VANCOUVER, B.C.

Jan. 16, 1945.

Department of Mines & Resources
Indian Affairs Branch
MAR 21 1945
REGISTERED

Private & Confidential

Dear Mr. Hoey:

During Mr. Crerar's visit to this office a few days ago the subject matter of the enclosed letter was briefly discussed and he asked me when sending the report forward to suggest that you bring the subject to his attention for review.

I understand that the City authorities have had the energetic support of Honourable Ian MacKenzie in their opposition to the use of the area of the Reserve to the west of the Burrard Street bridge for industrial purposes which they wish to include in a somewhat ambitious park scheme. It is doubtful, under the circumstances, if the Department would wish to force the issue at this time. Nevertheless, I should say that it would be well to request the City to consider the purchase of the small area applied for by Canada Dry Ginger Ale Inc. or withdraw opposition to its lease to the Company by the Department on behalf of the Indians. This might tend to force the City to make a definite decision, a move which must be made before we can get very far in solving this problem.

I trust that you are keeping well and with kindest personal regards.

Yours faithfully,

D.M. MacKay,
Indian Commissioner for B.C.

/KT

R.A. Hoey, Esq.,
Acting Director of Indian Affairs,
Dept. of Mines & Resources,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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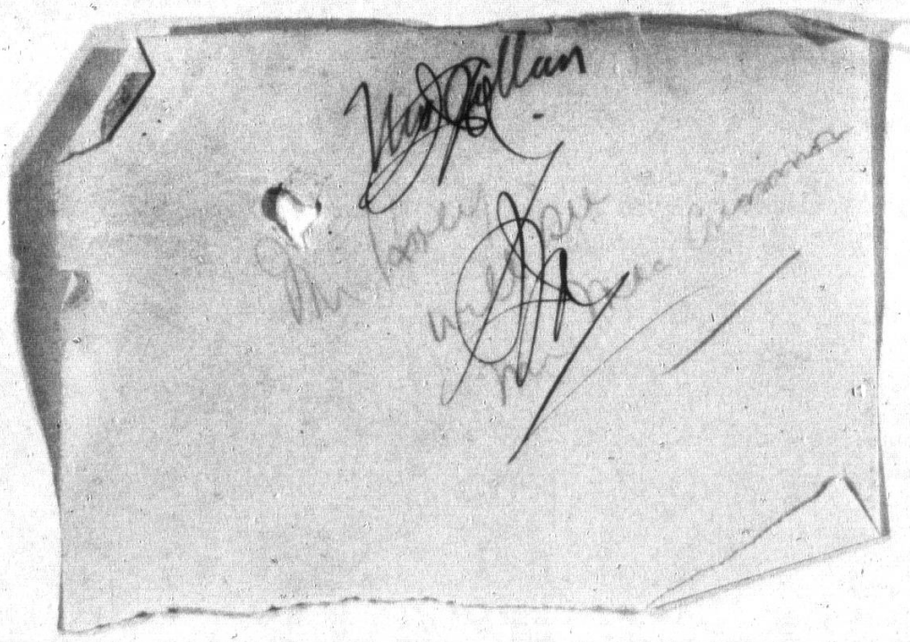

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835-3

RESERVES AND TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa, May 1, 1945.

MEMORANDUM THE ACTING DIRECTOR

Re: Kitsilano Reserve

It would not appear that anything further can be done to forward this matter until a new Parliament is elected.

The Deputy's Office has intimated both to the Commissioner from B.C. and the writer that consideration will immediately be given to the possibility of providing $350,000.00 to the Province of British Columbia for the purpose of taking title to the Reserve pursuant to the arrangement made by P.C. 318 dated February 27, 1928, (our file 28835-3A). In this connection consideration should also be given to a resolution of the Amalgamated Squamish Bands dated December 15, 1927, attached to and forming part of Commissioner Ditchburn's report of December 23, 1927, (our file 28835-3A).

Possibly this matter should be again referred to the Deputy Minister's attention and with that in mind the file is being B.F. to July 2, 1945.

D. J. Allan,
Superintendent,
Reserves & Trusts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

MEETING OF THE SQUAMISH INDIAN COUNCIL
MARCH 26th 1945

PRESENT:
F.J.C.Ball, Indian Agent, Chairman of Council
Tim Moody, Secretary

Councillors :

Chief Moses Joseph	Henry Jack
Chief Matthias Joe	Denny Paull
William Baker, Sr.	Louie Miranda
Alfred Jacob	Stanley Joseph

ABSENT: Councillors:

Ed. Charlie	Elvie Andrew
Frank Baker	

The meeting opened at 7.45 p.m. Minutes of last regular meeting were read.

MOVED by Councillor Denny Paull
SECONDED by " Louis Miranda

THAT the Minutes of the last regular meeting be adopted as read.

CARRIED UNANIMOUSLY

The matter of leases on Kitsilano Reserve then came up for discussion.

MOVED by Chief Matthias Joe
SECONDED by Chief Moses Joseph

THAT a Committee be appointed to interview the Indian Commissioner regarding leases on Kitsilano Indian Reserve requesting him to take up the question personally in Ottawa and to report back to the Council with an explanation as to why the Department is not supporting the agreement made between the Indians and the Provincial Government in which it was agreed that the Indians would repay the Provincial Government $350,000 when the whole Reserve is sold and that until then the Indians would have the use of the Reserve, and this Council feels that they have a right to obtain revenue from leases because the Council considers that agreement is still in effect.

CARRIED UNANIMOUSLY

MOVED by Councillor Alfred Jacob
SECONDED by " Henry Jack

THAT the following Committee be appointed to interview the Indian Commissioner regarding Kitsilano Reserve.

Chief Matthias Joe Chief Moses Joseph
Councillors Denny Paull, Louie Miranda, Wm.Baker, Sr.
Secretary, Tim Moody

CARRIED UNANIMOUSLY

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835- 3

MEETING OF THE SQUAMISH INDIAN COUNCIL
AT NORTH VANCOUVER, B. C.
March 26th 1945.

PRESENT: F.J.C.Ball, Indian Agent, Chairman of Meeting
Tim Moody, Secretary

Councillors
Chief Moses Joseph — Henry Jack
Chief Matthias Joe — Denny Paull
William Baker, Sr. — Louie Miranda
Alfred Jacob — Stan. Joseph

ABSENT: Councillors
Ed. Charlie — Elvie Andrew
Frank Baker

Department of Mines & Resources
Indian Affairs Branch
MAY 10 1945
REGISTERED

RESOLUTION

MOVED by Chief Matthias Joe
SECONDED by Chief Moses Joseph

THAT a Committee be appointed to interview the Indian Commissioner regarding leases on Kitsilano Indian Reserve, requesting him to take up the question personally in Ottawa and to report back to the Council with an explanation as to why the Department is not supporting the agreement made between the Indians and the Provincial Government in which it was agreed that the Indians would repay the Provincial Government $350,000 when the whole Reserve is sold and that until then, the Indians would have the use of the Reserve, and this Council feels that they have a right to obtain revenue from leases because the Council considers that agreement is still in effect.

CARRIED UNANIMOUSLY

I HEREBY CERTIFY that I was personally present and presided at a meeting of the Squamish Indian Council at which the foregoing resolution was unanimously passed and carried.

F.J.C.Ball
Indian Agent

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835 - 3

File

Vancouver Sun
May 23, 1945

Sweeney's Newest Attraction

INDIAN 'CONEY ISLAND' URGED FOR KITSILANO

Vancouver citizens should polish up their Indian jargon and totem poles now to welcome "heap big" post-war tourist trade, in the opinion of Mr. Leo Sweeney, president of the Vancouver Tourist Association.

"We can easily develop a tourist-conscious population by modernizing and streamlining our natural tourist attractions with emphasis on the Indian theme," Mr. Sweeney said, at a meeting of the Kitsilano Ratepayers' Association Tuesday night.

He stated that Kitsilano Beach could easily become an "Indian Coney Island."

Director

July 25/45.
Mr Jackson phoned that he was taking his matter up today with Mr Glen with a view to placing an item in supplementary Votes to clear title to his property
Allan

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835

HANSON BROS. INVESTMENTS LIMITED

255 ST. JAMES STREET
MONTREAL

Department of Mines & Resources
Indian Affairs Branch
JUL 30 1945
REGISTERED

July 25th, 1945

Department of Indian Affairs,
Ottawa, Ontario.

Attention - T. R. L. MacInnes, Esq.
Secretary.

Dear Mr. MacInnes: RE SICKS' BREWERIES LIMITED

I wish to thank you for the interview I had with you and Mr. Allan yesterday in connection with the Kitsilano Reserve in Vancouver.

I am passing the information you gave me on to Mr. Ker, the President of the Company, and if he should decide to follow up the matter further he will let me know and I will submit to you a letter. Should he, however, decide to abandon the idea, I will make it a point to advise you accordingly.

With kind regards to Mr. Allan and yourself, I am,

Yours faithfully,

E. Gerald Hanson

EGH/M

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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COPY

MINISTER OF LANDS AND FORESTS

Victoria, B.C.,
Sept. 12, 1945.

The Hon. J. Allison Glen,
Minister of Mines & Resources,
Ottawa, Ont.,
Canada.

Dear Sir:

Allow me to call your attention to correspondence that has passed between this Department and yours in the matter of a settlement between the two Governments in respect to the former Kitsilano Indian Reserve located on False Creek, Vancouver, British Columbia:

This agreement was entered into in good faith by the Province; and it is assumed also by the Dominion. The Orders in Council which were passed at the time clearly indicate the intent. Since that time, however, there is no evidence available to this Department that the property in question has ever been placed upon the market, although some portions thereof appear to have been disposed of for various purposes, and the remaining portions are, to a large extent, now occupied by permanent buildings, presumably erected by the Dominion, it is submitted, in contravention of the terms of the Agreement.

No Indians have been in occupation of this property for a number of years, and to all intents and purposes it should therefore have reverted to the Province; where it properly belongs.

In the circumstances, unless the Dominion is prepared to implement its undertaking, the Province will of necessity have to assume proprietorship of the land; no transfer thereof to the Dominion having been made.

It would be appreciated if you will kindly advise me whether or not a settlement of this long-standing matter may be expected at an early date.

Faithfully yours,

(Sgd) E.T. Kenney

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

Copy for Indian Affairs Branch with copy of letter from Mr. Kenney. ✓

Ottawa, September 27, 1945.

Dear Mr. Kenney,-

I have your letter of the 12th instant in which you refer to the Kitsilano Indian Reserve. This is a matter which was brought to my attention some weeks ago. I hope to have an opportunity to discuss it further with my colleagues in the near future, when I will write you again.

Yours sincerely,

(sd) T. Allison Glen

The Honourable E.T. Kenney,
Minister of Lands and Forests,
VICTORIA, B.C.

mailed Sept 29.

Department of Mines & Resources
Indian Affairs Branch
SEP 29 1945
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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BOULTBEE, SWEET & CO. LTD.

355 HOWE STREET VANCOUVER CANADA

CABLE ADDRESS
"BANDS"
VANCOUVER

INSURANCE
REAL ESTATE
MORTGAGES
PROPERTY MANAGEMENT

TELEPHONE PACIFIC 7221

September 28, 1945.

Department of Mines & Resources
Indian Affairs Branch
OCT 2 1945
REGISTERED

Dept. of Indian Affairs,
Ottawa, Canada.

Dear Sirs:-

We have a client who wishes a long term lease of a portion of the Kitsilano Indian Reserve, approximately 200' x 389', on the north boundary of Block 220, D.L. 526, City of Vancouver.

If this lease is granted would undertake to use this property solely for a much needed athletic field.

Yours very truly,

BOULTBEE, SWEET & CO. LTD.

Per:
(O. EKMAN)

OE:EC
AIR MAIL

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28435-3

House of Commons
Canada

OTTAWA, Ontario,
October 16, 1945.

Department of Mines & Resources
Indian Affairs Branch
OCT 17 1945
REGISTERED

R. A. Hoey, Esq.,
Director of Indian Affairs,
Department of Mines and Resources,
OTTAWA, Ontario.

Dear Mr. Hoey:

Mr. R. C. Lucas, Manager of the National Paper Box Limited, Vancouver, has written me on several occasions regarding Lot 6, Kitsilano Indian Reserve, Vancouver.

This Company has outgrown its present location, and in looking for a new site, this piece of property was brought to their attention. Mr. Lucas contacted Major Ball, Indian Agent, Vancouver, who advised him to make representation here in Ottawa about the property. I am, therefore, on behalf of Mr. Lucas, asking you if this property is for sale or for lease.

If suitable arrangements can be made, the Company will, as soon as plans can be prepared, start the erection of a new factory on this site. It would surely be more desirable to have it occupied and bringing some revenue into the Department rather than having it stand idle all this time.

I am, therefore, indicating to you that these people are interested in it, and would be glad to give you any information you wish regarding the Company.

This Company, at the present time, are holding an option on another piece of property owned by the Great Northern Railway - so a decision would have to be made fairly quickly as to what you want to do with it.

An early reply would be appreciated.

Yours truly,

R. W. Mayhew, per m.

R. W. Mayhew, M.P.,
Parliamentary Asst. to the
Minister of Finance.

RWM:MM

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

Ottawa, Ontario,
October 20, 1945.

Dear Sirs:

I wish to acknowledge receipt of your letter of the 28th ultimo, advising that you have a client who wishes a long term lease of a portion of the Kitsilano Indian Reserve, approximately 220' x 389', on the north boundary of Block 220, D.L. 526, City of Vancouver.

In this connection I wish to advise that the title to this property is badly involved and efforts are being made to clear the title so that the Dominion can administer this Reserve. Until the title has been cleared no applications for lease or sale can be granted. In the meantime it is suggested that it would do no harm to submit your application in detail, setting out the length of time your client would require the property and the amount he is prepared to pay by way of rental.

Yours truly,

Director.

Messrs. Boultbee, Sweet & Co. Ltd.,
555 Howe Street,
VANCOUVER, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

Ottawa, Ontario,
October 20, 1945.

Dear Mr. Mayhew:

I wish to acknowledge receipt of your letter of the 16th instant, regarding Mr. R. C. Lucas, Manager of the National Paper Box Limited, Vancouver, who wishes to know if Lot 6, Kitsilano Indian Reserve, Vancouver, is for sale or for lease.

The title to this Reserve is badly involved and negotiations are underway with the Authorities of the Province of British Columbia with a view to clearing this title so that the Dominion can deal with this area. Until the title has been cleared there is nothing that can be done.

It is suggested that you might submit to me an offer either for sale or for lease, giving full details as to what Mr. Lucas is prepared to pay per acre in any sale or lease, so that this could be considered if and when the title has been satisfactorily settled. If you wish, I would be glad to discuss this matter with you more fully at your convenience.

Yours truly,

Director.

R. W. Mayhew, Esq., M.P.,
Parliamentary Assistant to the
Minister of Finance,
House of Commons,
OTTAWA, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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Oct. 20, 1945.

Mr. Hoey

Please see the two attached draft letters for your signature. I spoke to Mr. Jackson in this connection and he thought it would be advisable to have some concrete offers on our files.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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COPY

MINISTER OF VETERANS AFFAIRS

Ottawa, October 4, 1945.

My dear Colleague,-

Mr. J.A. Campbell, K.C., of Vancouver, informs me that upon the occasion of a recent visit to your office you discussed with him the status of the Kitsilano Indian Reserve in Vancouver. I am advised that there are some local conditions, particularly relating to the R.C.A.F. tenancy of a portion of the Reserve, which make it inadvisable and inconvenient to enter into discussions regarding the permanent solution to this problem. I should like to acquaint you, however, with the broad terms of a proposed solution which was receiving reasonably favourable consideration by most of those concerned in 1940.

The Reserve property is divided by the approaches to the Burrard Street bridge, one of Vancouver's main arteries for traffic. The portion of the Reserve lying to the East or South of the bridge is potentially industrial. The portion of the Reserve lying to the West or North of the bridge has potential community value for beach and park purposes.

As perhaps you are aware the Province of British Columbia has a recognized claim on the Reserve to the value of $350,000. I am informed that there is an Order-in-Council of the Dominion Government recognizing this claim in some form.

The City of Vancouver would very strongly object to the industrialization of the part of the Reserve lying to the West of Burrard Street bridge and was only reluctantly persuaded to accept the installation by the R.C.A.F. of the sotrage warehouse built thereon during the war. The City Council resolution gave its consent with

The Honourable James A. Flen,
Minister of Mines and Resources,
OTTAWA, Ontario.

(over)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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a proviso that the R.C.A.F. should remove this building after the war. I have recently been advised that the R.C.A.F. regard this as a continuing activity and will definitely require the warehouse for at least a year or two.

The formula for disposing of the Reserve in such a way as to provide revenue for the Indians without interfering with the amenities of Vancouver was roughly as follows:-

A. that the portion of the Reserve to the east of Burrard Street bridge be thrown open to industrial development with the revenue accruing to the Indians.

B. that the portion of the Reserve to the west of the bridge be granted to the Province or the City at a nominal figure for park purposes.

At the moment I merely wish to bring this proposed solution to your attention with the intimation that at an appropriate time, perhaps a year or two hence, when the air force definitely can be more easily dealt with efforts will be made to bring all parties together in agreement on this or some similar solution.

Very sincerely yours,

(Sgd) Ian A. Mackenzie.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

COPY 28835-3

DEPARTMENT OF MINES AND RESOURCES

Copy for the information of
Mr. Hoey with copy of letter
from Mr. Mackenzie.

Ottawa, October 18, 1945.

My dear Colleague,-

I wish to acknowledge the receipt of your letter of the 4th instant in which you refer to the Kitsilano Indian Reserve. I will be glad to keep your views in mind. I think I should, however, point out at the same time that this property is held by the Department in trust for the Indians and consequently we are not at liberty to deal with it as freely as if it were ordinary Crown lands.

Yours sincerely,

(Sgd) J. Allison Glen.

The Honourable Ian A. Mackenzie, K.C.,
Minister of Veterans Affairs,
OTTAWA.

Mailed Oct. 19.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835

HANSON BROS. INVESTMENTS LIMITED

255 ST. JAMES STREET
MONTREAL 1, P. Q.

October 23rd, 1945.

EXD. A.

OCT 24 1945

Department of Indian Affairs,
Ottawa, Ontario.

Attention - T. R. L. MacInnes, Esq.
Secretary.

Dear Mr. MacInnes:

If you will remember, last July I had a conversation with you and Mr. Allan in connection with the Kitsilano Reserve.

I was speaking to you on behalf of Sicks' Breweries Limited, and Mr. R. H. B. Ker, our President, is in the East now on business. In conversation with him today he said he would like to discuss this matter further with you, and he will probably be in Ottawa towards the end of next week, when I have suggested that he call on you.

I hope you will give Mr. Ker the same kind courtesy you extended to me.

Yours very truly,

EGH/M

Received in Secretary's Office November

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADIAN NATIONAL TELEGRAPHS

W. M. ARMSTRONG, GENERAL MANAGER, TORONTO, ONT.

PATRONS SHOULD MARK AN X [illegible] SITE THE CLASS OF SERVICE DESIRED; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

RECEIVER'S NO.	TIME FILED	CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to .
Veuillez expedier la dépêche suivante aux conditions mentionnées au verso auxquelles je consens par les présentes

D. M. MacKay,
Indian Commissioner,
Vancouver, B. C.

Ottawa, January 10, 1946.

YOU ARE AUTHORIZED AND DIRECTED TO EMPLOY IMMEDIATELY J C MCPHERSON OF PEMBERTONS TO APPRAISE UNDISPOSED PORTIONS KITSILANO INDIAN RESERVE SIX STOP SUCH APPRAISAL SHOULD INDICATE EFFECT OF CITYS ZONING REGULATIONS ON OUR PROPERTIES. Urgent.

D. J. Allan

Charge Indian Affairs Branch,
Dept. Mines and Resources.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO.
DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

JAN 7 1946
DEPUTY MINISTER

P.O. BOX 70
VANCOUVER, B.C. January 5, 1946.

Department of Mines & Resources
JAN 11 1946
OFFICE OF THE DIRECTOR
Mines and Geology Branch

Dear Mr. Jackson:

With reference to my airmail letter of the 4th instant, I am forwarding herewith a copy of the City's "Zoning By-law" and a map showing the zoning of the various districts.

Mr. McTaggart, Corporation Counsel, has advised me that neither the by-law nor the map is completely up to date, but they will probably serve your purpose. Should you require further information on this matter let me know and I will endeavour to secure it.

Yours faithfully,

D. M. MacKay,
Indian Commissioner for B.C.

/EW
Encl.

C. W. Jackson, Esq.,
Chief Executive Assistant,
Department of Mines and Resources,
Ottawa, Ontario.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Mr. McCammon.

Herewith are files 28835-3, vol. 4, 28835-3B, 28835-3A and 28835-3, vol. 5 which you left with me yesterday.

W.M.C.
16-1-46.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

(DRAFT)

KNOW ALL MEN BY THESE PRESENTS THAT WE, the undersigned Chief and Principal men of the Squamish 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 District of New Westminster and Province of British Columbia, containing by admeasurement sixty-three acres and seven hundred and forty-five thousandths of an acre, be the same more or less, and being composed of all of Kitsilano Indian Reserve number Six.

TO HAVE AND TO HOLD the same unto His said Majesty the King, his Heirs and Successors forever, in trust to sell, lease, or otherwise 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 sale or lease thereof, except as hereinafter provided, shall be credited to the funds of the Squamish Band of Indians.

It is hereby agreed that the first charge against the moneys arising out of the sale of the lands hereby surrendered shall be the payment to the Government of the Dominion of Canada of the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00) together with interest at the rate of 3%, which said sum of $350,000.00 the Government of the Dominion of Canada has paid to the Government of British Columbia as a full settlement of all interest and claims which the said Government of British Columbia may have or may have had against Kitsilano (False Creek) Indian Reserve No. 6.

This condition is in accordance with the resolution of the Chiefs and Councillors of our bands passed on the 15th day of December, 1927.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

AND WE, the said Chief and Principal men of the said Squamish 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 or leasing thereof.

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

SIGNED, SEALED AND DELIVERED)
In the presence of)
)
)
)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

LEGAL DIVISION

DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

Department of Mines and Resources
Indian Affairs Branch
JAN 23 1946
REGISTERED

OTTAWA 16th January, 1946.

MEMORANDUM:

Mr. McCrimmon.

As will be noted in the attached slip hereunder, Mr. Jackson has approved the proposed draft of surrender in re Kitsilano Indian Reserve.

It will be noted that Mr. Jackson has suggested after the words "in trust to sell, lease" the words "or otherwise dispose of". He suggests that these words should be included in all future surrenders. You might, therefore, make this necessary notation for future use.

Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-2868
ALSO TO DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

28835 3

INDIAN AFFAIRS
BRANCH

P.O. BOX 70
VANCOUVER, B.C. January 15, 1946.

Airmail

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Attention: Mr. D. J. Allan

With reference to your telegram of the 10th instant authorizing the employment of Mr. J. C. McPherson of Pemberton's Realty Company, Vancouver, to appraise lands of the Kitsilano Indian Reserve No. 6, I wish to advise that arrangements have now been made with Mr. McPherson to undertake this work. He is not, however, in a position to proceed until next week.

I take it that the Department wishes the area under lease to the Department of National Defence for the duration of the war and one year therafter, and the parcel under lease to the Department of National Defence for Air for the duration of the War and three years thereafter with option of renewal, appraised, as well as the area to the east of the Burrard Street bridge which is not at present under lease. I should, however, appreciate being advised by wire in this respect at your earliest convenience.

D. M. MacKay,
Indian Commissioner for B.C.

/EW

Department of Mines & Resources
Indian Affairs Branch
JAN 17 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form 6102B

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W. M. ARMSTRONG, GENERAL MANAGER, TORONTO, ONT.

CLASS OF SERVICE DESIRED	
FULL-RATE MESSAGE	X
DAY LETTER	
NIGHT MESSAGE	
NIGHT LETTER	

PATRONS SHOULD MARK AN X OPPOSITE THE CLASS OF SERVICE DESIRED; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

RECEIVER'S NO.	TIME FILED	CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to
Veuillez expedier la dépêche suivante aux conditions mentionnées au verso auxquelles je consens par les présentes

Major D. M. MacKay,
Indian Commissioner for B. C.,
Vancouver, B. C.

Ottawa, January 17, 1946.

RE LETTER JANUARY FIFTEENTH STOP APPRAISAL KITSILANO RESERVE SHOULD INCLUDE TOTAL ACREAGE

R. A. Hoey

M M C

Chge. Indian Affairs Branch,
Dept. Mines & Resources.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EXPLANATORY NOTE:

Re - Kitsilano Reserve No. 6,
British Columbia.

The purpose of the estimate of $350,000 is to acquire the reversionary interest of the Province in this Reserve.

The original Reserve as set aside at the time of the Act of Union was 37.35 acres. The Joint Reserves Commission on Indian Affairs in 1877 reviewed the claims of Indians in that Province for more land and increased the area of the Reserve by an addition of 42.55 acres, thus establishing its status as an Indian Reserve in accordance with the terms of the Union. The Reserve is situated almost in the heart of the City of Vancouver on the South side of False Creek. The legal title is in the Province who claims a reversionary interest. Justice Department has given the following opinion as to what this reversionary interest constitutes:-

Question: (a) What is the nature of the reversionary interest of the Province in the Reserve?

Answer: The beneficial interest in the Reserve belongs to the Crown in the right of the Province of British Columbia subject to the interest of the Indians. As an Indian Reserve, the land is subject to the management and control of the Dominion, but upon surrender of the Indian rights the entire interest would belong to the Province.

Question: (b) Can the Dominion sell or otherwise dispose of the land or the proceeds without the consent of the Province?

Answer: No.

Notwithstanding the absence of title the Dominion over a period of years alienated several small parcels to the Canadian Pacific Railway, the City of Vancouver and the Department of National Defence, comprising in all 23,944 acres, leaving approximately 56.045 acres. The net proceeds received from these sales was $66,184.45, which was credited to Band funds. Since then the Federal Government through dredging operations added 6.25 acres to the foreshore. The total acreage now unsold, therefore, is approximately 63 acres divided up as follows:-

41 acres in one parcel now under lease to the Royal Canadian Air Force for the duration of the war and three years afterwards.

22 acres in four separate parcels.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

The Indians occupied or used most of the area until 1913 when the Provincial Government of that day through its Attorney General, the Honourable W.J. Bowser, made an abortive effort to secure it. Negotiations were carried on direct with the Indians and the sum of $219,750 was paid to twenty families and they were moved off hurriedly in one day to another vacant Reserve.

No proper surrender was obtained and there was a great deal of public criticism over what had taken place, largely because of the ridiculously low price paid for the Indian interest and because of the manner in which the negotiations were carried out. As the Province's legal position was untenable no action was taken by it to secure possession, although in 1924 it did lease a portion of the area and received between 1924 and 1928 in rents the sum of $12,942.24.

In March of 1913 expropriation proceedings were taken for the Vancouver Harbour Board and later the arbitrators fixed the value of the property at $666,200. This price was considered too low by the Department as an independent valuation had been secured fixing the value at $1,200,000 and later in the same year an offer of $2,000,000 was received from a private concern.

Some years later the Harbour Board abandoned the expropriation proceedings and up to 1929 both Governments claimed the right to administer the property. This unsatisfactory position was recognized not only by the two Governments but by the Indians as well. In 1927 the Chiefs and Councillors of the amalgamated Squamish Indian Bands passed a resolution agreeing to surrender the land and that the surrender would contain the clause that the first charge against the monies received from any sale would be paid the Province until its claim had been extinguished, the value of which was fixed at $350,000.

Following the passing of the above resolution, negotiations were carried on between the two Governments and on the 31st January, 1928, an Order in Council was passed by the Lieutenant-Governor in Council, which provided as follows:-

> "That under authority of subsection 2 of Section 92 of Chapter 131, Revised Statutes of British Columbia, 1924, all the right title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in the Kitsilano Indian Reserve No. 6, New Westminster Agency, which has been assigned Lot 2610, Group 1, New Westminster District, comprising 80 acres, more or less, be transferred to the Crown in the Right of the Dominion of Canada as represented by the Superintendent General of Indian Affairs, for the sum of Three hundred and fifty thousand ($350,000.00) Dollars, Conveyance to be made upon payment of the said amount".

On the 27th February in the same year P.C. 318 was passed and reads as follows:-

> "Whereas the Superintendent General of Indian Affair submits a Certified Copy of a Minute of the Executi

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Council of British Columbia approved by the Honourable the Lieutenant-Governor of the Province of British Columbia on January 31st, 1928, recommending as follows:-

(In same wording as Provincial Order in Council)

And Whereas the Superintendent General of Indian Affairs reports that the terms of the aforesaid Order are considered satisfactory, and recommends that they be concurred in and approved.

Therefore His Excellency the Governor General in Council is pleased to approve the terms of the aforementioned Order of the Honourable the Lieutenant-Governor of British Columbia in Council, dated January 31st, 1928, and they are hereby approved accordingly".

Why the interest of the Province was fixed at $350,000 the files do not disclose. It would appear that the Provincial Government claimed that the amount spent in negotiations and other expenses connected with the abortive attempt to secure the property, in addition to the amount paid to the Indians, made a sum total of $350,000.

As the reversionary interest would only be of value to the Province if and when the Indian lands became extinct or if the latter wished to sell the land, it is difficult to pass any opinion now upon the arrangement that was made - The question of the legal effect of the two Orders in Council was submitted to Justice Department in 1935, who commented as follows:-

> "It is probable that both Governments at the time anticipated the surrender to the Dominion by the Indians of the Reserve and its subsequent sale on the Indians' behalf soon after the Orders in Council were passed. Be this as it may the Orders in Council, on the face of them, show to me nothing but an agreement to transfer at some undefined time any interest the Province of British Columbia may have in the lands constituting the Reserve to the Dominion of Canada for $350,000, conveyance to be postponed to payment".

Unfortunately no sale of the property was completed before the depression commenced in 1930 and it has remained idle until it was leased to the R.C.A.F. in 1942.

The Province has for some years been demanding payment of the sum of $350,000. At the same time the Indians have been very critical of the Department for not making better use of the land. When it is considered that only $14,231.83 has been received in revenue from the property since the Indians moved away in 1913 up to the year 1942, there is justification for the criticism. It is impossible to estimate the loss suffered by the Indian Bands through the failure to sell their equity. To prevent the loss continuing it is proposed to extinguish the interest of the Province by payment of the sum agreed upon and thus enable the Department to manage or sell the property. Before payment is made to the

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Province the Indians will be asked to execute a formal surrender which will include a provision that out of the first proceeds of sale the Government will be repaid the monies it has advanced. The Province will also be asked to refund the rentals it collected, i.e., $12,942.24.

In recent months the Department has received several inquiries from business concerns desiring to rent or purchase portions of it. Owing to is location there would not appear to be any doubt that it could be sold for an amount very substantially in excess of the claim of the Provinces.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

File No. 29355-3.

KNOW ALL MEN BY THESE PRESENTS THAT WE, the undersigned Chief and Principal men of the Squamish 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 District of New Westminster and Province of British Columbia, containing by admeasurement sixty-three acres and seven hundred and forty-five thousandths of an acre, be the same more or less, and being composed of all of Kitsilano Indian Reserve number Six.

TO HAVE AND TO HOLD the same unto His said Majesty the King, his Heirs and Successors forever, in trust to sell, lease, or otherwise 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 sale or lease thereof, except as hereinafter provided, shall be credited to the funds of the Squamish Band of Indians.

It is hereby agreed that the first charge against the moneys arising out of the sale of the lands hereby surrendered shall be the payment to the Government of the Dominion of Canada of the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00) together with interest at the rate of 5%, which said sum of $350,000.00 the Government of the Dominion of Canada has paid to the Government of British Columbia as a full settlement of all

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

interest and claims which the said Government of British Columbia may have or may have had against Kitsilano (False Creek) Indian Reserve No. 6.

This condition is in accordance with the resolution of the Chiefs and Councillors of our bands passed on the 15th day of December, 1927.

AND WE, the said Chief and Principal men of the said Squamish 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 or leasing thereof.

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 forty-six.

SIGNED, SEALED AND DELIVERED)
In the presence of)

.....)

.....)

.....)

.....)

.....)

.....)

.....)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
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CANADA

File No. 29356-3.

KNOW ALL MEN BY THESE PRESENTS THAT WE, the undersigned Chief and Principal men of the Squamish 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 District of New Westminster and Province of British Columbia, containing by admeasurement sixty-three acres and seven hundred and forty-five thousandths of an acre, be the same more or less, and being composed of all of Kitsilano Indian Reserve number Six.

TO HAVE AND TO HOLD the same unto His said Majesty the King, his Heirs and Successors forever, in trust to sell, lease, or otherwise 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.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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<u>This condition is in accordance with the resolution of the Chiefs and Councillors of our bands passed on the 15th day of December, 1927.</u>

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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 forty-six.

SIGNED, SEALED AND DELIVERED)
In the presence of)

.....)

.....)

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.....)

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.....)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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ARCHIVES PUBLIQUES
CANADA

29855-3

Ottawa, January 19, 1946.

COPY SENT TO AGENT BALL.

Major D. M. MacKay, Indian Commissioner, P. O. Box 70, Vancouver, B. C.

I am enclosing herewith surrender papers in duplicate covering Kitsilano Indian Reserve No. 6 and would suggest that you attend the Band meeting accompanied by Indian Agent Ball. A copy of a memorandum prepared in connection with the vote of $350,000 approved in the 1945-46 estimates is also enclosed for your information.

Please advise by wire the decision of the Indians and if the surrender is approved, forward the documents by air mail.

Director.

Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

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28835-3

EXPLANATORY NOTE:

Re - Kitsilano Reserve No. 6,
British Columbia.

The purpose of the estimate of $350,000 is to acquire the reversionary interest of the Province in this Reserve.

The original Reserve as set aside at the time of the Act of Union was 37.35 acres. The Joint Reserves Commission on Indian Affairs in 1877 reviewed the claims of Indians in that Province for more land and increased the area of the Reserve by an addition of 42.55 acres, thus establishing its status as an Indian Reserve in accordance with the terms of the Union. The Reserve is situated almost in the heart of the City of Vancouver on the South side of False Creek. The legal title is in the Province who claims a reversionary interest. Justice Department has given the following opinion as to what this reversionary interest constitutes:-

Question: (a) What is the nature of the reversionary interest of the Province in the Reserve?

Answer: The beneficial interest in the Reserve belongs to the Crown in the right of the Province of British Columbia subject to the interest of the Indians. As an Indian Reserve, the land is subject to the management and control of the Dominion, but upon surrender of the Indian rights the entire interest would belong to the Province.

Question: (b) Can the Dominion sell or otherwise dispose of the land or the proceeds without the consent of the Province?

Answer: No.

79.990

23.944
56.046
6.25
86.240
62.29

Notwithstanding the absence of title the Dominion over a period of years alienated several small parcels to the Canadian Pacific Railway, the City of Vancouver and the Department of National Defence, comprising in all 23.944 acres, leaving approximately 56.046 acres. The net proceeds received from these sales was $66,184.43, which was credited to Band funds. Since then the Federal Government through dredging operations added 6.25 acres to the foreshore. The total acreage now unsold, therefore, is approximately 63 acres divided up as follows:-

41 acres in one parcel now under lease to the Royal Canadian Air Force for the duration of the war and three years afterwards.

22 acres in four separate parcels.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
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CANADA

The Indians occupied or used most of the area until 1913 when the Provincial Government of that day through its Attorney General, the Honourable W.J. Bowser, made an abortive effort to secure it. Negotiations were carried on direct with the Indians and the sum of $219,750 was paid to twenty families and they were moved off hurriedly in one day to another vacant Reserve.

No proper surrender was obtained and there was a great deal of public criticism over what had taken place, largely because of the ridiculously low price paid for the Indian interest and because of the manner in which the negotiations were carried out. As the Province's legal position was untenable no action was taken by it to secure possession, although in 1924 it did lease a portion of the area and received between 1924 and 1928 in rents the sum of $12,942.24.

In March of 1913 expropriation proceedings were taken for the Vancouver Harbour Board and later the arbitrators fixed the value of the property at $666,200. This price was considered too low by the Department as an independent valuation had been secured fixing the value at 1,200,000 and later in the same year an offer of $2,000,000 was received from a private concern.

Some years later the Harbour Board abandoned the expropriation proceedings and up to 1929 both Governments claimed the right to administer the property. This unsatisfactory position was recognized not only by the two Governments but by the Indians as well. In 1927 the Chiefs and Councillors of the amalgamated Squamish Indian Bands passed a resolution agreeing to surrender the land and that the surrender would contain the clause that the first charge against the monies received from any sale would be paid the Province until its claim had been extinguished, the value of which was fixed at $350,000.

Following the passing of the above resolution, negotiations were carried on between the two Governments and on the 31st January, 1928, an Order in Council was passed by the Lieutenant-Governor in Council, which provided as follows:-

> "That under authority of subsection 2 of Section 92 of Chapter 131, Revised Statutes of British Columbia, 1924, all the right title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in the Kitsilano Indian Reserve No. 6, New Westminster Agency, which has been assigned Lot 2610, Group 1, New Westminster District, comprising 80 acres, more or less, be transferred to the Crown in the Right of the Dominion of Canada as represented by the Superintendent General of Indian Affairs, for the sum of Three hundred and fifty thousand ($350,000.00) Dollars, Conveyance to be made upon payment of the said amount".

On the 27th February in the same year P.C. 318 was passed and reads as follows:-

> "Whereas the Superintendent General of Indian Affairs submits a Certified Copy of a Minute of the Executive

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
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CANADA

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

KODAK SAFETY ▲ FILM

Council of British Columbia approved by the Honourable the Lieutenant-Governor of the Province of British Columbia on January 31st, 1928, recommending as follows:-

(In same wording as Provincial Order in Council)

And Whereas the Superintendent General of Indian Affairs reports that the terms of the aforesaid Order are considered satisfactory, and recommends that they be concurred in and approved.

Therefore His Excellency the Governor General in Council is pleased to approve the terms of the aforementioned Order of the Honourable the Lieutenant-Governor of British Columbia in Council, dated January 31st, 1928, and they are hereby approved accordingly".

Why the interest of the Province was fixed at $350,000 the files do not disclose. It would appear that the Provincial Government claimed that the amount spent in negotiations and other expenses connected with the abortive attempt to secure the property, in addition to the amount paid to the Indians, made a sum total of $350,000.

As the reversionary interest would only be of value to the Province if and when the Indian lands became extinct or if the latter wished to sell the land, it is difficult to pass any opinion now upon the arrangement that was made - The question of the legal effect of the two Orders in Council was submitted to Justice Department in 1935, who commented as follows:-

> "It is probable that both Governments at the time anticipated the surrender to the Dominion by the Indians of the Reserve and its subsequent sale on the Indians' behalf soon after the Orders in Council were passed. Be this as it may the Orders in Council, on the face of them, show to me nothing but an agreement to transfer at some undefined time any interest the Province of British Columbia may have in the lands constituting the Reserve to the Dominion of Canada for $350,000, conveyance to be postponed to payment".

Unfortunately no sale of the property was completed before the depression commenced in 1930 and it has remained idle until it was leased to the R.C.A.F. in 1942.

The Province has for some years been demanding payment of the sum of $350,000. At the same time the Indians have been very critical of the Department for not making better use of the land. When it is considered that only $14,231.83 has been received in revenue from the property since the Indians moved away in 1913 up to the year 1942, there is justification for the criticism. It is impossible to estimate the loss suffered by the Indian Bands through the failure to sell their equity. To prevent the loss continuing it is proposed to extinguish the interest of the Province by payment of the sum agreed upon and thus enable the Department to manage or sell the property. Before payment is made to the

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Province the Indians will be asked to execute a formal surrender which will include a provision that out of the first proceeds of sale the Government will be repaid the monies it has advanced. The Province will also be asked to refund the rentals it collected, i.e., $12,942.24.

In recent months the Department has received several inquiries from business concerns desiring to rent or purchase portions of it. Owing to its location there would not appear to be any doubt that it could be sold for an amount very substantially in excess of the claim of the Province.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-2979
ALSO TO DATE OF THIS LETTER

Airmail

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

P.O. BOX 70
VANCOUVER, B.C. January 30, 1946.

The Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Your File 28835-3

I wish to acknowledge receipt of your letter of January 19th with enclosures, relating to Kitsilano Indian Reserve No. 6, and to advise that Mr. Indian Agent Ball is arranging to call a meeting of the Squamish Band to discuss the matter as instructed. It is hoped to get a majority of the members together on February 19th.

D. M. MacKay,
Indian Commissioner for B.C.

/EW

Department of Mines & Resources
Indian Affairs Branch
FEB 1 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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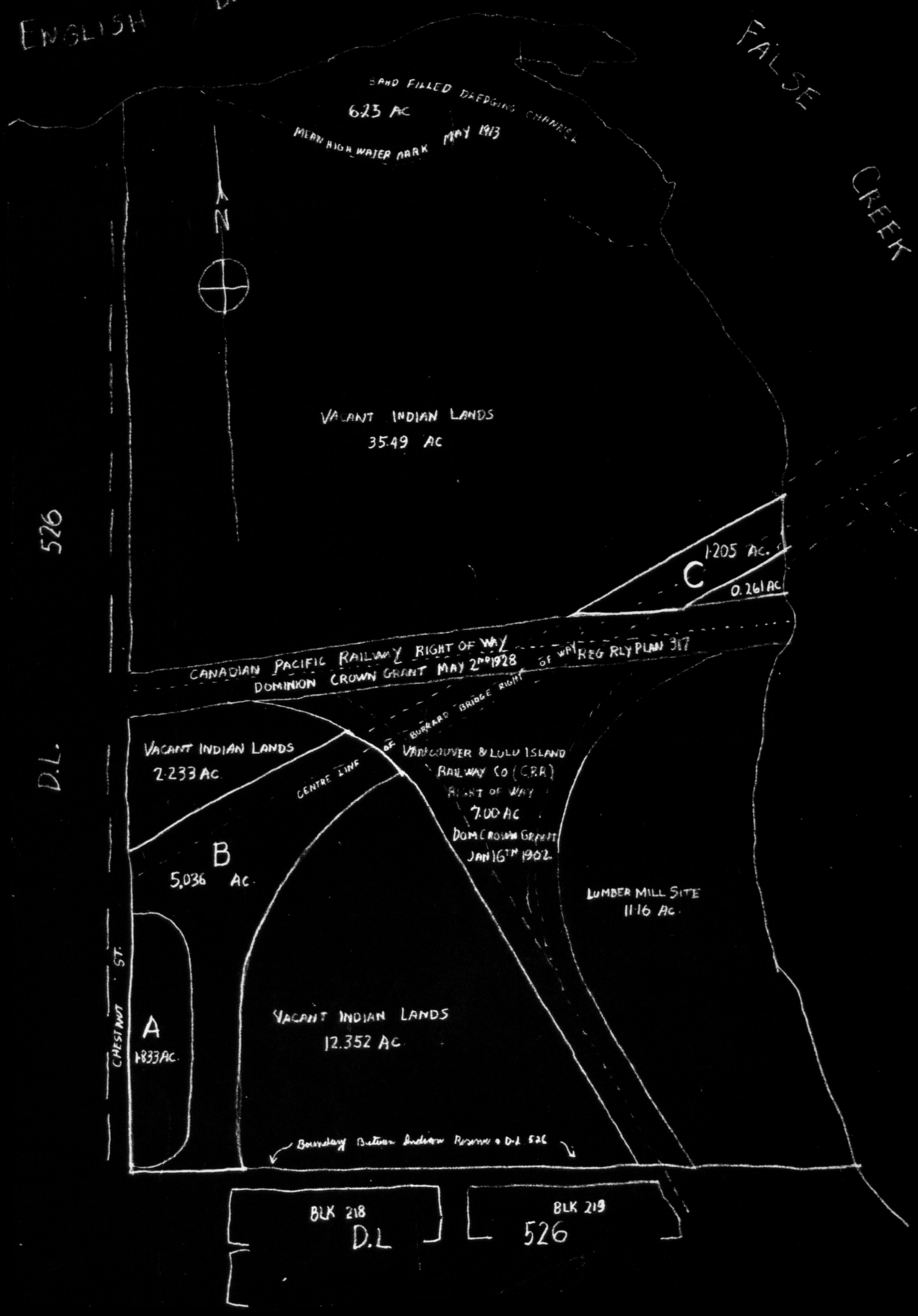
CANADA

PLAN SHOWING PARCELS "A", "B" & "C"
KITSILANO INDIAN RESERVE Nº 6 OF THE SQUAMISH BAND, VANCOUVER, B.C.

SCALE 1 IN TO 200 FT

TRACED FROM PLAN # 2534 IN THE LAND REGISTRY OFFICE VANCOUVER B.C.



PUBLIC ARCHIVES
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CANADA

28835-3

OFFICE OF THE DEPUTY MINISTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Ottawa, February 7, 1946.

Department of Mines & Resources
Indian Affairs Branch
FEB 8 1946
REGISTERED

MEMORANDUM:

- Mr. Hoey -

Mr. J.A. Campbell, barrister of Vancouver, called and discussed with the Minister the question of the purchase of a portion of Kitsilano Indian Reserve No. 6. He is acting for a brewery concern who are anxious to buy approximately five acres on the East side of the track immediately north of the 4.4 acres sold to the Department of National Defence. He suggested a price of $5,000 an acre.

The Minister explained the situation to Mr. Campbell and told him that the Department could not do anything in the matter until the Indians had surrendered the Reserve and that once this step had been taken the Department would be prepared to consider any offers to purchase, which, of course, would be considered in the light of the valuation that you are now securing. I am enclosing copies of two blue prints left by Mr. Campbell with the Minister which you might keep on your files.

C.W. Jackson,
Chief Executive Assistant.

Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO. 33-14-3125
ALSO TO DATE OF THIS LETTER
Airmail

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

28835 3

P.O. BOX 70
VANCOUVER, B.C. Feb. 16th, 1946.

The Indian Affairs Branch, Dept. of Mines and Resources,
Ottawa, Ont.

Your File 288353.

I wish to advise that the meeting with the Squamish Band to discuss the matter of surrender of the Kitsilano Indian Reserve will take place on the 25th instant instead of the 19th instant as previously arranged, the change being made in order to give a wider opportunity to Indians absent from their homes to attend.

Department of Mines & Resources
Indian Affairs Branch
FEB 18 1946
REGISTERED

D. M. MacKay,
Indian Commissioner for B.C.

/EW

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

GRAND COUNCIL

NORTH AMERICAN INDIAN BROTHERHOOD

President
ANDREW PAULL
P.O. Box 2461
North Vancouver, B.C.

Vice-President
JOSEPH DELISLE, Jr.
P.O. Box 11
Caughnawaga, Que.

Treasurer
THOS. R. JONES
R.R. 5, Wiarton
Cape Crocker, Ont.

Secretary
HENRY JACKSON
Christian Island, Ont.

Executive Board Members
BEN E. CHRISTMAN
Sydney, N.S.
THOS. GEDEON
Dalhousie, N.B.
GEO. A. CREE
2030 Addington Ave.
Montreal, Que
ANGUS SNOW
PO. Box. 69
Caughnawaga, Que.
TELFORD ADAMS
P.O. Box 112
Sarnia, Ont.
JOHN C. JONES
R.R. 5, Wiarton
Cape Crocker, Ont.
TOM ROY
Sioux Narrows P.O.
Kenora, Ont.
JOHN B. TOOTOOSIS
P.O. Box 125
Cut Knife, Sask.
JOHN SKEEBOSS
Quinton, Sask.
CHARLEY BLACKMAN
Le Gofe. Alta.
DANIEL W. ASSU
Steveston: B.C.
NARCISSE B. GEORGE
Oliver, B.C.
ANGUS HORNE
818 Michigan Ave.
Detroit, Mich.
CHIEF BLUE CLOUD
68 Stimson St.
Detroit 1, Mich.

Office of President

February 13th. 1946.

Department of Mines & Resources
Indian Affairs Branch.
FEB 18 1946
REGISTERED

EXD.

Mr. R.A. Hoey
Director
Indian Affairs Branch
Ottawa Ont. Canada.

Dear Mr. Hoey;-

Re; Kitsilano Indian Reserve.

I have learned unofficially that you have instructed Indian Agent F.J.C. Ball of the Vancouver Agency to take a surrender of the Kitsilano Indian Reserve, and that said surrender will be taken on the 25th. of this month. I am s orry that I will not be in town at that time, but even were I to be in attendance I would still ask you to instruct Ball not to ask for the surrender, untill after I had discussed this important matter with you in Ottawa this spring, when it may be possible that Indian Commissioner D.M. MacKay may also be in Ottawa when we could discuss this matter. At any rate I am going to advise the Squamish Indians not to surrender the Kitsilano Reserve on the 25th. of this month, and I am of the opinion Agent Ball will not be able to secure a surrender.
I was the one appointed by the Squamish Indians and their Council to have the so called Kitsilano Deal invalidated, which I was able to do after fourteen years, and the title restored to the Squamish Indians to be held intrust for them by the Crown Dominion.
All subsequent actions by the Squamish Council were with a view of complying with the recommendation of the Royal Commission on Indian Affairs 1913-1916, Vol. III. (See Interim Report) which report was adopted by the Government of Canada and the province of British Columbia.
The Indian Department through Duncan Scott, the late W.E. Ditchburn then Indian Commissioner and I with the Squamish Council, had a certain program that we were to persue for a satisfactory conclusion of this matter, in compliance with the report of the Royal Commission, having regard to the equity of the province of B.C.
This was program was not carried out, when Ball ousted me as secretary of the Squamish Council, because no one else knew about it. This is the subject which I would like to discuss with you and the Commissioner, and I am sure you will agree with this former program, which would take too long to write, as I am busy today and plan to lrave town tomorrow.
The Indians are soketical of anything advanced by Agent Ball and was the reason, they purposely absented themselves from the last mass meeting which he tried to convene, because they have no confidence in him.
I have been informed that he leased the Kakulhan Indian Reserve of the Squamish Indians at Howe Sound, and the timber was logged off, sold a house belonging to an Indian without his knowledge or consent, now he has asked for a surrender of this reserve, after the timber was logged off. I strongly recommend that you instruct him NOT to take any surrender of two Indian Reserves of the Squamish Indians, untill all the facts are placed before you, and to this I will ever pray.

Respectfully yours

Andrew Paull.

Andrew Paull.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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ARCHIVES PUBLIQUES
CANADA

28835 3

Copy [illegible] the information of Mr. [illegible]ey.

Mr. Allan

CANADA
MINISTER
OF
MINES AND RESOURCES

Ottawa, February 19, 1946.

My dear Colleague,-

You will recall that an item of $350,000 was included in Vote 504 of the Supplementary Estimates, Indian Affairs Branch, to pay to the British Columbia Government the amount which had been agreed upon in 1928 as the value of its reversionary interest in the Kitsilano Reserve in the City of Vancouver. I am enclosing a copy of the explanatory note which accompanied the estimate and which fully explains the matter. Your attention is particularly drawn to the second last paragraph of the memorandum.

Since the vote was passed we have been endeavouring to arrange for a full meeting of the Band in order that a surrender might be obtained, thus permitting the Department to sell or otherwise dispose of the property. In the draft form of surrender provision was made for the return to the Dominion out of the first proceeds of the sale of the sum of $350,000 with interest at three per cent. A full meeting of the Band has been called for the 25th of this month when the surrender will be considered. In accordance with the usual practice the terms of the surrender were briefly discussed with the members of the Council of the Band a few days ago in order to obtain their reaction, as usually the Indians at a general meeting are largely influenced by the attitude of the Council. We have now been advised by Commissioner MacKay, our senior officer in British Columbia, that strong opposition was taken by the Council to the clause providing for the payment of the interest of three per cent. They pointed out that this in a matter of ten or twenty years would amount to a considerable sum which with the principal might closely approximate the total value of the Reserve. Commissioner MacKay expresses the opinion that the Indians may not grant the surrender unless the interest clause is eliminated.

The Honourable J.L. Ilsley, K.C.,
Minister of Finance,
OTTAWA.

.....

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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It would be most unfortunate if the disposal of this property should be held up because it has been a very controversial matter ever since 1913 when the Province first attempted to deal with the property.

If the Indians grant a surrender it is, of course, our intention to sell the property as quickly as we can and as it would appear there is an active demand for it now, it is possible we may be able to dispose of it all within the next two or three years, if not sooner.

We have suggested to Commissioner MacKay that when the meeting is held if the Indians will not agree to the Department charging interest on the $350,000 at three per cent, would they be willing to permit us to keep any revenue we might derive from the property, including interest on sales up to the amount of what the interest at the rate of three per cent might be . It is possible that they may agree to this alternative and failing their agreement to it I would like to have the views of Treasury Board as to whether we could accept the surrender without agreeing to collect any interest whatsoever upon the advance the Dominion is making.

Yours sincerely,

J. Allison Glen

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Hoey

Copy for the information of
Mr. Hoey.

OFFICE OF THE
DEPUTY REGISTER

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

Ottawa, February 22, 1946.

Department of Mines and Resources
Indian Affairs Branch
FEB 26 1946
REGISTERED

MEMORANDUM FOR FILE:

- Re - Kitsilano Reserve -

I telephoned Mr. Smellie to ascertain what was the decision of Treasury Board in reference to the submission we had made regarding the collection of interest on the $350,000, once the Dominion had paid it to the Province. Mr. Smellie stated that he would be writing us fully about it but that the decision of the Board was that providing the Indians gave an unqualified right to sell, that is an unconditional surrender, we were authorized to negotiate the best arrangement possible; first endeavouring to secure three per cent, failing this a share of the revenues to be applied on account of interest, or to collect interest for a short period of years. Failing an agreement on the part of the Indians to any one of these three proposals that we would be authorized to waive the collection of the interest altogether.

I telephoned Major MacKay long-distance and communicated the above to him. He said he would use his best judgment and that any proposal adopted would depend upon what took place at the meeting.

C.W. Jackson.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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EXCLUSIVE CONNECTION WITH [illegible] IN CABLE SERVICE

CANADIAN NATIONAL TELEGRAPHS

W M ARMSTRONG GENERAL MANAGER
TORONTO

Department of Mines & Resources
Indian Affairs Branch
FEB 26 1946
0750

1946 FEB 25 PM 6 15

28835-3

DMOA406 50 NL=VANCOUVER BC 28

DIRECTOR INDIAN AFFAIRS BRANCH=

DEPT MINES AND RESOURCES OTTAWA ONT=

Mr M Cummer

=RE YOUR LETTER JANUARY NINETEEN KITSILANO INDIAN RESERVE MEETING OF BAND HELD AS ARRANGED WITH GOOD ATTENDANCE STOP BAND REFUSED TO TAKE A VOTE REQUESTING FURTHER TIME TO CONSIDER MATTER STOP MOTION TO REFER SURRENDER TO THE COUNCIL FOR REPORT TO NEXT GENERAL MEETING CARRIED WITHOUT MUCH OPPOSITION LETTER FOLLOWS=

D M MACKAY INDIAN COMMISSIONER FOR BC.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Indian Affairs

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T. 300310 B.

Mr McLennan

Department of Mines & Resources
OTTAWA.
FEB 27 1946
DEPUTY MINISTER.

Ottawa, February 23rd, 1946.

C. W. Jackson, Esquire,
Acting Deputy Minister,
Department of Mines and Resources,
Ottawa, C a n a d a.

Department of Mines & Resources
Indian Affairs Branch.
FEB 27 1946
REGISTERED

Dear Mr. Jackson:

In reference to Mr. Glen's letter of February 19th and your conversation with Mr. Smellie concerning the waiving of interest on the advance of $350,000 to the British Columbia Government for their reversionary interest in the Kitsilano Indian Reserve, I am directed to suggest that your Department negotiate for the best possible arrangement, with the following alternatives in mind:

(1) Charge interest at three per cent until repayment;

(2) Retain revenue from the property up to an amount equal to three per cent;

(3) Charge interest at three per cent for a limited period of say three, four or five years to give the Department time to negotiate sale of the property;

(4) Waive all claim to interest.

The above suggestions are made on the understanding that your Department will receive from the Indians an unconditional right to sell.

Yours very truly,

Wolkinson

For Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

INDIAN AFFAIRS
BRANCH

IN YOUR REPLY REFER TO
NO 33-14-3198
ALSO TO DATE OF THIS LETTER

Mr McCummion

DEPARTMENT OF MINES AND RESOURCES
Department of Mines & Resources
Indian Affairs Branch
MAR 4 1946
REGISTERED

P.O. BOX 70
VANCOUVER, B.C. Feb. 28th, 1946.

Airmail

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Your File 28835-3

I wish to confirm the following telegram regarding the Kitsilano Indian Reserve dispatched to you yesterday:

"Re your letter January nineteenth Kitsilano Indian Reserve meeting of Band held as arranged with good attendance Stop Band refused to take a vote requesting further time to consider matter Stop Motion to refer surrender to the Council for report to next general meeting carried without much opposition letter follows."

The meeting was largely attended, ninety of the one hundred and thirty-five eligible voters being present. The purpose of the gathering was carefully explained and information given in detail regarding the abortive move of the Province in 1913 to purchase the Reserve, and also with respect to all matters of importance relating to the Reserve since that time.

Councillor Dennis Paull, a brother of Andrew Paull, was particularly prominent from the outset in opposition to a vote being taken and despite our best efforts this opposition continued to gain support and culminated in the passing of the following resolution: "That the matter of the surrender of Kitsilano Indian Reserve be brought before the Squamish Council at their next meeting and reported to the next general meeting of the Band."

I may say that it was evident from the outset that there would be opposition to the terms of the surrender as drawn up by the Department, and in view of this the following

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Proposals were made in the sequence listed:

(1) A surrender on the terms as set out by the Department.

(2) A surrender providing for the interest rate at 1½% instead of 3%.

(3) A surrender without any interest levy whatever.

(4) A surrender to lease.

Not one of these proposals gained majority support of the meeting and under the circumstances there appeared to be no purpose in discussing the matter further. Efforts are being made to have the Council give consideration to the subject and report back to a general meeting to be called for the purpose the third week of March or earlier if possible, and the Department will be advised in due course of developments in this respect.

I should like to express my appreciation of the untiring efforts put forth by Mr. Indian Agent Ball to secure a surrender on terms that would be acceptable to the Department. He did his utmost to bring the matter to a vote but the influence of Andrew Paull who, although absent, had already strongly advised certain key men against a surrender, was much in evidence and constituted a severe handicap to a favourable decision from the outset. It would appear that the influence of Andrew Paull in this matter of a surrender of the Kitsilano Indian Reserve is one that will probably have to be reckoned with for it seems reasonable to conclude that if he had lent support to our efforts to secure a surrender instead of doing all in his power to oppose the move there would have been a substantial majority in favour.

D. M. MacKay,
Indian Commissioner for B.C.

/EW

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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DOUGLAS W. REEVE, F.S.I.
CHARTERED SURVEYOR AND VALUER
GEORGE A. WATSON

TELEPHONE MARINE 8264
CABLE ADDRESS "JONREE" VANCOUVER

JOHNSON, REEVE AND WATSON
ESTATE AGENTS
VALUATIONS, ARBITRATIONS, INSURANCE, REAL ESTATE, MORTGAGES
MEMBERS VANCOUVER REAL ESTATE EXCHANGE

BANK OF NOVA SCOTIA BUILDING
602 WEST HASTINGS STREET
VANCOUVER, B.C.

February 23, 1946.

D. M. MacKay, Esq.,
Indian Commissioner for British Columbia,
P.O. Box 70,
VANCOUVER, B. C.

File No. 33-14-2859
14th January, 1946
Letter to Mr. J. C. McPherson

Dear Sir:

re Kitsilano Indian Reserve No. 6,
Vancouver, B.C.

In accordance with your instructions we have inspected the various parcels of land included in this Reserve and shown on the plan submitted to us. We have made a separate appraisal of each parcel and beg to submit our report.

Zoning Regulations: The area North or North West of the Burrard Bridge is zoned by the City as a Two Family Dwelling area. Although some parts of this section are overshadowed and damaged by the Bridge structure for residential purposes, the land generally could be used for the purpose designated, if vacant.

The remainder of the Reserve, South of the Kitsilano Street car line and the small triangle between the car line and the Bridge is zoned as a Three storey Multiple Dwelling area. We are of the opinion that the buildings in the immediate vicinity and the Railway Tracks and workshops in the middle of the Reserve, have made all the parcels in this part of the Reserve quite unsuitable for dwellings, single or multiple. We are of the opinion that these parcels should be re-zoned for Light Industrial use.

The Northerly section lettered "E" on your map is now being used for what must be regarded as an industrial purpose, by the Department of National Defence for Air. A number of buildings of a permanent character have been erected, and in view of the cost of these and the waste which would be involved in the removal of them, we feel that it is practical to regard this land as an industrial area. We have appraised it as industrial land, but in view of the existing zoning regulation we have also appraised it as residential land without buildings to be offered for sale to a single purchaser who would undertake the expense and hazards of subdividing the area into lots for sale or for building houses. We take it for granted that your Department would not contemplate engaging in such an enterprise.

It is difficult to judge what attitude the City would take with regard to the use of the existing buildings for industrial purposes, if the Department of Defence were to abandon them upon the expiration of the present lease.

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With regard to the effect of the present zoning status of the remainder of the land, the Southerly portions, purchasers would be obliged to obtain a revision of the zoning before purchasing for industrial use.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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North Section Triangle .26 acre. This has no means of access by road. It could be connected with the waterfrontage land to the south by a level crossing over the car line tracks or by a road under Burrard Bridge if the North section is subdivided.

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South Section East side. This land has virtually no access by road, the small frontage on First Avenue being obstructed by tracks at two different levels. It was formerly used by the Rat Portage Lumber Company in conjunction with Block 220 to the south with access on Second Avenue. This block is or was owned by the Canadian Pacific Railway. Mr. Fountain of the City Engineer's Department has plotted suggested methods of subdividing this parcel with a road and trackage, obtaining access by a level crossing over the tracks at the end of First Avenue.

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North Section Triangle .26 acre between Bridge and Street car line, with waterfrontage	1,000.
South Section Triangle 2.233 acres with frontage on Chestnut Street and Cornwall Street approach to Bridge	20,000.
fwd.	$ 297,000.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

	B.F.	$ 297,000.
South Section Irregular parcel between Burrard Street and Railway Tracks with frontage on First Avenue of 367.15 feet. Letter A.D. and B-B on Map 8.352 acres		60,000.
South Section East side, between Railway Tracks and False Creek. 11-16 acres with approximately 1200 feet waterfrontage		108,000.
Total Industrial		$ 465,000.

RESIDENTIAL

North Section lettered "E" on map As a subdivision project for the erecting of single or duplex dwellings	$ 150,000.

Trusting that this will give you the information desired,

We are,

Yours faithfully,

Douglas W. Leung
Chartered Surveyor

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DOUGLAS W. REEVE, F.S.I.
CHARTERED SURVEYOR AND VALUER
GEORGE A. WATSON

TELEPHONE MARINE 8264
CABLE ADDRESS "JONREE" VANCOUVER

JOHNSON, REEVE AND WATSON
ESTATE AGENTS
VALUATIONS, ARBITRATIONS, INSURANCE, REAL ESTATE, MORTGAGES
MEMBERS VANCOUVER REAL ESTATE EXCHANGE

BANK OF NOVA SCOTIA BUILDING
602 WEST HASTINGS STREET
VANCOUVER, B.C.

February 23, 1946.

D. M. MacKay, Esq.,
Indian Commissioner for British Columbia,
P.O. Box 70,
VANCOUVER, B. C.

File No. 33-14-2859
14th January, 1946
Letter to Mr. J. C. McPherson

Dear Sir:

re Kitsilano Indian Reserve No. 6,
Vancouver, B.C.

In accordance with your instructions we have inspected the various parcels of land included in this Reserve and shown on the plan submitted to us. We have made a separate appraisal of each parcel and beg to submit our report.

Zoning Regulations: The area North or North West of the Burrard Bridge is zoned by the City as a Two Family Dwelling area. Although some parts of this section are overshadowed and damaged by the Bridge structure for residential purposes, the land generally could be used for the purpose designated, if vacant.

The remainder of the Reserve, South of the Kitsilano Street car line and the small triangle between the car line and the Bridge is zoned as a Three storey Multiple Dwelling area. We are of the opinion that the buildings in the immediate vicinity and the Railway Tracks and workshops in the middle of the Reserve, have made all the parcels in this part of the Reserve quite unsuitable for dwellings, single or multiple. We are of the opinion that these parcels should be re-zoned for Light Industrial use.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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We wish to make the following comments on the various parcels:

North Section Parcel lettered "E" on map. The water frontage on the north side is affected by westerly winds and a strong current. This would be expensive to develop. There is approximately 650 feet of waterfrontage on the east side which is fairly useful. The sand fill could be used for some purposes, industrially, but its chief advantage from that aspect is that a start has been made towards a more extensive development. From a residential point of view it would serve as a playground.

North Section Triangle .26 acre. This has no means of access by road. It could be connected with the waterfrontage land to the south by a level crossing over the car line tracks or by a road under Burrard Bridge if the North section is subdivided.

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South Section East side. This land has virtually no access by road, the small frontage on First Avenue being obstructed by tracks at two different levels. It was formerly used by the Rat Portage Lumber Company in conjunction with Block 220 to the south with access on Second Avenue. This block is or was owned by the Canadian Pacific Railway. Mr. Fountain of the City Engineer's Department has plotted suggested methods of subdividing this parcel with a road and trackage, obtaining access by a level crossing over the tracks at the end of First Avenue.

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REAL ESTATE
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Pemberton Realty
CORPORATION LIMITED
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Seattle Real Estate Board

PROPERTY MANAGEMENT
SALES - LEASES
CHAIN STORE LOCATIONS
RENTALS
FINANCIAL AGENTS
MORTGAGE LOANS
APPRAISALS

TELEPHONE: PACIFIC 8241

418 HOWE STREET
VANCOUVER, CANADA

February 23, 1946.

D. M. MacKay, Esq.,
Indian Commissioner for British Columbia,
P. O. Box 70,
VANCOUVER, B. C.

File No. 33-14-2859
14th January, 1946
Letter to Mr. J. C. McPherson.

Dear Sir:

re Kitsilano Indian Reserve No. 6,
Vancouver, B.C.

In accordance with your instructions we have inspected the various parcels of land included in this Reserve and shown on the plan submitted to us. We have made a separate appraisal of each parcel and beg to submit our report.

Zoning Regulations: The area North or North West of the Burrard Bridge is zoned by the City as a Two Family Dwelling area. Although some parts of this section are overshadowed and damaged by the Bridge structure for residential purposes, the land generally could be used for the purpose designated, if vacant.

The remainder of the Reserve, South of the Kitsilano Street Car line and the small triangle between the car line and the Bridge is zoned as a Three storey Multiple Dwelling area. We are of the opinion that the buildings in the immediate vicinity and the Railway Tracks and workshops in the middle of the Reserve, have made all the parcels in this part of the Reserve quite unsuitable for dwellings, single or multiple. We are of the opinion that these parcels should be re-zoned for Light Industrial use.

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4/3/46
Copy sent
NW Jackson
MMcL

The information contained herein has been obtained from sources which we deem reliable, and while not guaranteed, has been accepted by us as correct

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NW Jacobsen
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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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PUBLIC ARCHIVES
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Yours faithfully,

J. O'M. Pemberton

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

COMPILED PLAN OF KITSILANO I R Nº 6. Vancouver B.C.

Scale: 1 in. = 200 feet.

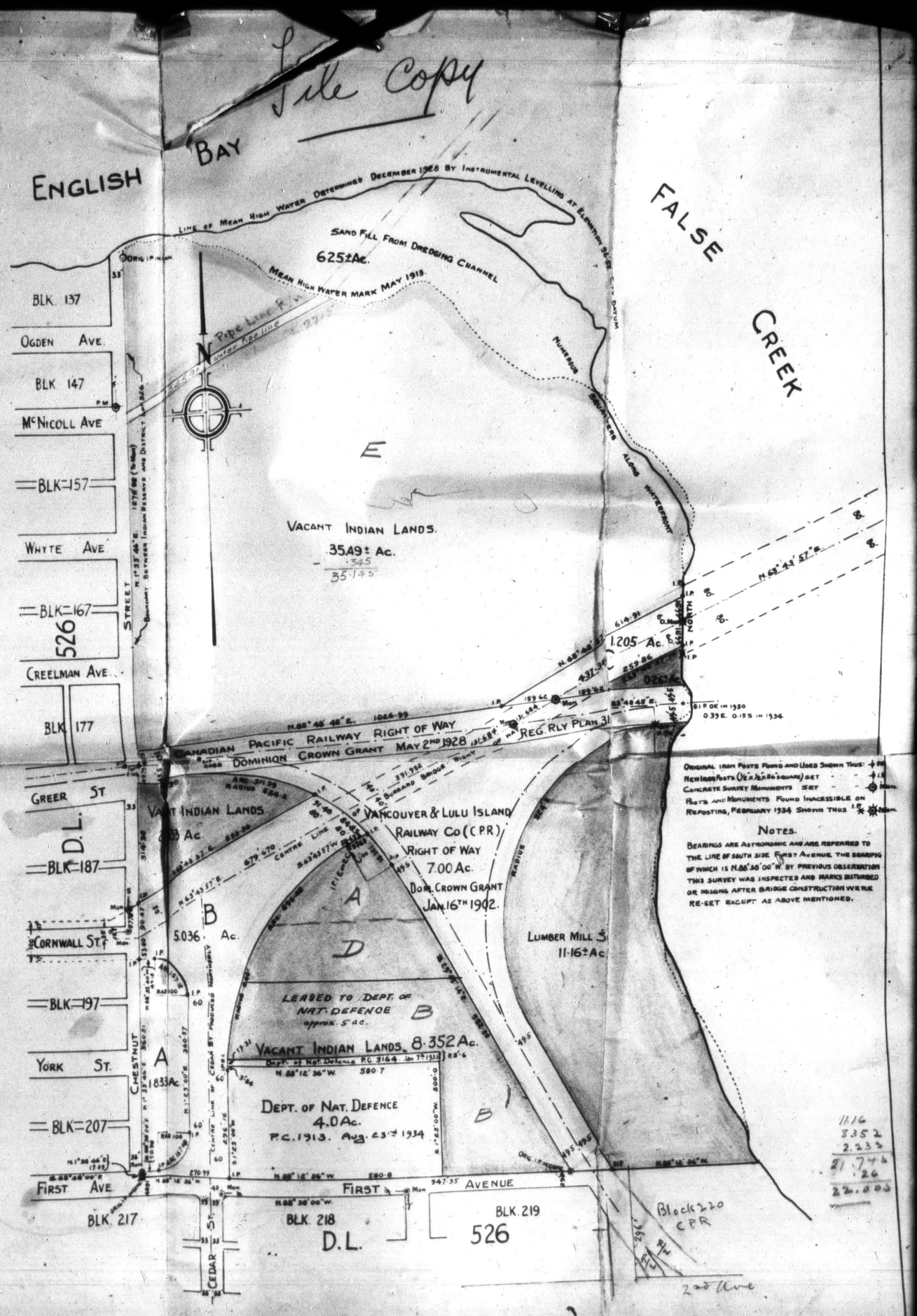
COMPILED FROM PLANS RECORDED IN DEPT OF IND. AFFAIRS.

Note -
Indian Lands applied for by Vancouver Harbour Board Letter Aug. 14th 1939 Red
out-lined
Indian Lands vacant - coloured
Lands alienated - Vancouver City - Dpt. National Defence - Blue
Railway Right of way - Green

Note

Please return this map to the Commissioners Office

Poor Copy



COPY

33-14-2859

January 14th, 1946.

Dear Mr. McPherson:

I have to refer to our conversation of Saturday morning last regarding Kitsilano Indian Reserve No. 6.

In this connection I wish to advise that the Department has instructed this office to arrange for an immediate appraisal of this property, such appraisal to indicate the effect of the zoning regulations thereon. It would, therefore, be appreciated if you would proceed to undertake this work at your early convenience. Your report should be submitted in triplicate.

A plan showing the various parcels comprising this Reserve is enclosed, which you may find useful in securing the information required and preparing your report. I should also be glad to place before you any information we have on file here regarding this Reserve which might be of assistance to you in making the appraisal.

Yours faithfully,

/EW
Encl.

D. M. MacKay,
Indian Commissioner for B.C.

J. C. McPherson, Esq.,
Pemberton Realty Corporation Ltd.
418 Howe Street,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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R34

Mr. D. M. MacKay,
Indian Commissioner for British Columbia,
VANCOUVER, B.C.

VANCOUVER, B.C. February 25, 1946.

IN ACCOUNT WITH

Pemberton Realty
CORPORATION LIMITED

RE: Kitsilano Indian Reserve

To fee of Mr. Douglas Reeve and our Mr. J. C. McPherson making valuation of the above property -

One fee and a half at $1.00 per $1,000.00 on total valuation of $465,000.00 $695.00

JCMcP-D

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Poor Copy

ESTABLISHED 1887

Pemberton Realty Corporation Limited

TELEPHONE PACIFIC 8241

418 HOWE STREET
VANCOUVER, CANADA

February 25, 1946.

Mr. D. M. MacKay,
Indian Commissioner for British Columbia,
VANCOUVER,
B. C.

Dear Sir:

As requested by you, I have, in conjunction with Mr. Douglas Reeve, valued the Kitsilano Indian Reserve, and enclose herewith our valuation.

As this is a most important and debatable property, I called in Mr. Reeve, who had previously done considerable work with myself in connection with this property. As you are aware, he is a recognised authority, and specializes along these lines.

The usual fee for valuation of properties of this type is $1.00 per $1,000.00, payable to each valuator. In lieu thereof, however, I am making our valuation a fee and a half, which is being divided between Mr. Douglas Reeve and our firm, which I trust you will find in order. Plan of the Reserve is enclosed.

Yours truly,

Manager.
PEMBERTON REALTY CORPORATION LIMITED

JCMcP-D
Encs.

CITY REAL ESTATE APPRAISALS PROPERTY MANAGEMENT MORTGAGES FARM LANDS

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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DEPARTMENT OF MINES AND RESOURCES FORM No. I.A. 506A

INDIAN AFFAIRS BRANCH

TREASURY ONLY

CHEQUE No.

DATE

Pay to Pemberton Realty Corporation Ltd.,

Address 418 Howe Street,

Vancouver, B.C.

DATE		SERVICE	AMOUNT
1946. Feb.	25	To fee for valuation of Kitsilano Indian I. R. #6, of Squamish Band, Vancouver Indian Agency, B.C., as per attached account,	$695 00

AUDITED FOR PAYMENT MAR 4 1946 Treasury Office I. A. BRANCH

Representative of the Treasury RECEIVED MAR 4 1946 INDIAN AFFAIRS

P.O. ..... VOTE 12

AGENCY ..... ALLOT 11

..... E.R. .....

Goods Received on Services Performed

Prices Fair and Just Approved for Payment

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. This expenditure was authorized by Departmental ~~Letter File No.~~ ..... dated D.J.Allan's Telegram of Jan. 10/46.

D.M.MacKay.

Indian Commissioner for B.C. ~~Agent~~

VOUCHER No. 46-A.

DATE 2nd Mar.,1946.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

IN YOUR REPLY REFER TO
NO 33-14-3219
ALSO TO DATE OF THIS LETTER

P.O. BOX 70
VANCOUVER, B.C. March 2nd, 1946.

Airmail

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

In accordance with the instructions contained in your telegram of January 10th, 1946, arrangements were made with Mr. J. C. McPherson of Pemberton's Limited, Vancouver, to carry out an appraisal of Squamish (Kitsilano) Indian Reserve No. 6. A copy of my letter to Mr. McPherson in this connection is attached.

The reports received from Mr. McPherson covering the appraisal made, together with the accounts for the services rendered, are enclosed herewith.

Mr. McPherson felt that in view of the various valuations made of this Reserve, its location in the heart of the city, and the growing demand for this kind of property for light industrial use, the greatest care should be exercised in making an appraisal and he called in Mr. Douglas W. Reeve, a recognized authority on such matters to assist him. This was a matter arranged by Mr. McPherson on his own responsibility. The valuation appears low in comparison with those made some thirty years ago but is in line with prevailing prices for similar property in the area. I should say, however, that the present trend of price is upward for this type of property. Although no mention is made of the matter in the reports, it is interesting to note that the assessed value of Block 197 and Block 207, lying immediately to the west of the southerly part of the Reserve and occupied by the Coca Cola plant, is $10,970.00 for 1.6 acres or $6,856.00 per acre, which, I should say, gives a fairly good indication of the present value of the Reserve lands.

Department of Mines & Resources
Indian Affairs Branch
MAR 4 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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It will be observed that the valuation of $465,000.00 is based on the use of the land for industrial purposes. There is no doubt that this is what it is most suitable for and the whole Reserve should be re-zoned accordingly, and I should like to suggest that strong representations be made by our Minister to the City to have this done.

The fee charged for the appraisal is based on prevailing rates for such services in Vancouver and the account is recommended for payment.

Please return the enclosed plan when it has served your purpose.

D. M. MacKay,
Indian Commissioner for B.C.

/EW
Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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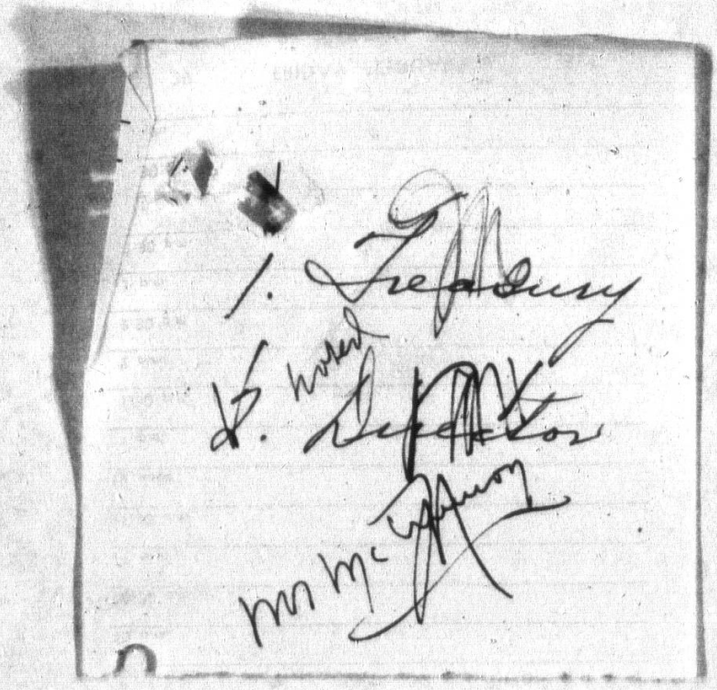
CANADA



Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835 3

OFFICE OF THE INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

Department of Mines & Resources
Indian Affairs Branch.
MAR 4 1946
REGISTERED

416 Federal Building,
Vancouver, B. C.
Feb. 26th 1946.

Dear Mr.Hoey:

I saw an extract of the letter you received from Andrew Paull regarding our meeting re surrender of Kitsilano Reserve. Major MacKay will be writing you officially to advise you that the Squamish Band, led by Councillor Dennis Paull (Andrew's brother) and a drunken supporter,Louie Lewis, would not sign the surrender.

One reason was that 3% interest on $350,000 is $10,500 annually (or a per capita distribution of $20.00 as they put it) and in less than 20 years, if nothing was done with the Reserve, it would eat up their whole Band Funds.

Another reason was the word 'surrender' which they said meant giving up their claims to the Reserve altogether. Since speaking to some of the older Indians, I have been advised that if we did not talk 'surrender' it would be passed by them.

It has occurred to me that if an agreement could be made between the Dominion Government and the Indians, transferring the mortgage of $350,000 from the Provincial to the Dominion Government, they would such such an agreement without any hesitation, if the interest rate was either lessened or omitted altogether.

Would this help the situation at all? This suggestion is quite unofficial, of course, but might solve the difficulty.

Yours very truly,

(F.J.C.Ball)

R.A.Hoey Esq., Director,
Indian Affairs Branch,
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

38835 3

Vancouver Sun 13 March 1946

Industry After Kitsilano Reserve

PARK BOARD VIES FOR INDIAN LAND

Vancouver Park Board flung itself headlong into a fight Tuesday night to try to wrest the Kitsilano Indian Reserve from (1) the Department of National Defense and (2) the industrial magnates of the city.

With a unanimous voice the park commissioners agreed to send a strong resolution to the provincial legislautre, at the request of ex-commissioner Don Brown, seeking full support of the board's request that the reserve be set aside exclusively for park purposes.

"If we don't get in and fight, that land will be used for industrial purposes once the armed forces vacate at the end of their three-year extension period," said Chairman Duncan McDonald.

"It's a Godforsaken thing to put industries right at our beaches," he added. "We've got to get right in there punching, and get some action."

"I knew when they started to pour that cement that those buildings would be permanent," claimed Commissioner Bert Emery. "They don't build temporary buildings of solid concrete!"

Readiness of the board to cooperate with the Sunset Memorial Community Centre group, which has almost gained its objective of $20,000, was expressed by the commissioners, who will turn land over for community purposes.

After considerable debate, the board agreed to rebate half the rental price of Crystal Pool to the University of B.C. in the form of a donation to the Memorial Gymnasium Fund.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835 3

Vancouver Sun
5 March 1946

Brown Asks Indian Land As City Park

By Sun Staff Reporter

VICTORIA, March 5.—Don C. Brown (Coalition, Vancouver Burrard) announced in the legislature he intends to carry on a campaign to get the Kitsilano Indian Reserve turned over to Vancouver city for park purposes.

Title to the land is still vested in the Dominion Government, although the provincial government, more than 30 years ago, purchased the Indian rights and has a claim against the property of $350,000.

Up to now the Dominion has refused to turn over the title to the province, claiming B.C. had no right to make the deal with the Indians.

He urged that the province get a quit claim on the reserve from Ottawa and then turn it over to Vancouver either by grant or under a 99-year lease.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Minister's Office 28835 - 3

MEMORANDUM

Mar. 4/46

To the - Acting Deputy Minister: Attn: Director of Indian Affairs

---

Re: Kitsilano Indian Reserve, N.E.portion,

Attached is letter to the Minister dated Feb. 27th from Mr. L.R.Wright, of the Insurance Dept. of R.V. Winch & Co.,Ltd, Vancouver, B.C., with letter addressed to the Director of Indian Affairs (same date) from Mr. C. Campbell, 721 Hall Bldg., Vancouver, being offer to purchase 11½ acres, approximately, of above property.

Please deal with this correspondence departmentally.

W.J. Bratt
Private Secretary

Mr. Hoey:
For attention.

Department of Mines & Resources
Indian Affairs Branch
MAR 6 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

ALL LETTERS TO BE ADDRESSED TO THE FIRM

R. V. Winch & Co., Limited
VANCOUVER, B.C.
FOUNDED 1860
INSURANCE, FINANCIAL AND ESTATE AGENTS
CABLE ADDRESS:
"ROBERTUS" VANCOUVER
CODES: WATKINS', LIEBER'S, A. B. C. 4TH AND 5TH EDITIONS
SCOTT'S A. 1, AND BENTLEY'S
TELEPHONE: PACIFIC 3577

Minister of
MAR 4 1946
Mines & Resources

574 HOWE STREET
VANCOUVER, BRITISH COLUMBIA

February 27th, 1946.

d-a

The Hon. J. A llison Glen, M.P.,
Minister of Mines and Resources,
Ottawa, Ont.

Dear Sir: Re: Kitsilano Indian Reserve,
North East Portion - 11½
acres approximately

We are enclosing the attached letter, being an offer to purchase by our clients who are well equipped to develop this into a modern industrial site.

Trusting you will give this matter your prompt attention, we are

Yours very truly,

R. V. WINCH & CO. LTD.

L. R. Wright

L. R. Wright,
Insurance Department.

LRW:jl
enc.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

721 Hall Building,
Vancouver, B. C.
Feb. 27th, 1946.

Director of Indian Affairs,
Indian Department,
Department of Mines & Resources,
Ottawa, Ontario.

Dear Sirs: Re: Kitsilano Indian Reserve
North East Portion-11½ acres approx.

We understand that the above property has now reverted to your Department and is now available for sale.

You are no doubt aware that it is necessary to spend a considerable amount of money on the property before it can be made usable. In addition to the accumulation of debris which has been dumped during the past twenty years, the rehabilitation of the property will require the removal of thousands of cubic yards of sawdust left from the old mill operation. This sawdust covers the property to depths of four to twenty feet and is interspersed with tin cans and debris of all kinds.

We have been advised that before access streets or buildings could be placed, it will be necessary to remove this material both for the purpose of establishing footings and complying with city fire regulations. The best information available covering the cost of this work and putting the property in condition for occupancy would indicate an immediate expenditure of forty to fifty thousand dollars.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

In view of the foregoing, myself and associates are prepared to make your Department an offer of $100,000.00 for the property with the understanding that you will allow $40,000.00 for the necessary work. For years the property has been an eyesore and we feel that if it is converted to a modern and sanitary industrial site, it will add much to the general appearance of the area.

We are in a position to start this work immediately and would appreciate your early and favourable consideration.

Yours very truly,

C. Campbell.

CC:W

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EXTRACT
ORIGINAL ON
69-169

MEETING OF THE SQUAMISH INDIAN COUNCIL
HELD IN VANCOUVER INDIAN OFFICE
March 21st 1946.

---

xx xx xx

Some discussion took place regarding Kitsilano Reserve and Andrew Paull was given permission to address the Council, giving the history of the "sale" of this Reserve to the Provincial Government, and subsequent events, but nothing new was revealed by him. He said that he personally favoured a surrender, if protection was given the Band in the Surrender. It was agreed that no mass meeting of the Band could be called for March 29th as requested by the Indian Commissioner because 10 days would be required as notice and some of the people objected to shorter notice.

MOVED by Chief Moses Joseph
SECONDED by Councillor Harry Newman

THAT the Council will advise the Band, at a mass meeting, to sign a surrender of Kitsilano Indian Reserve (Squamish No. 6) only if provision is made in the Surrender that the Reserve will not be sold for less than $600,000 and that no interest will be charged on the $350,000 mortgage against the Band Funds pending sale of the Reserve.

xx xx xx

F.J.C. Ball,
Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

COPY
Placed on
file 63-167

AIR MAIL

416 Federal Building,
Vancouver, B.C.
March 25th 1946.

Indian Affairs Branch, Ottawa.

I enclose herewith Minutes of a meeting of the Squamish Indian Council dated March 21st. This meeting was called at the request of the Indian Commissioner who wanted the Council to set a date for a mass meeting of the Band on the 29th instant, regarding surrender of Kitsilano Reserve. The meeting was held immediately after the Indian Commissioner's request but the point was raised that 10 days' notice would be required, so the mass meeting could not be held on the 29th. I presume the Indian Commissioner wished the meeting to be held before I leave the service.

There are also several other surrenders waiting for approval of the Band.

The Council appointed a Committee to set the date for the mass meeting.

A number of resolutions were passed which will be reported upon separately but I would call attention to the three last paragraphs of the Minutes.

Fred J.C. Ball,
Indian Agent.

B/DH.
Encls.

Department of Mines & Resources
Indian Affairs Branch.
MAR 28 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEETING OF THE SQUAMISH INDIAN COUNCIL
HELD AT VANCOUVER, B. C.
MARCH 21st 1946

PRESENT: F.J.C.Ball, Indian Agent, Chairman of Council

Tim Moody, Secretary

Chief Moses Joseph		Chief Matthias Joe
Councillors	Stan Joseph	Louie Miranda
	Moses Billy	William Baker, Sr.
	Thomas Williams	Dennis Paull
	Alfred Jacob	Henry Jack
	Lorne Nahanee	Frank Baker
	Harry Newman	

Visitors - Andrew Paull, George Moody

ABSENT : Councillors Simon Baker Ed. Charlie

MOVED by Chief Moses Joseph
SECONDED by Councillor Harry Newman

THAT the Council will advise the Band, at a mass meeting, to sign a surrender of Kitsilano Indian Reserve (Squamish No.6) only if provision is made in the Surrender that the Reserve will not be sold for less than $600,000 and that no interest will be charged on the $350,000 mortgage against the Band Funds pending sale of the Reserve.

CARRIED UNANIMOUSLY

I HEREBY CERTIFY that I was personally present and presided at the meeting of the Squamish Indian Council at which the foregoing resolution was unanimously passed and carried.

Indian Agent

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835 3

OFFIC[illegible]
INDIAN [illegible]

Mr McCammon

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

416 Federal Building,
Vancouver, B. C.
March 26th 1946.

Indian Affairs Branch, Ottawa.

I enclose herewith resolution of the Squamish Indian Council regarding Kitsilano Indian Reserve. This resolution was submitted to them as a mass meeting recently and the Indian Commissioner asked that another mass meeting be held to have a definite statement as to whether they would or would not sign the Surrender.

As I have already stated, it was hoped to have this mass meeting on the 29th March, but there was not time to give the 10 days' notice so the meeting will have to be held by my successor.

Fredk J. E. Bale
Indian Agent

B/DH.
Encls.

Department of Mines & Resources
Indian Affairs Branch.
MAR 28 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

58835-3

ROYAL CANADIAN MOUNTED POLICE

HEADQUARTERS

OUR FILE NO. 46 D 128-5-J 2.

OTTAWA. April 11, 1946.

YOUR FILE NO. .....

TO: The Director, Indian Affairs Branch,
Department of Mines and Resources, OTTAWA.

Department of Mines & Resources
Indian Affairs Branch
APR 13 1946
RE

Memorandum

~~Report~~ dated 3/4/46, from Vancouver, B.C.
forwarded for your information., re: Trespassing
Ind. Reserve, Vancouver, B.C.

Enc.

~~for~~ Director, Crimi

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

46E 128-105 Vancouver, B.C., Apr. 3, 1946.

N.C.O. in Charge,
General Investigations Branch, R.C.M.P.,
VANCOUVER, B.C.

Re - Trespassing on Kitsilano Indian Reserve,
Vancouver, B.C., Sec. 115, Indian Act.

1. Embodied hereunder is letter sent to Major D. M. MacKay, Indian Commissioner for B.C., by the Kitsilano Ratepayers' Association, the contents of same being self-explanatory and are forwarded for your information and necessary investigation:

"I am asked by this Association to write your Department, drawing attention to the fact that some unknown person or persons are using the Indian Reserve between Kitsilano bridge and the Rat Portage Lumber property as a dumping ground for old foodstuffs, empty food cans, scrap iron and other kinds of refuse. This has been carried on for some time but most noticeable in the last few weeks and is creating a filthy condition and breeding more and more rats and was the subject of much discussion at our regular meeting held this week in Killarney, when the following resolution was passed.

Resolved:

"That our Secretary be instructed to communicate with the Department of Indian Affairs, asking that immediate steps be taken by this Department to have dumping of all refuse stopped forthwith, on Reserve property, south of Kitsilano bridge."

"This resolution was carried unanimously."

2. You will please co-operate with Cst. Griffin and make every effort to obtain sufficient evidence against the person or persons who are using the Indian Reserve for a nuisance ground with a view to prosecution. This should not be hard to do if the matter is thoroughly dealt with.

Sgd.

(E. D. Fryett) Inspector
D.D.17-4-46 for Officer i/c C.I.B., A.O.D.

The Commissioner, R.C.M.P., OTTAWA, Ontario.

1. FORWARDED for your information. Further report to follow.

D.D.27-4-46
Vancouver (E. D. Fryett) Inspector
3-4-46 for Officer i/c C.I.B., A.O.D.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EXTRACT
ORIGINAL ON
63-167

MINUTES OF MEETING OF SQUAMISH INDIAN COUNCIL, APRIL 10, 1946.

x x x

The meeting was called by the Indian Commissioner for the purpose of discussing the surrender of Kitsilano Indian Reserve for sale by the Department and the surrender of Chekwelp Indian Reserve for renting purposes , and also the cutting of timber on Cheakamus Reserve.

The Department's viewpoint was explained to the Council by the Indian Commissioner. The Council advised that, with regard to Kitsilano Reserve and Chekwelp Reserve, they would advise the Band to vote in favour of these surrenders at a mass meeting which had previously been advertised for April 17th, 1946.

x x x

J. D. Caldwell.
Actg. Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

EXTRACT ORIGINAL ON 63-167

Vancouver, B.C., April 16, 1946

MINUTES OF MEETING OF SQUAMISH INDIAN COUNCIL DATED APRIL 10, 1946

x x

The meeting commenced at 1.30 P.M. and continued until 6.30 P.M. and the various matters brought up were discussed at considerable length.

With the consent of the Indian Commissioner, Andrew Paull was permitted to be present and give his views of the Kitsilano Reserve surrender and Mr. E. Naud, the logging operatpr who has been purchasing the timber cut by the Indians at Cheakamus Resewbewas also permitted to address the meeting.

x x x

J. D. Caldwell.

Acting Indian Agent.

Department of Mines & Resources Indian Affairs Branch. APR 18 1946 REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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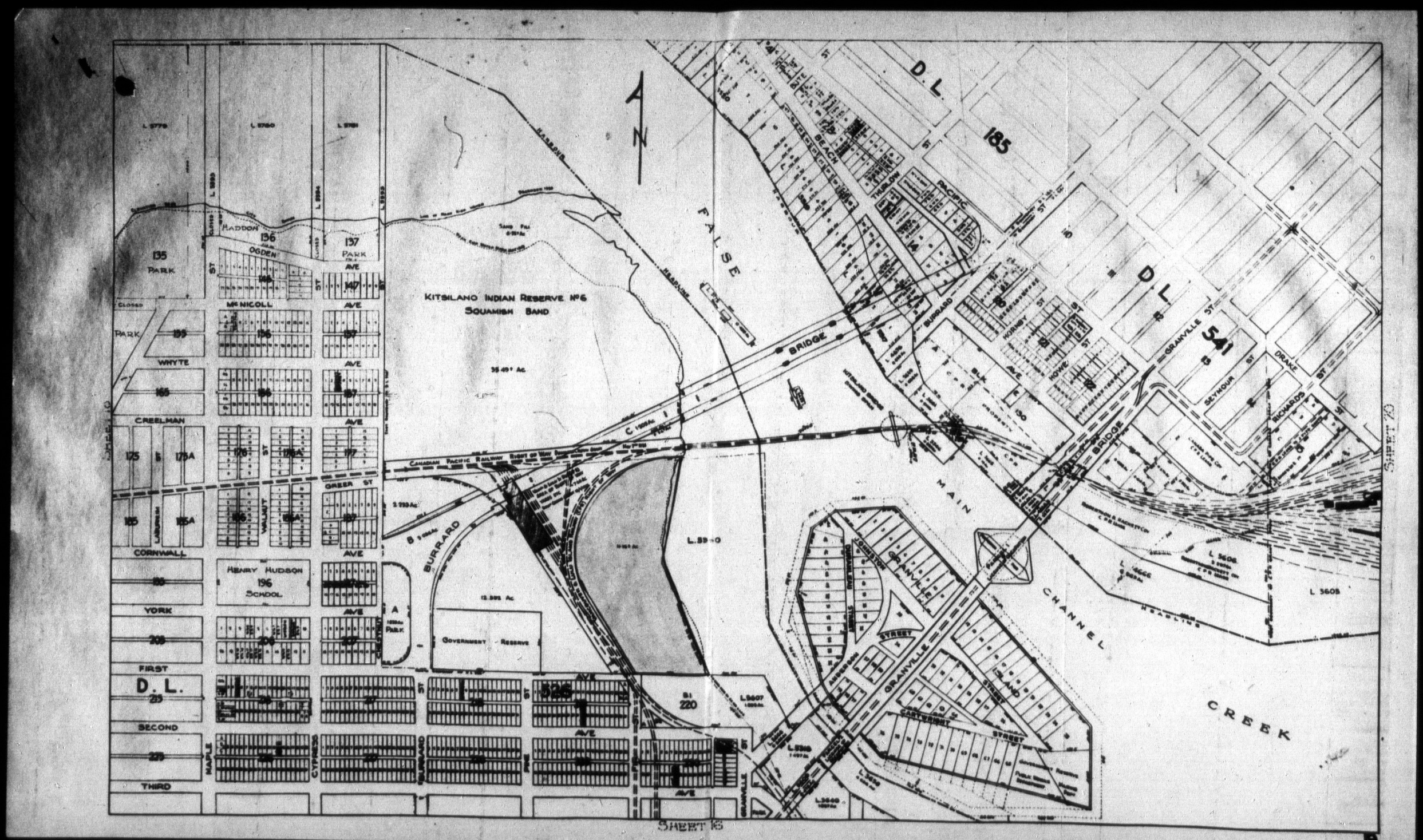

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADIAN PACIFIC RAILWAY COMPANY

DEPARTMENT OF INDUSTRIAL DEVELOPMENT

EASTERN LINES

MONTREAL 3, QUE.
F. W. COLLINS,
INDUSTRIAL MANAGER
ALEX. B. SMITH,
INDUSTRIAL AGENT

TORONTO 1, ONT.
R. H. BRUNK,
INDUSTRIAL AGENT

FILE I-89-107

MONTREAL, April 10th, 1946.

Department of Mines & Resources
Indian Affairs Branch,
APR 13 1946
REGISTERED

Robert A. Hoey, Esq.,
Director, Indian Affairs,
417 Booth Building,
165 Sparks Street,
OTTAWA.

Dear Mr. Hoey:

Referring to our recent conversation in connection with the Kitsilano Indian Reserve, Vancouver, B.C.

Our Industrial Agent at Vancouver has investigated this matter and reports as follows:-

"I enclose copy of plan upon which has been outlined in red the 11.16 acres of property above the high water mark, which roughly comprises the upland area of the Reserve, south east of the Burrard Bridge, and which could be termed suitable for industrial purposes. Beyond the upland portion is Provincial Government foreshore lot designated 5630, which could no doubt be made available for industrial development, if required.

This plan shows how the Vancouver & Lulu Island Railway right-of-way forms a boundary on the west and northwest portion from which spurs could be taken to serve the area if required.

As far as suggestions regarding development of the property is concerned, this of course depends upon the policy adopted by the Department of Indian Affairs. They may prefer to dispose of the entire area in one piece if purchaser could be found, rather

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Robert A. Heey, Esq. April 10th, 1946.

"than consider subdivision into smaller areas. Some time ago the City was considering the development of the area and drew up two plans. One plan proposed the subdivision into four areas of approximately 300 ft. width in north and south direction, the depth varying from three to four hundred feet in east-west direction. Under this plan the trackage would follow the Vancouver & Lulu Island right-of-way at the western and northwestern edge of the property after allowing for a roadway between the right-of-way and the trackage.

A second plan divided the property by north-south road in approximately the centre, and on either side would be small lots of about 150 ft. to 200 ft. width, and of varying depth. Both plans, however, would have entailed obtaining from the Provincial Government a portion of Foreshore Lot 5630.

It will, therefore, be apparent that suggestions as to development would be difficult to make until some indication is given as to the policy which the Department of Indian Affairs wishes to pursue in disposing of the property. Actually it would seem preferable to dispose of it in as large parcels as possible, and subdivision into two or three-acre tracts might be the best plan."

On my next trip to Ottawa, I shall make a point of calling upon you in order to discuss this matter.

Yours very truly,

F. W. Collins
Industrial Manager

FWC:W
Enc.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

Mr. McLean

Ottawa, April 12, 1946.

Dear Mr. Collins:

I have for acknowledgment your letter of April 10th and also a plan of the Kitsilano Indian Reserve, British Columbia, attached thereto.

The officials here inform me that the Indians have not at this date surrendered the reserve, but are likely to meet with the object of passing the usual resolution for surrender in the course of a few days.

It is unnecessary to state that I shall be glad to discuss the matter with you at the time of your next visit to Ottawa.

Yours very truly,

Director.

F. W. Collins, Esq.,
Industrial Manager,
Canadian Pacific Railway Company,
MONTREAL, Quebec.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ROYAL CANADIAN MOUNTED POLICE

C-237

DIVISION FILE No. 46E 128-105.

DIVISION "E" PROVINCE British Columbia. SUB-DIVISION Vancouver C.I.B. DETACHMENT General Invest.Section. DATE April 10,1946.

FILE REFS.

RE: Trespassing on Kitsilano Indian Reserve - Sec.115 Indian Act, Vancouver,B.C.

HEADQUARTERS

SUB-DIVISION

DETACHMENT

46 GI 2/94

P.C.R.

1st.

A. R. V. No.

DIARY DATE SET FOR 30-4-46.

1. Relative to the above mentioned subject, which has reference to memorandum from the Officer in charge of "E" Division C.I.B. with copy of communication from the Indian Commissioner for B.C. embodied therein, please be advised that enquiry has been made in connection with this matter as outlined hereunder.

2. The Kitsilano Indian Reservation is situated or located adjacent to False Creek, directly under the Busrard St.Bridge; this Reserve could be described as being almost in the heart of the city and undoubtedly in view of this fact there are few people who are aware of the fact that there is an Indian Reservation in this vicinity. Part or parts of the Reserve are presently under lease to the Department of National Defence (Air) and (Army); large buildings having been erected by this Department on the Reserve. On the eastern edge or portion of the Reserve there is approximately eleven acres of land which is unoccupied, and on this property it has been found that a great deal of dumping of garbage has been taking place; this includes sawdust,scrap-iron,tin-cans etc. From examination it is evident that this dumping has been going on for some years; until now, it seems evident that it has reached such proportions as to constitute a threat to the health of the community.

3. There have been no Indians resident on this Reserve for many years; and as a protection against garbage being dumped on the land referred to,no notices,warning people not to trespass on the Reserve have been placed or put up by the Department of Indian Affairs.

4. On the 9th.inst. whilst patrolling the Reserve in an effort to gather some information in connection with this matter,an Army Truck from the Seaforth Camp was found on the Reserve about to dump garbage cans which contained ashes. Questioning of the driver of the truck revealed that for several months it had been the practice to dump ashes on the Reserve from the Army Camp or Barracks. In view of this fact the Commanding Officer at #9 S.E.C. Seaforth Barracks was contacted who explained that the Army trucks had been dumping ashes on the Reserve for months, adding however that this practice would cease forthwith. The Driver of the truck who was accosted in connection with this matter was Pte.R.C.Wilson K1698 and he was accompanied by Pte. D.C.Smith K6135.

5. Suitable notices warning trespassers to keep off the Reserve have been placed at various points along the boundary adjacent to roadways or trails which have been used by trucks, should any trespassers be found hthe necessa-
ry

FILE NUMBERS, HEADING AND MARGINAL REFERENCE ARE TO BE PROPERLY FILLED IN.

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BE FOUND THE NECESSARY action will be taken. Arrangements have been made with employees of the B.C.Electric shops which are adjacent to the Reserve and other reliable citizens to notify this office immediately should any trespassers be noticed on the Reserve.

6. In view of the fact that a great deal of the scrap-iron, sawdust and other refuse has no doubt been dumped on the Reserve over a period of several years it will be practically impossible to establish the identity of those responsible. However, now that notices have been placed warning persons to keep off the Reserve immediate action will be taken to enter prosecution if the warning is not complied with. Could diary date for further report be set for the 30-4-46.

SGD.
(W.A.Griffin)Const.
Reg'tl No.10571.

The Indian Commissioner for B.C.
Vancouver, B.C.

FORWARDED for your information, reference your file 14-3540.

(SGD)

Vancouver
12-4-46

(M.F.E. Anthony) Insp.,
I/C C.I.B.

THE COMMISSIONER, R.C.M.P., OTTAWA, ONT.

FORWARDED for your information. Further investigation is being conducted and a report may be expected to meet D.D. of 15-5-46.

(SGD)
(M.F.E. Anthony) Insp.,
I/C C.I.B.

Vancouver
12-4-46

D.D.15-5-46

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DIVISION FILE RE Trespassing on Kitsilano Indian Reserve PAGE 6 CONTINUED
No. 462 128-195 Vancouver, B.C.

BE FOUND THE NECESSARY action will be taken. Arrangements have been made with employees of the B.C.Electric shops which are adjacent to the Reserve and other reliable citizens to notify this office immediately should any trespassers be noticed on the Reserve.

6. In view of the fact that a great deal of the scrap-iron, sawdust and other refuse has no doubt been dumped on the Reserve over a period of several years it will be practically impossible to establish the identity of those responsible. However, now that notices have been placed warning persons to keep off the Reserve immediate action will be taken to enter prosecution if the warning is not complied with. Could diary date for further report be set for the 30-4-46.

SGD.
(W.A.Griffin)Const.
Reg'tl No.10571.

The Indian Commissioner for B.C.
Vancouver, B.C.

FORWARDED for your information, reference your file 14-3540.

(SGD)
(M.F.E. Anthony) Insp.,
I/C C.I.B.

Vancouver
12-4-46

THE COMMISSIONER, R.C.M.P., OTTAWA, ONT.

FORWARDED for your information. Further investigation is being conducted and a report may be expected to meet D.D. of 15-5-46.

(SGD)
(M.F.E. Anthony) Insp.,
I/C C.I.B.

Vancouver
12-4-46

D.D.15-5-46

FILE NUMBERS, HEADING AND MARGINAL REFERENCE ARE TO BE PROPERLY FILLED IN.

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CANADA

28835-3

ROYAL CANADIAN MOUNTED POLICE
HEADQUARTERS

April 18, 1946.

OUR FILE NO. 46 D 128-5-J 2. OTTAWA.

YOUR FILE NO. .....

TO: The Director, Indian Affairs Branch,
Department of Mines and Resources, OTTAWA.

Department of Mines & Resources
Indian Affairs Branch.
APR 23 1946
REGISTERED

Report dated April 10, 1946, from Vancouver, B.C., forwarded for your information, re: Trespassing on Kitsilano Indian Reserve, Vancouver, B.C.

ATL/GB. Enc.

~~for~~ Director, Criminal Investigation. per:

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

ARMY SIGNALS

Department of Mines & Resources
OTTAWA
APR 23 1946
DEPUTY MINISTER.

C. W. JACKSON
CHIEF EXECUTIVE ASSISTANT
DEPT. MINES AND RESOURCES
OTTAWA ONT.

VANCOUVER
APRIL 18th, 1946.

SECURED SURRENDER KITSILANO RESERVE STOP INTEREST RATE 1½% STOP UPSET PRICE SIX HUNDRED THOUSAND DOLLARS FULL DETAILS WILL BE FORWARDED AT AN EARLY DATE.

D. M. MACKAY
INDIAN COMMISSIONER FOR B.C .

COPY TO: DEPARTMENT OF MINES AND RESOURCES, OTTAWA

Department of Mines & Resources
Indian Affairs Branch.
APR 23 1946
REGISTERED

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

29835 3

Mr Hoey 4714

Department of Mines & Resources
OTTAWA.
APR 23 1946
DEPUTY MINISTER

Mr McCammon

TELEPHONED
MESSAGE GIVEN TO
MR. VB
TIME 9.15 DATE Apr 20/46

M&S V VER NR 22
FROM D M MACKAY INDIAN COMMSR FOR BC VANCOUVER 181242U
TO C W JACKSON CHIEF EXECUTIVE ASSISTANT DEPT MINES AND RESOURCES OTT
GR 29 BT

SECURED SURRENDER KITSILANO RESERVE STOP INTEREST REATE ONE AND
ONE HALF PERCENT STOP UPSEP PRICE 600 THOUSAND DOLLARS FULL
DETAILS WILL BE FORWARDED AT AN EARLY DATE

BT PA 200912R AR K

Department of Mines & Resources
Indian Affairs Branch.
APR 24 1946
REGISTERED

M&S V VER NR 22
FROM D M MACKAY INDIAN COMMSR FOR BC VANCOUVER 181242U
TO C W JACKSON CHIEF EXECUTIVE ASSISTANT DEPT MINES AND RESOURCES OTT
GR 29 BT

SECURED SURRENDER KITSILANO RESERVE STOP INTEREST REATE ONE AND
ONE HALF PERCENT STOP UPSEP PRICE 600 THOUSAND DOLLARS FULL
DETAILS WILL BE FORWARDED AT AN EARLY DATE

BT PA 200912R AR K

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Form No. I.A. 316
R. 9117

COMPLETE LIST OF VOTERS

6

Squamish Band, Province of B C.

Surrender submitted Apr 17th 1926 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
	69	58	64	5
Joe Thomas	X		X	
George Tommy		X		
Billy Williams, Sr.		X		
Billy Williams, Jr.	X		X	
David George Williams	X		X	
Edward Williams	X		X	
Francis Williams	X		X	
Howard Williams	X		X	
Thomas Williams	X		X	
Wilfred Williams	X		X	
Wilson Williams	X		X	
	9	2	9	0
Summary	78	60	73	5

Use additional sheets when necessary

SUMMARY

PRESENT	78
ABSENT	60
FOR	73
AGAINST	5

Certified Correct "J D Caldwell" Indian Agent

Apr. 17th 1926

IMPORTANT NOTICE

This form must be carefully filled in and certified by Agent and attached to surrender document. Failure to do so will render surrender null and void. Procedure to be followed in taking surrenders is explained fully in circular of instructions attached. These instructions MUST in every detail be followed carefully.

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

HAROLD W. McGILL,
Director of Indian Affairs

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form No. I.A. 316
R. 9117

Kitsilano

COMPLETE LIST OF VOTERS

[redacted] Squamish Band, Province of B.C.

Surrender submitted Apr 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
Elvie Andrew (Councillor)	X		X	
Charlie Antone		X		
John Antone, Jr.		X		
Moses Antone	X		X	
Ralph Atkins		X		
Billy August		X		
Fred August		X		
Abraham (Sam)Baker	X		X	
Ambrose (Ray) Baker	X		X	
Clarence Baker		X		
Daniel Baker	X		X	
Dominick Baker	X		X	
Frank Baker	X		X	
Henry Baker	X		X	
Herbert Baker		X		
Johnny Baker	X		X	
Joseph Baker	X		X	
Robert Baker		X		
Rudolph Baker		X		
Simon Baker	X		X	
William Baker, Sr. (Councillor)	X		X	
William Baker, Jr.	X		X	
William Gilbert Baker		X		
William Leonard Baker		X		
Gilbert Band		X		
Use additional sheets when necessary (Cont'd) Summary	13	12	13	0

Certified Correct "J.D. Caldwell" Indian Agent

Apr 17th 1946

IMPORTANT NOTICE

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DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

R. A. Hoey,
[redacted]
Director of Indian Affairs

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form No. I.A. 316
R. 9117

COMPLETE LIST OF VOTERS

Squamish Band, Province of B.C.

Surrender submitted April 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
2nd	13	12	13	0
Gordon Band	X		X	
Ralph Band		X		
Moses Billy	X		X	
Mike Billy (Discan)	X		X	
Dave Charlie		X		
Dominick Charlie	X		X	
Edward Charlie (Councillor)		X		
Joe Martin Charlie		X		
Stephen Charlie		X		
Robert Cole		X		
Dave Cole	X		X	
Edward Cole	X		X	
Thomas Cole, Sr.		X		
Thomas Cole, Jr.		X		
Edward Corkhill		X		
Fred Corkhill		X		
William Discan		X		
Tommy Dominick		X		
Charlie Douglas	X			X
Gus Douglas		X		
Tommy Findlay		X		
Jimmy Frank		X		
Henry George	X		X	
Archie Gonzales		X		
Domingo Gonzales		X		
Use additional sheets when necessary (Cont'd) Summary	8	17	7	1
Total	21	29	20	1

Certified Correct "J.D. Caldwell" Indian Agent

April 17th 1946

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DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

R. A. Hoey,
~~HAROLD W. McGILL~~
Director of Indian Affairs

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form No. I.A. 316
R. 9117

COMPLETE LIST OF VOTERS

3

Squamish Band, Province of B.C.

Surrender submitted April 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
Fwd	21	29	20	1
Harvey Gonzales		X		
Johnny Gonzales	X		X	
Frank Guerrero	X		X	
Austin Harry		X		
Joe Harry		X		
August Jack	X		X	
Denny Jack		X		
Henry Jack (Councillor)	X		X	
Alfred Jacob (Councillor)	X		X	
Henry Jacob		X		
Isaac Jacob		X		
Edward Jasper James	X		X	
Chief Matthias Joe (Councillor)	X		X	
Dennis Lacket Joe	X		X	
George Lacket Joe	X		X	
Joe William Joe	X		X	
Fred Johnston		X		
Herbert (Jimmy) Johnston		X		
George Johnston		X		
Joe Johnston	X		X	
Tommy Johnston, Sr.	X		X	
Tommy Johnston, Jr.		X		
Arnold Joseph		X		
Chief Moses Joseph (Councillor)	X		X	
Stanley Joseph (Councillor)	X		X	
Use additional sheets when necessary (cont'd) Summary	14	11	14	0
Total	35	40	34	1

Certified Correct "J D Caldwell" Indian Agent

April 17th 1946

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DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

R. A. Hoey,
Director of Indian Affairs

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form No. I.A. 316
R. 2083

COMPLETE LIST OF VOTERS 4

Squamish Band, Province of B.C.

Surrender submitted Apr. 17th 1946 File No.

NAME	PRESENT 35	ABSENT 40	FOR 34	AGAINST 1
Stephen Joseph (George)	X		X	
Albert Julian		X		
Alex Julian	X			X
Louie Lewis		X		
Christie Lewis		X		
Lorne Antone Lewis	X			X
Norman Lewis	X			X
Ralph Lewis	X			X
Sam Lewis	X		X	
Dave Lock, Sr.		X		
Dave Lock, Jr.	X		X	
Herman Lock		X		
Achilla Mack	X		X	
Anderson Mack		X		
James Miranda	X		X	
Louie Miranda (Councillor)	X		X	
Milton Miranda		X		
Donald Moody		X		
Gabriel Moody	X		X	
George Moody	X		X	
Harry Moody		X		
Joe Moody	X		X	
Tim Moody (Secretary of Council)	X		X	
Tommy Moses	X		X	
~~Arnold Nahanee~~ (Cont'd)	X		X	
Summary	16	9	12	4
Total	51	49	46	5

Use additional sheets when necessary

Certified Correct "J.O. Caldwell" Indian Agent

Apr. 17th 1946

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DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form No. I.A. 316
R. 2683

COMPLETE LIST OF VOTERS

5

Squamish Band, Province of B.C.

Surrender submitted Apr. 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
Ford	51	49	46	5
Edward Nahanee	X		X	
James Nahanee	X		X	
Lorne Nahanee	X		X	
Raymond Nahanee		X		
William Nahanee, Sr.	X		X	
William Nahanee, Jr.	X		X	
Andrew Nattrell	X		X	
Charlie Newman	X		X	
Earl Newman	X		X	
Ernest Newman	X		X	
Harry Newman	X		X	
Sidney Newman	X		X	
Walter Newman		X		
Willie Newman		X		
Andrew Paull	X		X	
Clifford Paull	X		X	
Denny Paull (Councillor)	X		X	
Edwin Paull		X		
Percy Paull		X		
Billy Pierre		X		
Isadore Pierre	X		X	
James Reid		X		
Daniel Rivers	X		X	
Ernest Rivers		X		
Frank Rivers	X		X	
Peter Rivers	X	X	X	
Willie Sanderson				
(cont'd) Summary	18	9	18	0
Total	69	57	64	5

Use additional sheets when necessary

Certified Correct "J.D. Caldwell" Indian Agent

Apr. 17th 1946

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DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form No. I.A. 316
R. 9117

COMPLETE LIST OF VOTERS

6

Squamish Band, Province of B C.

Surrender submitted Apr 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
2nd	69	58	64	5
Joe Thomas	X		X	
George Tommy		X		
Billy Williams, Sr.		X		
Billy Williams, Jr.	X		X	
David George Williams	X		X	
Edward Williams	X		X	
Francis Williams	X		X	
Howard Williams	X		X	
Thomas Williams	X		X	
Wilfred Williams	X		X	
Wilson Williams	X		X	
	9	2	9	0
Summary	78	60	73	5

Use additional sheets when necessary

SUMMARY

PRESENT	78
ABSENT	60
FOR	73
AGAINST	5

Certified Correct "J D Caldwell" Indian Agent

Apr. 17th 1946

IMPORTANT NOTICE

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DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

HAROLD W. McGILL,
Director of Indian Affairs

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE_____

NOTICE

April 5th, 1946.

A mass meeting of the Squamish Band will be held in the Council House, Squamish I. R. No.1, North Vancouver, on

Wednesday, April 17, 1946, at 1.30 p.m.

Three important matters will be discussed:

Kitsilano Indian Reserve

Chekwelp Indian Reserve

Cheakamus Timber

All male members over 21 years of age should be present as the result of this meeting will affect the future of every member of the Band.

Indian Commissioner

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

33-14-3720

Registered
Airmail

April 24th, 1946.

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Your File 28835-3

Re: Surrender of Kitsilano (Squamish) I.R. 6

A meeting of the Squamish Band was held in the Council House, Squamish Indian Reserve No. 1, North Vancouver, on Wednesday, April 17th, 1946, regarding the above noted matter. The usual notice, setting out the matters to be discussed was sent out on April 5th, 1946, to each member of the Band eligible to vote, thus giving ample time for voters to arrange to attend.

The surrender, as prepared by the Department, was carefully read and fully explained to the meeting. Strong opposition to an interest levy of 3% on the $350,000 required to liquidate the Provincial interest in the Reserve was apparent from the outset and it was necessary to reduce this to 1½% before any progress whatever could be made. It was also necessary to insert in the surrender a clause providing that the Reserve would not be sold for less than $600,000 before a vote could be taken.

Following a long drawn-out discussion which was participated in by many members of the Band and during which Mr. Andrew Paull reviewed at considerable length the history of the Reserve, a vote was finally taken. Of the 138 members eligible to vote, 78 were present and 60 absent. Of the 78 in attendance at the meeting 73 voted in favour of a surrender and 5 against and it is reasonable to assume that this proportion would have been maintained if there had been a full

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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attendance. Each member present was required to personally record his vote opposite his name on the voters list.

The surrender documents in duplicate are enclosed and I trust will be found in order. The surrender is, of course, somewhat restrictive in character but it is hoped that despite this a good opportunity to dispose of this highly contentious matter has now been provided.

D. M. MacKay,
Indian Commissioner for B.C.

/EW
Encl.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Form No. I.A. 316
R. 9117

Squamish No 6 (Kitsilano)

COMPLETE LIST OF VOTERS

Squamish Band, Province of B.C.

Surrender submitted April 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
Elvie Andrew (Councillor)	X		X	
Charlie Antone		X		
John Antone, Jr.		X		
✓ Moses Antone	X		X	
Ralph Atkins		X		
Billy August		X		
Fred August		X		
✓ Abraham (Sam)Baker	X		X	
✓ Ambrose (Ray) Baker	X		X	
Clarence Baker		X		
✓ Daniel Baker	X		X	
✓ Dominick Baker	X		X	
✓ Frank Baker	X		X	
✓ Henry Baker	X		X	
Herbert Baker		X		
✓ Johnny Baker	X		X	
✓ Joseph Baker	X		X	
Robert Baker		X		
Rudolph Baker		X		
✓ Simon Baker	X		X	
✓ William Baker, Sr. (Councillor)	X		X	
✓ William Baker, Jr.	X		X	
William Gilbert Baker		X		
William Leonard Baker		X		
Gilbert Band		X		
Use additional sheets when necessary (Cont'd) Summary	13	12	13	0

Certified Correct J. Caldwell Indian Agent

April 17th. 1946

IMPORTANT NOTICE

This form must be carefully filled in and certified by Agent and attached to surrender document. Failure to do so will render surrender null and void. Procedure to be followed in taking surrenders is explained fully in circular of instructions attached. These instructions MUST in every detail be followed carefully.

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

R. A. Hoey,
Director of Indian Affairs

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form No. I.A. 316
R. 9117

COMPLETE LIST OF VOTERS

Squamish Band, Province of B.C.

Surrender submitted April 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
2nd	13	12	13	0
Gordon Band	X		X	
Ralph Band		X		
Moses Billy	X		X	
Mike Billy (Discan)	X		X	
Dave Charlie		X		
Dominick Charlie	X		X	
Edward Charlie (Councillor)		X		
Joe Martin Charlie		X		
Stephen Charlie		X		
Robert Cole		X	X	
Dave Cole	X			
Edward Cole	X		X	
Thomas Cole, Sr.		X		
Thomas Cole, Jr.		X		
Edward Corkhill		X		
Fred Corkhill		X		
William Discan		X		
Tommy Dominick		X		
Charlie Douglas	X			X
Gus Douglas		X		
Tommy Findlay		X		
Jimmy Frank		X		
Henry George	X		X	
Archie Gonzales		X		
Domingo Gonzales		X		
(Cont'd) Summary	8	17	7	1
Total	21	29	20	1

Use additional sheets when necessary

Certified Correct J. D. Caldwell Indian Agent

April 17th 1946

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DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

R. A. Hoey,
Director of Indian Affairs

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Form No. I.A. 316
R. 9117

COMPLETE LIST OF VOTERS

Squamish Band, Province of B.C.

Surrender submitted Apr 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
Fwd	21	29	20	1
Harvey Gonzales		X		
✓ Johnny Gonzales	X		X	
✓ Frank Guerrero	X		X	
Austin Harry		X		
Joe Harry		X		
✓ August Jack	X		X	
✓ Denny Jack		X		
✓ Henry Jack (Councillor)	X		X	
✓ Alfred Jacob (Councillor)	X		X	
Henry Jacob		X		
Isaac Jacob		X		
✓ Edward Jasper James	X		X	
✓ Chief Matthias Joe (Councillor)	X		X	
✓ Dennis Lacket Joe	X		X	
✓ George Lacket Joe	X		X	
✓ Joe William Joe	X		X	
Fred Johnston		X		
Herbert (Jimmy) Johnston		X		
George Johnston		X		
✓ Joe Johnston	X		X	
✓ Tommy Johnston, Sr.	X		X	
Tommy Johnston, Jr.		X		
Arnold Joseph		X		
✓ Chief Moses Joseph (Councillor)	X		X	
✓ Stanley Joseph (Councillor)	X		X	
Summary	14	11	14	0
Total	35	40	34	1

Use additional sheets when necessary (cont'd)

Certified Correct J. D. Caldwell Indian Agent

April 17th 1946

IMPORTANT NOTICE

This form must be carefully filled in and certified by Agent and attached to surrender document. Failure to do so will render surrender null and void. Procedure to be followed in taking surrenders is explained fully in circular of instructions attached. These instructions MUST in every detail be followed carefully.

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

R. A. Hoey,
~~HAROLD W. McGILL,~~
Director of Indian Affairs

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Form No. I.A. 316
R. 2053

COMPLETE LIST OF VOTERS 4

Squamish Band, Province of B.C.

Surrender submitted Apr 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
3rd	35	40	34	1
✓ Stephen Joseph (George)	X		X	
Albert Julian		X		
Alex Julian	X			X
Louie Lewis		X		
Christie Lewis		X		
✓ Lorne Antone Lewis	X			X
✓ Norman Lewis	X	X		X
✓ Ralph Lewis	X			X
✓ Sam Lewis	X		X	
Dave Lock, Sr.		X		
✓ Dave Lock, Jr.	X		X	
Herman Lock		X		
✓ Achille Mack	X		X	
Anderson Mack		X		
✓ James Miranda	X		X	
✓ Louie Miranda (Councillor)	X		X	
Milton Miranda		X		
Donald Moody		X		
Gabriel Moody	X		X	
✓ George Moody	X		X	
Harry Moody		X		
✓ Joe Moody	X		X	
✓ Tim Moody (Secretary of Council)	X		X	
✓ Tommy Moses	X		X	
✓ Arnold Nahanee (Cont'd)	X		X	
Summary	16	9	12	4
Total	51	49	46	5

Use additional sheets when necessary

Certified Correct J.S. Caldwell Indian Agent

April 17th 1946

IMPORTANT NOTICE

This form must be carefully filled in and certified by Agent and attached to surrender document. Failure to do so will render surrender null and void. Procedure to be followed in taking surrenders is explained fully in circular of instructions attached. These instructions MUST in every detail be followed carefully.

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Form No. I.A. 316
R. 2083

COMPLETE LIST OF VOTERS

5

Squamish Band, Province of B.C.

Surrender submitted apr 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
Fwd	51	49	46	5
Edward Nahanee	X		X	
James Nahanee	X		X	
Lorne Nahanee	X		X	
Raymond Nahanee	X		X	
William Nahanee, Sr.		X		
William Nahanee, Jr.	X		X	
Andrew Nattrell	X		X	
Charlie Newman	X		X	
Earl Newman	X		X	
Ernest Newman	X		X	
Harry Newman	X		X	
Sidney Newman	X		X	
Walter Newman		X		
Willie Newman		X		
Andrew Paull	X		X	
Clifford Paull	X		X	
Denny Paull (Councillor)	X		X	
Edwin Paull		X		
Percy Paull		X		
Billy Pierre		X		
Isadore Pierre	X		X	
James Reid		X		
Daniel Rivers	X		X	
Ernest Rivers		X		
Frank Rivers	X		X	
Peter Rivers		X		
Willie Sanderson	X		X	
(cont'd) Summary	18	9	18	0
Total	69	58	64	5

Use additional sheets when necessary

Certified Correct J D Caldwell Indian Agent

April 17th 1946

IMPORTANT NOTICE

This form must be carefully filled in and certified by Agent and attached to surrender document. Failure to do so will render surrender null and void. Procedure to be followed in taking surrenders is explained fully in circular of instructions attached. These instructions MUST in every detail be followed carefully.

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, 19

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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ARCHIVES PUBLIQUES
CANADA

Form No. I.A. 316
R. 9117

COMPLETE LIST OF VOTERS

6

Squamish Band, Province of B C.

Surrender submitted April 17th 1946 File No.

NAME	PRESENT	ABSENT	FOR	AGAINST
✓ Joe Thomas	X		X	
George Tommy		X		
Billy Williams, Sr.		X		
✓ Billy Williams, Jr.	X		X	
David George Williams	X		X	
✓ Edward Williams	X		X	
Francis Williams	X		X	
✓ Howard Williams	X		X	
✓ Thomas Williams	X		X	
Wilfred Williams	X		X	
✓ Wilson Williams	X		X	
SUMMARY				
PRESENT 78				
ABSENT 60				
FOR 73				
AGAINST 5				
	9	2	9	0
Use additional sheets when necessary TOTAL Summary	78	60	73	5

Certified Correct J.O. Caldwell Indian Agent

April 17th. 1946

IMPORTANT NOTICE

This form must be carefully filled in and certified by Agent and attached to surrender document. Failure to do so will render surrender null and void. Procedure to be followed in taking surrenders is explained fully in circular of instructions attached. These instructions MUST in every detail be followed carefully.

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa,.....19.....

HAROLD W. McGILL,
Director of Indian Affairs

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

(C o p y)

File No. 28835-3

KNOW ALL MEN BY THESE PRESENTS THAT WE, the undersigned Chief and Principal men of the Squamish 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 District of New Westminster and Province of British Columbia, containing by admeasurement sixty-three acres and seven hundred and forty-five thousandths of an acre, be the same more or less, and being composed of all Kitsilano Indian Reserve (Squamish No,6).

TO HAVE AND TO HOLD the same unto His said Majesty the King, his Heirs and Successors forever, in trust to sell, lease, or otherwise 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, provided always that in the case of a sale such sale shall not be made for less than the sum of Six Hundred Thousand Dollars ($600,000) and in the case of a lease of the Reserve or any portion thereof that such lease shall not be made for less than a rental commensurate with the value of such lands;

AND upon the further condition that all moneys received from the sale or lease thereof, except as hereinafter provided, shall be credited to the funds of the Squamish Band of Indians.

IT IS HEREBY AGREED that the first charge against the moneys arising out of the sale of the lands hereby surrendered shall be the payment to the Government of the

...

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Dominion of Canada of the sum of Three Hundred and Fifty Thousand Dollars ($350,000) together with interest at the rate of 1½% which said sum of $350,000 the Government of the Dominion of Canada has paid to the Government of British Columbia as a full settlement of all interest and claims which the said Government of British Columbia may have or may have had against Kitsilano Indian Reserve (Squamish No.6), and which said interest shall be met from the rentals secured from the Reserve as from the date of this surrender and the amount of $12,942.24 collected in rentals by the Province of British Columbia if and when refunded by the said Province of British Columbia.

This condition is in accordance with the resolution of the Chiefs and Councillors of our Bands passed on the 15th day of December 1927.

AND WE, the said Chief and Principal men of the said Squamish 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 or leasing thereof, in accordance with the before-mentioned provisions.

IN WITNESS WHEREOF we have hereunto set out hands this 17th day of April in the year of our Lord one thousand nine hundred and forty-six.

SIGNED, SEALED & DELIVERED in the presence of

"J. D. Caldwell"
Acting Indian Agent

"D. M. MacKay"
Indian Commissioner for B.C.

"Chief Moses Joseph"
"Chief Matthias Joe"
"Dennis Paull"
"Frank Baker"
"Louis Miranda"

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE_____

NOTICE

April 5th, 1946.

A mass meeting of the Squamish Band will be held in the Council House, Squamish I. R. No.1, North Vancouver, on

Wednesday, April 17, 1946, at 1.30 p.m.

Three important matters will be discussed:

Kitsilano Indian Reserve

Chekwelp Indian Reserve

Cheakamus Timber

All male members over 21 years of age should be present as the result of this meeting will affect the future of every member of the Band.

D. M. MacKay
Indian Commissioner

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835 - 3

INDIAN COMMISSIONER
BRITISH COLUMBIA

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

IN YOUR REPLY REFER TO
NO 33-14-3720
ALSO TO DATE OF THIS LETTER

P.O. BOX 70
VANCOUVER, B.C. April 24th, 1946.

Department of Mines & Resources
Indian Affairs Branch
APR 26 1946
REGISTERED

Registered
Airmail

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Your File 28835-3

Re: Surrender of Kitsilano (Squamish) I.R. 6

A meeting of the Squamish Band was held in the Council House, Squamish Indian Reserve No. 1, North Vancouver, on Wednesday, April 17th, 1946, regarding the above noted matter. The usual notice, setting out the matters to be discussed was sent out on April 5th, 1946, to each member of the Band eligible to vote, thus giving ample time for voters to arrange to attend.

The surrender, as prepared by the Department, was carefully read and fully explained to the meeting. Strong opposition to an interest levy of 3% on the $350,000 required to liquidate the Provincial interest in the Reserve was apparent from the outset and it was necessary to reduce this to 1½% before any progress whatever could be made. It was also necessary to insert in the surrender a clause providing that the Reserve would not be sold for less than $600,000 before a vote could be taken.

Following a long drawn-out discussion which was participated in by many members of the Band and during which Mr. Andrew Paull reviewed at considerable length the history of the Reserve, a vote was finally taken. Of the 138 members eligible to vote, 78 were present and 60 absent. Of the 78 in attendance at the meeting 73 voted in favour of a surrender and 5 against and it is reasonable to assume that this proportion would have been maintained if there had been a full

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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attendance. Each member present was required to personally record his vote opposite his name on the voters list.

The surrender documents in duplicate are enclosed and I trust will be found in order. The surrender is, of course, somewhat restrictive in character but it is hoped that despite this a good opportunity to dispose of this highly contentious matter has now been provided.

D. M. MacKay,
Indian Commissioner for B.C.

/EW
Encl.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Mines & Resources

LIONS GATE BRANCH, NO. 79

CANADIAN LEGION OF THE B.E.S.L.

LEGION HALL, 2641 WEST 4TH AVENUE.

1946 MAY 9 AM 9:14
UNDER SECRETARY OF STATE

VANCOUVER, B. C., May 6th., 1946.

The Honorable Secretary,
Federal Government,
Ottawa, Canada.

2

Honorable Sir:-

It will be unnecessary to indicate to one who is in your well informed position that Vancouver is a growing City and, by virtue of its stratigic location, will continue to be one of Canada's leading Cities for all time to Come. A growing City requires ample areas within its bounds that are set aside for Park purposes, especially those bordering the shore line. A visit to Vancouver's beaches last Summer indicated that available space in Kitsilano Park is becoming crowded.

Therefore at its meeting held on April 30th., the Lions Gate Branch No. 79, the Branch of the Canadian Legion active in the Kitsilano District, passed a resolution strongly protesting to the Federal Government that that portion of the Kitsilano Indian Reserve consisting of some 35 acres West of the Burrard Street Bridge be retained or disposed of in any way except to be made available to the City of Vancouver for Park purposes. Furthermore, it would urge that those Government buildings now occupying the site be removed.

Respectfully submitted,

Yours very truly,

E. W. Armstrong

E.W.Armstrong,
Secretary Pro-tem.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Indian Affairs Branch

28835 3

CANADA

DEPARTMENT OF THE SECRETARY OF STATE

Department of Mines & Resources
OTTAWA.
MAY 14 1946
DEPUTY MINISTER.

Ottawa, May 13th, 1946.

Transferred for necessary action to the Deputy Minister of Mines and Resources. (This communication has not been acknowledged).

Department of Mines & Resources
Indian Affairs Branch.
MAY 15 1946
REGISTERED

By order,

Under Secretary of State.

2,000—3-46

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

Mr Hoey

Mr McCrimmon

Phone
Bayview 5560M

J. G. Giroday & Co.
2476 West 8th Ave,
Vancouver, B. C.

April 24th 1946

Department of Mines & Resources
OTTAWA.
APR 26 1946
DEPUTY MINISTER.

To the Offices of
The Honourable Minister of Mines & Resources,
Parliament Buildings, Ottawa,
Canada.

Dear Sir:

Having great difficulty to secure a small site, to measure approx. 60'x60', for the purpose of erecting a spacial small mill for the cutting of laths and Fence Picketts and which is impossible to obtain at any price from the sawmills in Vancouver. I had several friends told me that they are anxious to get some to fence around their new homes and that it was an impossibility.

I have for many years past paid rent on a fuel shed along the B. C. Electric tracks, located just east of Burrard Bridge on the Indian Reserve, which has been taken over by my son and nephew, since the deathof my brother, 10 yeras ago, who was my associate for 25 years, while we were dealing with the Rat Portage Lumber Co. Ltd.

The said property I propose is laying right back of the coal shed and has been used for a dumping ground, notwith-standing the fact that there is sighns allover the place to prevent such nuisance. If this location is not available, any little corner on the reserve will suit the purpose for the said above mentioned little mill and will be prepared to pay-a-mo-a monthly rental, with the stipulation and condition to move out within sixty days notice, if circumstances arise from any sale or disposal of the reserve.

If it was at all possible to have any other site, in an industrial zone, I would'nt have ask for such a favor, but it is impossible to find any such thing in Vancouver in the Kitsilano district or near the centre of the City.

A cppy of this letter has been mailed to your Agent here, with whom I was in touch in the first place and the decision to apply directly to Ottawa was decided upon.

I would, therefore greatly appreciate, to hear from you at your earliest conveniences, and oblige.

Department of Mines & Resources
Indian Affairs Branch.
APR 26 1946
REGISTERED

Yours very respectfully
J. G. Giroday & Co.

Per J. G. Giroday
J. G. Giroday

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Per Hoey

Copy for the information of
Mr. Hoey.
(Copy also sent to Major D.M. MacKay)

AIRMAIL

Ottawa, April 29, 1946.

Dear Mr. Campbell,-

I have your letter of the 23rd instant in reference to the Kitsilano Reserve. I have delayed answering your letter until Mr. MacKay had sent the formal surrender which was recently obtained from the Indians.

I do not know whether Mr. MacKay informed you of the fact that in granting the surrender the Indians stipulated that "a sale should not be made for less than the sum of $600,000". The surrender, therefore, is a conditional one and creates a problem when the Dominion considers selling parts of the total area surrendered. I am afraid that in considering the sale of a part we would have to be very certain that when the whole area was finally sold the total proceeds would equal the price set by the Indians.

When you discussed the matter with Mr. Glen last February, I believe your clients were only interested in acquiring a small area - approximately six acres. The suggested price that you mentioned at that time would not if the whole area were sold at the same rate, equal the upset price of $600,000.

Just what the Department can do with the limited surrender I am not prepared to say at the present time. However, if you intend coming to Ottawa I am sure Mr. Glen will be glad to discuss the matter further with you.

Yours very truly,

C.W. Jackson,
Acting Deputy Minister.

J.A. Campbell, Esq., K.C.,
C/o Messrs. Campbell, Meredith & Beckett,
Mall Building,
VANCOUVER, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835-3

Sea 4

Vancouver Sun
18 April 1946

Kitsilano Reserve 'Ideal' For Addition to Park

Vancouver Park Board will make a strong bid to secure the Kitsilano Indian Reserve for park purposes if the Dominion government accepts the offer of Squamish Indians to release the property for $600,000.

"The Park Board has been keenly interested in this property for many years," said P. B. Stroyan, parks superintendent.

"It would make a natural extension of the present Kitsilano Park and was proposed as a civic stadium site."

Tuesday a mass meeting of the Squamish tribe agreed to surrender their rights to the long-disputed reserve for $600,000 and the right to rent or lease portions of it, pending the sale.

"Next move is up to the Indian Department at Ottawa," J. D. Caldwell, Indian Agent here, said.

For fifty years the Dominion and Provincial Governments and the city have attempted to procure the land from the Indians without success.

Wednesday's action by the Squamish Indians clear decks for final action on the disputed area that is now in use by the RCAF as No. 2 Equipment Depot.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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MINUTES OF MASS MEETING
OF
SQUAMISH BAND

HELD ON SQUAMISH I. R. No. 1 on APRIL 17, 1946

PRESENT: Indian Commissioner for B.C., D.M. MacKay; Acting Indian Agent, J. D. Caldwell:

Secretary of the Council, Tim Moody

Councillors - Chief Moses Joseph, Chief Matthias Joe, Simon Baker, William Baker, Sr., Moses Billy, Henry Jack, Alfred Jacob, Louie Miranda, Stan. Joseph, Harry Newman, Denny Paull, Thomas Williams, Elvie Andrew, Frank Baker, Lorne Nahanee

Voting members of the Band .78.
(including Councillors)

ABSENT: Councillors: Ed. Charlie

Voting members of the Band ..60.

The meeting commenced at 2:30 p.m., and was addressed by the Indian Commissioner, who stated that the meeting had been called for the purpose of taking the surrender of Squamish I.R. No. 6 (Kitsilano) for sale by the Department and the surrender of Squamish I.R. No. 26 (Chekwelp) for 20 years for leasing purposes. The object of securing the surrenders was explained to the Indians by the Commissioner, after which the meeting was addressed by Andrew Paull, a member of the Squamish Band, who outlined the past history of the Reserve.

After some discussion, it was

MOVED by Edward Nahanee (Band member)
SECONDED by Councillor Harry Newman

That a vote on the surrender of Kitsilano Reserve be taken.

CARRIED UNANIMOUSLY

The vote was then taken and the majority voted in favour of the surrender. The surrender papers were then completed by some of the Councillors on behalf of the Band.

Then the meeting was addressed by the Commissioner and the reason for asking for the surrender of Chekwelp Reserve explained to the Indians.

MOVED by Andrew Paull (Band member)
SECONDED by Ed. Nahanee (Band member)

THAT a clause be inserted in the surrender that rentals be reviewed every five years and that a vote on the surrender now be taken.

CARRIED UNANIMOUSLY

The vote was then taken, and the Indians voted unanimously in favour of the surrender. The papers were then completed by the Council.

THE MEETING THEN ADJOURNED.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

63-167

Vancouver, B.C., April 30, 1946.

Indian Affairs Branch.

I enclose herewith Minutes of a meeting of the Squamish Indian Council which was held on April 17th.

x x x

I also enclose Minutes of the Mass Meeting of the Squamish Band on April 17th, from which it will be seen that 78 members were present and 60 absent. The matters taken up were the Surrenders of Squamish I.R. No. 6 (Kitsilano) and Squamish I.R. No. 26 (Chekwelp) and both were completed, and I understand have been forwarded to you by the Indian Commissioner, who has no doubt made a full report on this meeting.

Department of Mines & Resources
Indian Affairs Branch.
MAY 9 1946
REGISTERED

x x x

J. D. Caldwell.
Acting Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835 3

CANADA

MINISTER
OF
MINES AND RESOURCES

Copy for the information
of Mr. Hoey.

Ottawa, May 7, 1946.

Dear Premier Hart,-

Referring to our discussion on Saturday last regarding the Kitsilano Reserve, I am sending you copies of the two opinions of Justice - one dated April 2nd, 1935, and the other dated February 22nd, 1944. As I mentioned to you, the surrender recently granted by the Indians was on the condition that the whole property would not be sold for less than $600,000. The Indians also asked that the Province should return the rentals which it received amounting to twelve thousand odd dollars.

The surrender places the Dominion in a difficult position and may delay the plans we had in mind of acquiring now the reversionary interest of the Province. I doubt whether I could secure the approval of my colleagues to paying the sum of $350,000 to the Province when it is realized that our right to sell is restricted. It might be considered more practicable to use the land for the benefit of the Indians until we were assured that its value had increased sufficiently to permit us to sell it for at least the price fixed by the surrender. I do not think there is any doubt that as trustees for the Indians we would have the right to rent the land for short periods until an opportunity arose to sell at the price mentioned. However, such a course of action would only put off a settlement of this long drawn out matter.

This morning a delegation composed of Mr. Brown, the local M.L.A., Mr. D.A. MacDonald, Chairman of the Vancouver Kitsilano Reserve Committee, and Mr. Merritt visited me and strongly urged that the interests of the Vancouver Board of Park Commissioners should not be overlooked. It will be recalled that in 1939 the Parks Board proposed to

The Honourable John Hart,
Premier of British Columbia,
VICTORIA, B.C.

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Premier Pattulo that the Province should take for its interest the area lying to the West of Burrard Bridge (approximately forty-two acres) and give up its interest in the twenty odd acres lying to the East of the Bridge. The proposal involved the Province establishing a Provincial Park or leasing the area to the City for park purposes. I do not know whether the Provincial Government at that time was willing to consider an arrangement of this kind, but the suggested proposal was not approvedof by the Indians, the war intervened and nothing further was done.

The Indian Band in fixing a price of $600,000 at which the property could be sold and in approving of the repayment of the $350,000 to the Province must have had in mind that they wished to receive for their equity a sum of not less than $250,000. If it would be possible for the Dominion to sell the separate parcels lying East of the Bridge for this sum, an arrangement of the kind proposed might be worked out. I should mention, however, that the Department recently obtained a valuation of the whole area and the value placed on the eastern portion does not amount to $250,000. However, it is not unreasonable to expect that prices may increase and that within the next year we might receive this sum for that area.

I mention the above proposal to you because I understand the delegation that waited upon me propose to bring it up again with your Government immediately they return to Vancouver.

I should point out that if the time arrives when the Dominion is justified in accepting the surrender and acting upon it, we would of course have to dispose of the whole area to the best advantage without regard to the plans of the Board of Park Commissioners; in other words, as trustee for the Indians we would have to secure the best price possible.

I might say that since the surrender was obtained we have received several inquiries from business concerns who are anxious to acquire certain parcels East of the Bridge. We are informed that there is every possibility of substantial industries being established thereon. It is therefore to the

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interest of the City of Vancouver, as well as the Province, that better use should be made of this land than there has been during the last thirty years.

I am enclosing copies of the resolutions left with me by the above delegation.

Yours sincerely,

J. Allison Glen

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

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Yours sincerely,

J. Allison Glen

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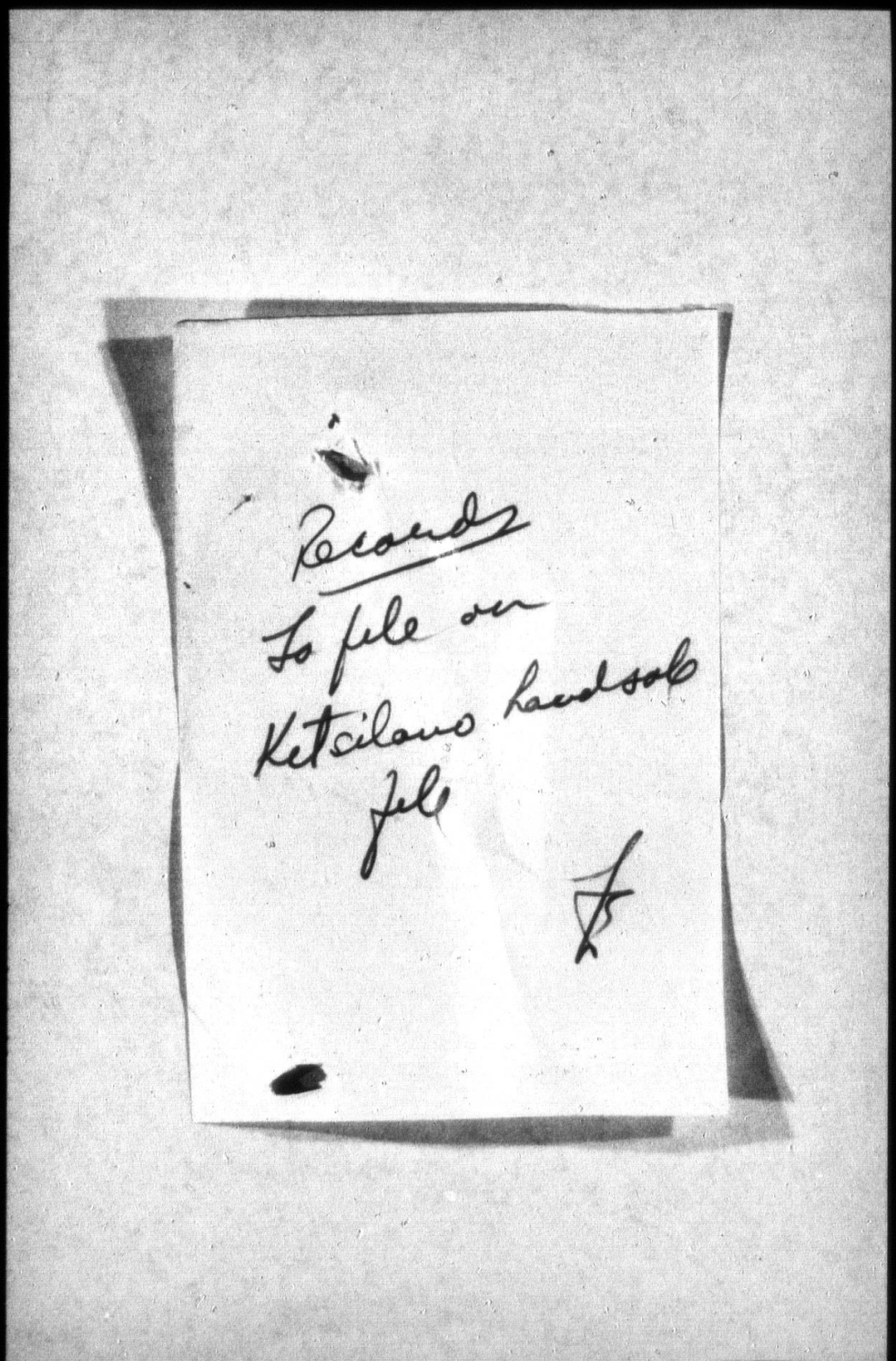
CANADA



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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

WHEREAS the area known as the Kitsilano Indian Reserve, lying at the southerly entrance to the False Creek arm of English Bay in the City of Vancouver, dominates the shore-line of English Bay and can be seen from all sections of the drive around English Bay, and has, from the year of incorporation, been ear-marked by the citizens for park purposes,

AND WHEREAS "The Plan for the City of Vancouver, adopted in 1930, provides for the acquisition of that portion of the Reserve lying west of the Burrard Street Bridge as a key to the largely completed plan of the Marine Drive around English Bay,

AND WHEREAS in the latter part of the year 1913, on the advice and instigation of the late Honourable W.J. Bowser, K.C., then Attorney-General of the Province of British Columbia, the whole of the said Reserve was legally acquired by "abandonment and reversion" by the Crown Provincial; but nevertheless the Department of Indian Affairs of the Crown Dominion contined to exercise administrative jurisdiction thereover,

AND WHEREAS on January 31st,1928 and February 27th, 1928 two Orders-in-Council were severally passed by the Crown Provincial and the Crown Federal respectively; and the consideration set out was nevertheless never paid by the Crown Federal to the Crown Provincial and title, therefore, never passed to the Dominion, and it would appear that legal title thereto is still vested in the Crown Provincial,

AND WHEREAS early in 1940 a tentative proposal of a civic committee of the City of Vancouver was prematurely submitted to the Squamish Council, which said tentative proposal provided for

1. a division of the Reserve; the area to the west of the Burrard Bridge to the Crown Provincial and the area to the east of said Bridge, to the Crown Federal (Department of Indian Affairs),

2. the Crown Provincial to grant a ninety-nine year lease, nominal consideration, to the Crown Federal (Department of Indian Affairs) of the foreshore fronting the eastern portion of the Reserve,

3. the Corporation of the City of Vancouver to grant a tax-free agreement in respect of the portion lying to the east of the said Bridge,

4. the Crown Provincial to either administer the western portion as a provincial park or lease same to the City of Vancouver,

5. the City of Vancouver to zone the eastern portion for heavy industry or light industry as required.

(It is to be noted that the above plan gave the Department of Indian Affairs unencumbered title to an increasingly valuable and an annually more productive source of income for the Indians than would the interest on the legal investment of their alleged equity.)

AND WHEREAS on October 14th, 1941 Colonel Goodwin Gibson, on behalf of the Crown Federal (Department of National Defence for Air), obtained the right

Indian Affairs. (RG 10, Volume 7798, File 29167-3-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

to make temporary use of the westerly portion of the said Reserve, strictly subject to the condition contained in the following resolution:

"THAT WHEREAS the Council have been informed that the Department of National Defence have under consideration the possibility of utilizing that portion of Kitsilano Indian Reserve No. 6 of the Squamish Band, lying north of the Canadian Pacific Railway right-of-way and north of the right-of-way for Burrard Bridge through the said reserve, for the purpose of erecting buildings on such site to be used as an equipment depot for the Air Force;

"AND WHEREAS the Council have been informed that such development is necessary for the prosecution of the war effort, and that it is proposed to erect on the site store houses and other buildings, including limited accommodation for housing the personnel required to operate the depot, but not to establish a barracks, training station or airdrome;

"BE IT THEREFORE RESOLVED: That the Council offer no objection to the efforts of the Department of National Defence in seeking to obtain a lease of that portion of the Kitsilano Indian Reserve No. 6 of the Squamish Band lying north of the Canadian Pacific Railway right-of-way and north of the right-of-way for Burrard Bridge through the said reserve, on the understanding that such lease will be only for the duration of the war or for reasonable period after same, and that all buildings and structure erected on the site will be removed at the termination of the lease, and that the City urge upon the Department of National Defence that no development be permitted that will in any way interfere with the official plan of the City of Vancouver, prepared for the Town Planning Commission by Harland Bartholomew and Associates, wherein great stress is laid on the need that this portion of the Kitsilano Indian Reserve should be acquired for the use of the public in accordance with the City Plan."

As a result of this a number of substantially constructed concrete warehouses were erected thereupon and are being used under lease from the Department of Indian Affairs at a sum of five thousand dollars annually, now being paid to the Department of Indian Affairs,

AND WHEREAS in April, 1946 the Squamish Council by resolution purported to offer the whole of the said Reserve for sale for the sum of six hundred thousand dollars, and the people of the City of Vancouver, being apprehensive that the Department of National Defence for Air proposed purchasing the Reserve, constituted this Committee, representing the majority of organizations and institutions in Vancouver calculated to be interested, for the purpose of endeavouring to persuade the Crown Provincial and the Crown Federal from taking this or any other step that would prevent the effective consummation of "The Plan for the City of Vancouver" as aforesaid.

BE IT THEREFORE RESOLVED: That this representative citizens' Committee do petition the Crown Provincial and the Crown Federal to take such steps at this time, as may be possible and mutually expedient, to settle this long-standing and vitally important problem of their several interests in the said Reserve in such a way as to make it possible for the western portion of the Reserve to be set aside for park and recreational purposes and administered either by the Provincial Government or by the City of Vancouver.

(Chairman) W. L. Macdonald

Don Brown
M.L.A. Burrard Riding

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

THE SENATE
CANADA

O t t a w a, May 9, 1946.

T. R. L. MacInnes, Esq.,
Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Booth Bldg.,
Sparks St.,
O t t a w a.

My dear Loftus,- re Kitsilano Indian Reserve

Will you kindly let me have a copy of the agreement under which the above reserve was occupied by the Air Force and a statement from you as to the provision for termination of Air Force occupation.

What is the present status? Is there any likelihood of this property being turned over to the Air Force for permanent occupation by that department?

Yours very truly,

Gerald G. McGeer.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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28835-3

May 13,1946.

My dear Senator:

As requested in your letter of May 9 I am sending you herewith a copy of the Agreement of November 16, 1942, whereby a portion of the Kitsilano Reserve was leased to the Department of National Defence (Air).

The Agreement, is "for the duration of the war and three years thereafter, the Permittee to have the option of renewal or extension subject to such rental and on such terms as may be at that time mutually agreed upon".

The present status is that the terms of the Agreement stand, as they have not been altered.

No application has been received by this Branch from the Department of National Defence (Air) for permanent occupation by that department or for renewal or extension as provided in the Agreement.

Yours very truly,

T.R.L.M

T.R.L.MacInnes.
Secretary.

The Hon.Senator Gerald G.McGeer,
The Senate,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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File - 28835-3

OTTAWA, May 16th, 1946.

MEMORANDUM:

The Acting Deputy Minister

I wish to acknowledge the receipt of a copy of the letter dated May 7th addressed to Premier Hart of British Columbia by our Minister with reference to the Kitsilano Reserve.

I note in the second paragraph thereof the suggestion that the Department would have the right to lease part of the reserve for short periods and as there does not appear to be any immediate possibility of a sale I would be pleased to have you advise as to whether we may entertain applications for short term leases.

J.G. Giroday and Company of Vancouver have expressed a desire to secure a site of approximately 60' by 60' on the Reserve for the purpose of erecting a special small mill for the cutting of laths and fence pickets and have suggested that the parcel of land presently used as a dumping ground just east of Burrard Bridge and the B.C. Electric tracks would be entirely suitable for its purpose. The Company have suggested that they be given permission to occupy the property on a monthly basis and on the condition that they would remove their mill at any time on sixty days' notice.

May I be advised as to whether further consideration should be given to this leasing application and to any lease applications which may be forwarded to us.

Director.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

ROYAL CANADIAN MOUNTED POLICE

C-237

DIVISION FILE No. 46E 128-105.

DIVISION "E" SUB-DIVISION Vancouver C.I.B. DETACHMENT General Investigation Section

PROVINCE British Columbia. DATE Apr,25,1946.

FILE REFS.

RE: Trespassing on Kitsilano Indian Reserve - Sec.115 Indian Act, Vancouver,B.C.

HEADQUARTERS

SUB-DIVISION

DETACHMENT

46GI 2/94

P.C.R.

10-4-46.

A. R. V. No.

1. Further to the above mentioned, please be advised that since previous report of the 10th.inst.in connection with this matter daily patrols have been made to the Kitsilano Indian Reserve, with the result that no one has been found dumping garbage, or is there any evidence that this condition has continued since the posting of notices.

2. Although suitable arrangements were made to have reliable persons who reside or are employed in the vicinity of the Reserve to phone this office immediately should any trucks or wagons be noticed dumping garbage, there has been only one such call, and in this instance it was found that the truck had gone from the Reserve before investigation could be made in the matter although the call was answered immediately same was received.

3. The Acting Indian Agent, Mr. J.D. Caldwell has advised the writer that at a meeting of the Squamish Band of Indians a resolution was passed,wherein it was authorized that sufficient funds would be provided for the erection of a fence on the Kitsilano Indian Reserve to stop the dumping of garbage. Undoubtedly the erection of,a fence will stop all trucks from getting on the Reserve to dispose of loads of garbage as they have in the past. The notices which are provided by the Indian Affairs Branch,and which have been posted on the Reserve has apparently had the desired effect, however with the erection of a fence the trespassing should cease.

4. A continued check will be maintained on this Reserve, should any trespassers be found on the Reserve the necessary action will be taken. Could diary date for further report be set for the 25-5-46.

S.U.I.

SGD.
(W.A.Griffin)Const.
Reg'tl No.10571.

Indian Commissioner for B.C.,
VANCOUVER, B.C.

1. FORWARDED, being further to Vancouver C.I.B. report dated the 10th inst. and my forwarding minute thereto. It will be noted that a check is being maintained on the reserve and you will be further advised in this regard.

DIARY DATE

SET FOR 25-5-46

Vancouver
2-5-46

Sgd. (M. F. E. Anthony) Inspector
Officer i/c C.I.B.

The Commissioner, R.C.M.P., OTTAWA, Ontario.

1. FORWARDED. Further report to follow. S.U.I.

D.D.5-6-46

Vancouver
2-5-46

(M. F. E. Anthony) Inspector
Officer i/c C.I.B.

FILE NUMBERS, HEADING AND MARGINAL REFERENCE ARE TO BE PROPERLY FILLED IN.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

38835-3

ROYAL CANADIAN MOUNTED POLICE
HEADQUARTERS

OUR FILE NO. 42 D 128-5-J 2.

OTTAWA. May 8, 1942.

YOUR FILE NO.

Department of Mines & Resources
Indian Affairs Branch,
MAY 15 1946
REGISTERED

To: The Director, Indian Affairs Branch,
Department of Mines and Resources, OTTAWA.

Report dated **April 25, 1946, from Vancouver, B.C.,** forwarded for your information, **re: Trespassing on Kitsilano Ind. Reserve, Indian Act, Vancouver, B.C.**

ATL/GB. Enc.

for Director, Criminal Investigation.
per: [illegible]

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

FARRIS, McALPINE, STULTZ, BULL & FARRIS

BARRISTERS & SOLICITORS

SUITE 1508 STANDARD BANK BUILDING

VANCOUVER, B. C.

HON. J. W. DE B. FARRIS, K.C.
C. L. McALPINE, K.C.
R. S. STULTZ
ERNEST B. BULL
JOHN L. FARRIS

TELEPHONE ... NE 6341
...ESS "FAREM"
CODE: WESTERN UNION
FIVE LETTER EDITION

DEPARTMENT OF ... OTTAWA
MAY 6 1946
DEPUTY MINISTER.

April 29th, 1946.

DEPT. OF MINES
Rec'd APR 30 1946
Subject
File
Referred to

Department of Mines and Resources,
Parliament Buildings,
Ottawa, Ont.

Dear Sirs:

We are acting for a client who is interested in leasing a portion of the Indian Reserve in the City of Vancouver that lies East of the Burrard Street Bridge, and which we believe to be described as Lot 53607 registered in the name of the Crown. The portion that our client is interested in leasing is at present used, we understand, as waste property or for dumps. Our client wishes property that has access to the water and lies between the water and the tram tracks. A long term lease is in contemplation.

We would appreciate it if you would be good enough to advise us whether or not it is possible to obtain such a lease and with whom we should deal in respect to this matter.

Yours truly,

FARRIS McALPINE STULTZ BULL & FARRIS

Per:

JLF:NL

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

Copy for the information of
Mr. Hoey with letter from
the barristers and solicitors
dated April 29/46.

Department of Mines & Resources
Indian Affairs Branch.
MAY 15 1946
REGISTERED

Ottawa, April 13, 1946.

Dear Sirs,-

I wish to acknowledge the receipt of your letter of the 29th ultimo in which you state that you have a client who is interested in leasing a portion of the Kitsilano Indian Reserve in the City of Vancouver.

I might say that recently the Indians have granted a conditional surrender of this property. In view of some of the conditions imposed, the surrender has not yet been accepted by the Governor in Council as provided in the Indian Act. The Department, therefore, is not in a position at the present time to enter into any long term leases. If your client was interested in buying the area mentioned and would make a firm offer to the Department for it, it might assist us in reaching a decision as to whether it will be possible to accept the surrender.

Yours very truly,

C.W. Jackson,
Acting Deputy Minister.

Messrs. Farris, McAlpine, Stultz, Bull & Farris,
Barristers and Solicitors,
Suite 1506 Standard Bank Building,
VANCOUVER, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835 3

VANCOUVER KITSILANO RESERVE COMMITTEE

Sponsored by the Board of Park Commissioners with representation from the City Council, Town Planning Commission, Board of Trade, and Tourist Association of Vancouver to ensure the eventual development of the Kitsilano Reserve for Park and Recreational Purposes.

Park Board Offices,
Stanley Park,
VANCOUVER, B. C.
May 14th, 1946.

I.A.D.

Mr. McGinnis, Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Dear Mr. McGinnis:

May I, on behalf of Mr. Brown and myself, express our appreciation for the time you spent with us recently in connection with the Kitsilano Indian Reserve question.

Sincerely yours,

D.A. MacDonald, Chairman.

MB

Department of Mines & Resources
Indian Affairs Branch.
MAY 22 1946
REGISTERED

Indian Affairs, (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

COPY

VANCOUVER BURRARD PROGRESSIVE CONSERVATIVE

ASSOCIATION

VANCOUVER, B.C.

21st May, 1946.

To
The Hon. Mr. Glen,
Parliament Buildings,
Ottawa, Ont.

Dear Sir:

The enclosed resolution was passed at a meeting of the executive of the Vancouver Burrard Progressive Conservative Assocn. held on the 17th May, 1946, and at the request of the members I am sending you a copy.

Yours truly,

(Sgd.) G. Pendrell-Smith

Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

COPY

WHEREAS the area known as the Kitsilano Indian Reserve, in the city of Vancouver, has for thirty years or more been ear-marked by the citizens of our city for park purposes.

AND WHEREAS "The Plan for the City of Vancouver," adopted in 1930, provides for the acquisition of the westerly portion of the Reserve (35 acres) for park and play-ground facilities, and also to form part of a Marine Drive extending from English Bay.

AND WHEREAS the city consultants, namely Harland Bartholomew, and Associates who are now engaged in planning the future of our city, strongly recommend that the 35 acres of the Reserve lying west of Burrard Bridge, be acquired and used only for park purposes.

BE IT THEREFORE RESOLVED that the Vancouver Burrard Progressive Conservative Association do petition the Federal, Provincial and City Governments to take such steps at this time as may be possible and mutually expedient, to settle this long standing and vitally important problem in connection with the said Reserve, in such a way as to make it possible for the western portion of the Reserve to be set aside for park and recreational purposes, and in due course to be administered by the Board of Park Commissioners of the city of Vancouver.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Minister's Office 28835

MEMORANDUM

May 28, 1946.

Acting Deputy Minister.

Attention: Director,
Indian Affairs.

Attached is a letter (dated May 21st) addressed to the Minister by Mr. G. Pendrell-Smith, Secretary of the Vancouver Burrard Progressive Conservative Association, Vancouver, B.C., enclosing a copy of a resolution passed at a meeting of the Executive of the Association held on May 17th urging that the western portion of the Kitsilano Indian Reserve be set aside for park and recreational purposes.

Would you kindly have a draft reply prepared for the Minister's signature.

Encl.

Private Secretary.

Department of Mines & Resources
Indian Affairs Branch
MAY 29 1946
REGISTERED

Mr. Hoey -

For draft reply, as requested.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

COPY

Mr. Hoey

Mr. Brofton

CANADIAN NATIONAL TELEGRAPHS

MAY 30 PM 6 41

MOA 394 79 DL 1 EXTRA=FD VANCOUVER BC 30 253P

HON J A GLEN, MINISTER OF INDIAN AFFAIRS=

PARLIAMENT BLDG OTTAWA=

OWING TO BEING UNABLE CONTACT HON E T KENNEY MINISTER OF LAND UNTIL WEEK FROM TOMORROW REGARDING KITSILANO INDIAN RESERVE WE ARE UNABLE TO COME TO ANY ARRANGEMENT AT PRESENT SO WOULD BE PLEASED AFTER COOPERATION WE RECEIVED FROM YOU AND YOUR DEPUTY WHEN WE HAD APPOINTMENT WITH YOU IF YOU COULD HOLD UP PROCEEDINGS UNTIL SUCH TIME AS COMMITTEE AND MYSELF MEETS WITH MINISTER OF LANDS FROM VICTORIA HOPING THIS MEETS WITH YOUR APPROVAL THANKING YOU AGAIN=

D A MACDONALD CHAIRMAN KITSILANO INDIAN RESERVE COMMITTEE

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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EXP.

Ottawa, Ontario,
June 3, 1946.

Dear Sir:

I have for acknowledgment your letter of May 21st enclosing a copy of a resolution passed by the Vancouver Burrard Progressive Conservative Association with reference to Kitsilano Indian Reserve.

I can well understand the desire of your Association to see part of the said Reserve used for a continuation of Vancouver's beautiful park system and have in the course of the past few weeks discussed just such a possibility with a representative of the Vancouver Park Board, with Mr. Brown, M.L.A., and with Premier Hart.

However, any sale of the Reserve is made extremely difficult by reason of the fact that the reversionary interest is in the Province of British Columbia and that the Indian owners are only willing to surrender their interest on the basis of very definite conditions as to sale, and until these aspects of the matter are more fully considered I regret that I am unable to state definitely what disposition will be made of the property.

Yours sincerely,

G. Pendrell-Smith, Esq.,
Secretary,
Vancouver Burrard Progressive Conservative Association,
VANCOUVER, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Vancouver Sun
4 May 1946

Ottawa Won't Sell Reserve

From The Vancouver Sun Ottawa Bureau

OTTAWA, May 4.—The creation of a white man's park out of the Kitsilano Indian Reserve is unlikely to receive any enthusiastic response in Ottawa.

There have been several efforts in the past to have an area of about 40 acres turned over to the Vancouver municipalities for a park but the Indian Affairs authorities have always taken the view that the lands are held in trust not only for the present generation of Kitsilano Indians but as a trust fund for future Indians.

Even if the Indians were willing to make over the lands it is questionable whether Ottawa would permit it unless suitable financial arrangements were made.

Premier Hart had a conference with Indian Department officials this morning and will discuss the matter with his own officials when he returns to Victoria.

Premier Hart discussed with Mines and Resources Minister Glen the offer of $350,000 made by the Dominion government in 1928.

Mr. Hart claimed that as the money had not been paid the province was entitled to interest from 1928 to 1946.

Mr. Glen did not see it that way, and so the matter stands. The Dominion is not willing to pay anything but the $350,000.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835-3

Indian Reserve Sale Slated To Air Force

Don C. Brown, member of the legislature for Burrard, and former member of the Park Board, has returned from Ottawa, and reports that the Indian Affairs Department has agreed to hold up any action of the Kitsilano Indian reserve for "a month or so."

With Park Board Chairman Duncan MacDonald, Mr. Brown flew to the capital last week as part of Vancouver's campaign to obtain the reserve for park purposes.

"There is no doubt about the Indians' title to the property," the MLA said. "The previous deal in which the province paid off residents of the reserve will not stand because nobody can buy an Indian reserve without the federal government's permission."

The Squamish Council of Indians, he reported, have agreed to accept $600,000 from the Dominion for their claim, and the Indian Affairs Department plans to sell the reserve to the air force.

The Indians would then reimburse the province for the $350,000 which they received in the original deal.

This would leave $250,000, he pointed out, which the province and city must find to buy the property, providing the Dominion would approve.

The citizens' committee spearheading the campaign to obtain the property for park purposes will meet City Council on Wednesday.

Vancouver Sun 14 July 1946

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

ROYAL CANADIAN MOUNTED POLICE

C-237

DIVISION FILE No. 46E 128-105

DIVISION "E" | SUB-DIVISION Vancouver | DETACHMENT C.I.B. General Invest.Section.

PROVINCE British Columbia. DATE May 20,1946.

FILE REFS.

RE: Trespassing on Kitsilano Indian Reserve - Sec.115 Ind.Act, Vancouver,B.C.

HEADQUARTERS

SUB-DIVISION

DETACHMENT

46GI. 2/94.

P.C.R.

10-4-46
25-4-46

A. R. V. No.

DIARY DATE

SET FOR.....

1. Further to the above mentioned subject, which has reference to previous reports in this connection please be advised that daily patrols have been made to the Kitsilano Ind.Reserve,but no one has been found on this Reserve on any occassion.

2. It was pointed out in previous report of the 25th.ultimo, that the Dep't of Indians contemplated erecting a fence along the edge of the Reserve to cut-off the roadways which lead onto the land where the garbage had been dumped; however, since the recent strike of the lumber industry it is impossible to obtain the necessary material in view of which fact the erection of a fence will necessarily have to be postponed for some time.

3. Information has been received that a truck was seen on the Reserve during the evening of the 10th.inst., however this party was warned away by an employee of the B.C.Electric R'ly shops adjacent to the Reserve, who advised the writer that although the truck was loaded with refuse he made no effort to unload same after being warned.

4. In view of the fact that the portions of the Reserve where the garbage has been dumped has all the appearance of a dumping ground, coupled with the fact that citizens have been in the habit of dumping refuse there for several years it appears that it is going to be a difficult problem to discourage this practice without maintaining a twenty-four hour a day watch on the Reserve. Most all vacant lots throughout the city are used by untidy individuals to dump garbage and in view of the fact the Reserve has been a dumping ground for sawdust,refuse,tin-cans etc. for the past several years it seems evident that this practice will continue. The only means of preventing or curbing this condition is with the erection of a barrier such as a fence, unless it is deemed advisable to have a continuous watch kept on this particular Reserve. With the volume of work there is on hand at all times it is impossible to make more than a few periodic trips a day to the Reserve, this means of coping with the situation has not been successful in stopping all trucks. Although arrangements were made with the B.C.Electric employees to call this office immediately any trucks should be noticed on the Reserve it has been found that a few have been going down very late at night, as far as can be ascertained there has only been three trucks endeavouring to unload refuse during the past several weeks and these made the attempt at approximately 10.00 PM.

5. It is not possible to gather suffic[illegible] evidence to warrant prosecutions being entered for s[illegible]

CONTINUED

FILE NUMBERS, HEADING AND MARGINAL REFERENCE ARE TO BE PROPERLY FILLED IN.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

BEING ENTERED FOR ANY previous offences of trespassing on the Reserve; and in view of the fact that it would be necessary to remain at the Reserve for a continuos period of possibly a week before anyone would be found attempting to dump garbage, it has been impossible as yet to gather any evidence of a tangible nature.

6. The Acting Indian Agent, Mr. J.D. Caldwell is endeavouring to make some arrangement or take the matter up with the Squamish Indian Band relative to having someone watch the Reserve for a few hours each day. Investigations are continuing and the necessary action will be taken should the finding of any trespassers on the Reserve warrant prosecution being entered.

S.U.I.

SGD.
(W.A.Griffin)Const.
Reg'tl No.10571.

Indian Commissioner for B.C., VANCOUVER, B.C.

1. FORWARDED, being further to Vancouver C.I.B. report dated April 25th. It will be noted that every effort is being made to prevent the dumping of garbage on the within mentioned Indian Reserve and it is felt that should A/Indian Agent J. D. Caldwell be able to obtain assistance from the Squamish Indian Band in this regard there should be little difficulty in putting a stop to the dumping of garbage as heretofore. In the meantime, however, investigations are continuing and further report will be submitted covering same.

Sgd.

Vancouver
23-5-46

(M. F. E. Anthony) Inspector
In Charge C.I.B.

The Commissioner, R.C.M.P., OTTAWA, Ontario.

1. FORWARDED for your information. Further report to follow.

DD.7-7-46
Vancouver
23-5-46

(M. F. E. Anthony) Inspector
In Charge C.I.B.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835-3

ROYAL CANADIAN MOUNTED POLICE
HEADQUARTERS

OUR FILE No. 46 D 128-5 J 2.

OTTAWA. May 30, 1946.

YOUR FILE No.

TO: The Director, Indian Affairs Branch,
Department of Mines and Resources, OTTAWA.

Department of Mines & Resources
Indian Affairs Branch
MAY 31 1946
REGISTERED

Report dated Vancouver, B.C., 20-5-46, forwarded for your information, re Trespassing on Kitsilano Indian Reserve.

Enc.

~~for~~ Director of Criminal Investigation.
per

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835 5-

Vancouver Sun
27 April 1946

Committee To Fight for Indian Land

Vancouver's 35-year fight for possession of Kitsilano Indian Reserve exploded into new action Friday as a representative meeting, at luncheon in Stanley Park Pavilion, formed a special committee to rouse the citizens and carry a new petition to the foot of the throne.

R. Rowe Holland, former park board chairman, warned that "the Air Force is the only possible purchaser of the reserve and if we don't head it off in the next four or five days the present set-up there will be an eyesore for the next 25 years."

He proposed that the Dominion give the province a quit claim on the 35 acres west of Burrard Bridge and the Indian Affairs Department title to the 19 acres east of the bridge.

The province would then, under his proposal, lease the western section to Vancouver for park board use.

The meeting formed the Vancouver Kitsilano Reserve Committee with Park Board Chairman Duncan McDonald as chairman and Park Superintendent T. B. Stroyan as secretary.

Then this committee named a select committee composed of Ald. John Bennett, Don C. Brown, MLA, Park Commissioner Arnold Webster and Mr. Holland.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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28835-3

Vancouver Sun
2 May 1946

DOMINION TO GET RESERVE

B.C. Gov't 'Cool' on Indian Land Plea

The provincial government gave a cool reception Wednesday to Vancouver proposals for acquisition of Kitsilano Indian Reserve for park purposes.

Lands Minister E. T. Kenney, unmoved by pleas of a three-man delegation from Vancouver, said the province intends to abide by its agreement to sell the property to the Dominion for $350,000.

2 PROPOSALS

The delegation, composed of Duncan A. MacDonald, chairman, Vancouver Park Board; Don C. Brown, MLA, and former park commissioner, and R. Rowe Holland, former Park Board chairman, made two proposals to Mr. Kenny—that the province grant Vancouver a 99-year lease of the reserve for $1 or some other nominal sum; or that 12 or 15 acres east of Burrard Bridge be returned to the Indians, who could then lease it for industrial use.

(The 35-odd acres west of the bridge would be used by the Park Board.)

Mr. Holland said on his return from the capital that the committee, embracing many organizations, would now direct its pleas to the federal government, members of parliament, and to Premier Hart, now in Ottawa.

FIGHT JUST BEGINNING

"We are not discouraged by this seeming temporary setback," Mr. Holland said. "The fight has only just begun, as far as Vancouver is concerned.

The reserve, he said, is integrated into Vancouver's town plan and "neither the Dominion or any private interests should be allowed to industrialize it."

Mr. Brown told the lands minister that Vancouver people are "upset" about dangers of losing the park area.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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28835-3

Please return to Indian Affairs when signed.

Ottawa, Ontario,
June 3, 1946.

Dear Sir:

I have for acknowledgment your letter of May 21st enclosing a copy of a resolution passed by the Vancouver Burrard Progressive Conservative Association with reference to Kitsilano Indian Reserve.

I can well understand the desire of your Association to see part of the said Reserve used for a continuation of Vancouver's beautiful park system and have in the course of the past few weeks discussed just such a possibility with a representative of the Vancouver Park Board, with Mr. Brown, M.L.A., and with Premier Hart.

However, any sale of the Reserve is made extremely difficult by reason of the fact that the reversionary interest is in the Province of British Columbia and that the Indian owners are only willing to surrender their interest on the basis of very definite conditions as to sale, and until these aspects of the matter are more fully considered I regret that I am unable to state definitely what disposition will be made of the property.

Yours sincerely,

D. C. Scott

G. Pendrell-Smith, Esq.,
Secretary,
Vancouver Burrard Progressive Conservative Association,
VANCOUVER, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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VANCOUVER KITSILANO RESERVE COMMITTEE

Sponsored by the Board of Park Commissioners with representation from the City Council, Town Planning Commission, Board of Trade, and Tourist Association of Vancouver to ensure the eventual development of the Kitsilano Reserve for Park and Recreational Purposes.

Park Board Offices,
Stanley Park,
VANCOUVER, B. C.

June 8th, 1946.

Department of Mines & Resources
Indian Affairs Branch.
JUN 11 1946
REGISTERED

Honourable J.A. Glen,
Minister of Indian Affairs,
Parliament Buildings,
Ottawa, Ontario.

Honourable Sir:

After a lengthy discussion with the Provincial Minister of Lands, Mr. E.T. Kenney, we have come to no decision other than that neither my Committee nor Mr. Kenney seem to see eye to eye with me as to who is the rightful owner of the Kitsilano Indian Reserve and I would, therefore, appreciate a letter, under your signature, setting out the information which you and your Deputies so kindly gave Mr. Brown and myself when we were in Ottawa recently, to the effect that this property belongs to the Indians and that the Provincial Government has a lean or mortgage to the extent of $350,000.00 which, apparently the Province recognizes as their share in the ownership of the reserve.

I have been contradicted on this point, both by my Committee and the Minister of Lands, and I am still convinced that this property is the property of the Indians through the Minister of Indian Affairs.

Would you, therefore, kindly send me a letter at your earliest possible convenience, so that I may have something definite in writing to present to my Committee.

Yours sincerely,

D.A. MacDonald

D.A. MacDonald, Chairman

DAM:MB

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

Secy

HANSON BROS. INVESTMENTS LIMITED
255 ST. JAMES STREET
MONTREAL 1, QUE.

June 7, 1946.

T. R. L. MacInnes, Esq.,
Secretary,
Department of Indian Affairs,
Ottawa, Ontario.

Dear Mr. MacInnes:

You will remember that I saw you in July last year in connection with a piece of property in Vancouver. Recently we have been following this up direct with Mr. Glen and Mr. Jackson, but I hear that Mr. Jackson unfortunately is laid up at the present time.

As I understand it nothing will be done in his absence from the office, and I would appreciate it very much indeed if you could drop me a line at the above address, and let me know when Mr. Jackson is once more on the job.

Yours very truly,

E. G. Hanson/m.

EGH/M

Department of Mines & Resources
Indian Affairs Branch.
JUN 12 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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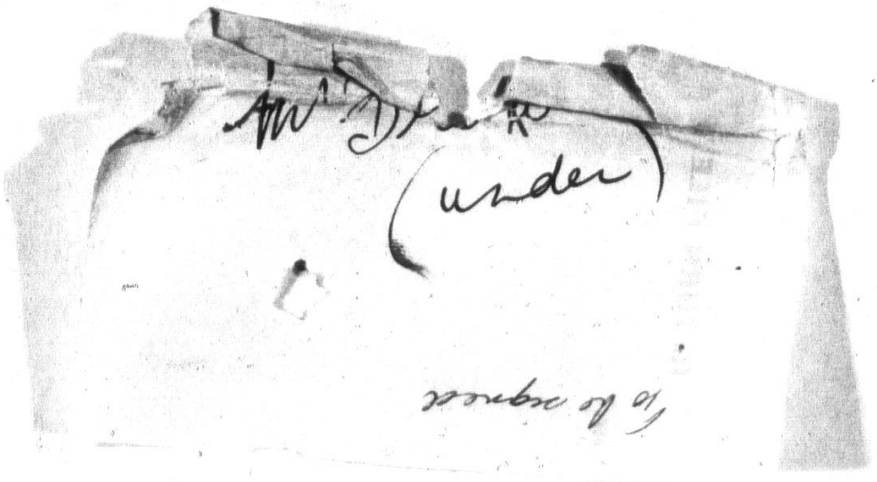

Indian Affairs. (RG 10, Volume 7798, File 2916745-3 Pt.5)

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File - 28835-3

OTTAWA, June 24th, 1946.

Mr. D.A. MacDonald, Chairman,
Vancouver Kitsilano Reserve Committee,
Park Board Offices,
Stanley Park,
VANCOUVER, B.C.

EX'D.

Dear Sir:

I wish to acknowledge receipt of your letter of June 8th addressed to the Honourable J.A. Glen with reference to the title to the Kitsilano Indian Reserve and can quite appreciate that there are various views as to the ownership of this property.

The original reserve was set aside at the time of the Act of Union and the Joint Reserve Commission on Indian Affairs in 1877 increased the area of the original reserve by a few acres and established its status as an Indian reserve in accordance with the terms of the Union. The legal title after such establishment was in the Province subject to the interest of the Indians and on the surrender of the Indian rights the reversionary interest being in the Province the Province would assume complete control over the area.

However, as a result of the unusual use made of this reserve, about 1913 by the Provincial Government negotiations were carried on between the Dominion and the Province of British Columbia which culminated in an Order in Council being passed by the Lieutenant Governor in Council dated January 31st, 1928 which provided in part that all the title of the Province, reversionary or otherwise, in the Kitsilano Indian Reserve would be transferred to the Dominion on payment of the sum of $350,000.00 the conveyance to be made on payment of the said amount.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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On February 27th in the same year the Governor General in Council approved the terms of the aforementioned Order of the Lieutenant Governor in Council of British Columbia.

The position of the Reserve at the present time would therefore appear to be that while title is in the Province it is subject to the Indian interest and is transferable to the Dominion Government whenever the Dominion considers it advisable to pay to the Province the $350,000.00 mentioned above. I trust that the foregoing adequately answers your enquiry.

Yours truly,

Director.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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Poor Copy

COPY

CITY OF VANCOUVER

Vancouver, B.C.
25th June, 1946.

Mr. C.W. Jackson,
Acting Deputy Minister,
Mines & Resources,
OTTAWA, Ontario.

Dear Sir:

Re: That portion of the Kitsilano Indian Reserve, lying East of Burrard Street Bridge.

With reference to your application for an amendment to the Zoning By-law whereby that portion of the Kitsilano Indian Reserve, lying East of Burrard Street Bridge, will be rezoned from a Three-story Multiple Dwelling District to a Heavy Industrial District, this will be placed before a Public Hearing on Tuesday, July 9th, at 3 P.M. in No. 1 Committee Room, City Hall.

Yours truly,

(Sgd) Albert J. Harrison,
Secretary, Zoning Matters.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

Department of Mines and Resources

OFFICE OF THE DEPUTY MINISTER

Memorandum to: Mr. Hoey

Will you please note the attached copy of letter received from the Secretary, Zoning Matters, City of Vancouver. It is suggested that a copy should be immediately forwarded to Major MacKay who should attend the Public Hearing that takes place on the 9th instant.

C.W. Jackson,
Chief Executive Assistant.

July 3, 1946.

Encl.

Department of Mines & Resources
Indian Affairs Branch.
JUL 3 1946
REGISTERED

R 1765

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3

Ottawa, Ontario,
July 3, 1946.

AIR MAIL

Major D. M. MacKay, Indian Commissioner for B.C., P.O. Box 70,
VANCOUVER, B.C.

EXD.

I am enclosing herewith copy of a letter received from the Secretary, Zoning Matters, City of Vancouver, and would ask that you make arrangements to attend the public hearing on our application that is to take place on the 9th instant.

Encl.

Director.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

33-14-4540.

AIRMAIL

July 16th, 1946

Dear Mr. Hoey:- Your File 28835-3

I have to refer to your letter of July 3rd, 1946 regarding the application of the Department for re-zoning the area of Kitsilano Indian Reserve No. 6 lying east of the Burrard Street Bridge from a Multiple Dwelling District to a Heavy Industrial District.

The matter was discussed at a Public Hearing at the City Hall on July 9th but was "laid on the table" without a decision. As I was absent from the City, Mr. Inspector Coleman appeared on behalf of the Department. On July 10th I wrote to His Worship the Mayor pointing out that a change in the existing zoning of the property was urgently desirable and suggested that the application of the Department be dealt with as soon as possible.

Following receipt of this letter the City arranged to bring the matter up for discussion on July 15th. I attended the final hearing and presented the case for the Department when called upon. Mr. J. C. Campbell, K.C., strongly supported our application. On the other hand, the Chairman of the Parks Board, Mr. Duncan A. MacDonald, and Mr. Don Brown, M.L.A., opposed any change whatever in the zoning of the property. It will be recalled that these gentlemen have been most energetic in presenting the claims of the City to the area lying west of the Bridge to the Department for park purposes. The Council, after hearing the various submissions, by unanimous vote, ordered the re-zoning of the area in question for Heavy Industrial purposes, thus opening the way for the disposal by the Department of this part of the Reserve.

R. A. Hoey, Esq.,
Director of Indian Affairs Branch,
Dept. of Mines and Resources,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

A copy of the morning paper of this City containing information on the subject is enclosed herewith.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

/HM

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

CITY UNIONS REPLACE BANNED I.T.U. PICKETS

The Weather

Weather: Overcast in morning, clearing in afternoon. Light winds. Little change in temperature. Monday 59-53.

The Vancouver News-Herald

SUNRISE EDITION

VOL. 14, NO. 71 — VANCOUVER, B.C., TUESDAY, JULY 16, 1946 — ★★★★PRICE 5c — $1.00 per Month By City Carrier

'Pearl' Probe Report Hits Services

Bulletins

New York Times Copyright

HONOLULU, July 16.—Honolulu entered its third day without trolley and motor bus service Monday and most of the city's gasoline truck drivers struck in sympathy with the transit union, leaving city transportation virtually paralyzed. Most gas stations had run dry by noon.

New York Times Copyright

LONDON, July 16.—The British government is seriously concerned by the declaration of martial law in Abadan following a sudden strike that has stopped production in oil fields of the Anglo-Iranian Oil Company.

A foreign office spokesman said Monday that news had been received in London of the strike and of the imposition of martial law on Sunday. It is understood that the British ambassador in Teheran has made clear to Premier Ghavam the British government's view that full responsibility for maintaining law and order lies solely with the Iranian government.

NIORT, France, July 16.—Ignited by the intense heat of the last week, munitions in the dump at Thouars, in west central France, have been exploding for 48 hours with a roar that can be heard 35 miles away. The blasts, which have set fire to a large section of Thouars, have shattered all house and shop windows in the town. The nearby village of Lorge is being evacuated and two generals have joined the local firefighters trying to extinguish the blaze.

New York Times Copyright

MEXICO CITY, July 16.—The oil distribution problem in Mexico, which for months has been a major headache of Pemex —the government oil agency—reached a new crisis Monday when thousands of workers in industries affected by the oil shortage thronged into midtown Mexico City, blocking traffic and generally making unmistakable the fact they were not satisfied.

New York Times Copyright

MADRID, July 16.—The cortes in a one-day session passed with only five dissenting votes a bill authorizing government guaranteed loans of one billion pesetas (about $100,000,000) to small farmers for purchasing equipment and fertilizer.

Before reaching the Cortes the bill was fought strongly by large landholders.

NEW YORK, July 16.—(AP)—Five years old Kenneth Ryan's desire to sleep in his mother's bed cost him his life Monday.

The boy awoke at 1 a.m. and asked his mother for a drink and permission to get into her bed in another room of their third-floor apartment.

When she returned with the drink he was gone. His body was found at the bottom of an air shaft, and police theorized that Kenneth, half asleep, climbed onto a window ledge thinking he was getting into his mother's bed, and plunged down the shaft.

PORTLAND, Ore., July 16.—(AP)—Longshoremen, protesting failure of retroactive pay checks to reach them, halted most waterfront activity to attend a union meeting Monday, but agreed to work today.

Maurice Fisher, secretary of the C.I.O. union, said the union would press for prompt payment. "The men agreed to wait a little longer," he said, "but they are becoming irritated at the long delay."

Iran Province Under War Rule

TEHRAN, July 16.—(Reuters)—Martial law and a curfew have been imposed on Khzustan Province following a strike of 100,000 workers. Governmental officials have arrived by air in Ahvaz, capital of the province.

Steel Strike In Second Day

The strike of the United Steel Workers of America at Canada's three great basic steel plants entered its second day this morning, with the shutdown apparently complete at Sydney, N. S., and Sault Ste. Marie, Ont., but with production continuing at a reduced rate at Hamilton, Ont.

The strike called at 7 a.m. Monday in the C.I.O. union's demands for a 40-hour work week and a minimum weekly wage of $33.60 had resulted in only maintenance men and company officials being on the job in the plants of the Algoma Steel and Coal Corporation at Sydney, and of Algoma Steel Corporation at Sault Ste. Marie.

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War Department Draws Criticism Of Investigators

New York Times Copyright

WASHINGTON, July 16. — Eight of the ten members of the Congressional Pearl Harbor investigating committee have initialed a report authoritatively described as putting the overshadowing blame for the disaster on the navy and army commands in Hawaii and basically commending the diplomatic efforts of President Roosevelt and Cordell Hull.

The war and navy departments in Washington are criticized, the former the more directly of the two.

One member of the committee, Sen. Homer Ferguson, (R., Mich.), has prepared a strongly dissenting minority report holding that all ultimate responsibility must rest directly upon Mr. Roosevelt, as the commander-in-chief.

Union Asks More Power For Sloan

Union officials Monday afternoon urged granting of "greater authority" to Chief Justice Gordon McG. Sloan "to compel proper negotiations," following the jurist's earlier-announced resignation as commissioner in B.C.'s hardrock mines dispute.

They claimed operators are attempting "deliberate prolongation of (the) strike in order to obtain concessions from the public treasury."

Meanwhile, C. H. Locke, K.C., speaking for companies involved, announced in a statement that conciliation efforts under labor regulations' order-in-council P.C. 1003 will be pressed for by the operators. He said requests for such action were made by the companies before the strike of some 2500 miners started July 3.

In Victoria, Labor Minister Pearson, on whose recommendation the chief justice was appointed commissioner for the dispute, would not comment on the resignation.

Leftists Wreck Police Station

ATHENS, July 16.—(AP)—The Ministry of Public Order Monday said 200 Communists beseiged a police station Sunday at Kaxryai, about 50 miles north of Larissa, with mortars, heavy machine guns and rifles. One policeman was killed. The other eight were taken prisoner and their fate was uncertain. The police station was destroyed.

U.S. Will Act Alone On Reich If Need Be

WASHINGTON, July 16. — (AP) — State Secretary James F. Byrnes Monday night warned Russia that she is creating "doubt and suspicions" by objecting to a German disarmament treaty and announced that the United States is acting immediately to break down economic barriers in Germany—with or without Moscow.

Mr. Byrnes, speaking in a radio broadcast to the nation on the recently-concluded four-power foreign ministers conference in Paris, said:

"Our military representative in Germany will this week be instructed to cooperate with any one or all of the three governments (Britain, Russia and France) in essential administrative matters like finance, transportation, communication, trade and industry. We will either secure economic cooperation between the (German occupation) zones or place the responsibility for the violation of the Potsdam agreement."

REPORTS TO TRUMAN

Mr. Byrnes earlier in the day reported personally on the Paris meeting to President Truman.

Throughout the speech Mr. Byrnes repeatedly blamed Russia for failure of the conference to reach agreement on critical issues—particularly the German disarmament treaty, the centralization of German economy and the draft of a peace treaty for Austria.

On the issue of the German disarmament treaty Mr. Byrnes acknowledged the split between Russia and the western powers and asked:

"Is German militarism going to be used as a pawn in a struggle between the East and the West and is German militarism again to be given the chance to divide and conquer?"

"To that question," he continued, "there must be an unequivocal answer, for equivocation will increase unbearably the tensions and strains which men of goodwill everywhere are striving to relieve."

SOVIETS "HARD PRESSED"

He said the Soviet statement to the foreign ministers' meeting against the disarmament treaty proposals "reveals how hard-pressed the Soviets were to find real objection to a treaty which gives them the assurance that Germany should never again become a threat to their security or to the security of Europe."

Then he added:

"I do not believe that the Soviets realize the doubts and suspicions which they have raised in the minds of those in other countries who want to be their friends by the aloofness, coolness and hospitality with which they have received America's offer to guarantee jointly the continued disarmament of Germany."

THE ODD SPOT

HUNTINGTON, W. Va., July 16.—(AP)—A Huntington man telephoned police headquarters to report the disappearance of his wife. Detective Sergeant John Rule asked the man's name and then interrupted the caller. "Your wife called us an hour ago," the detective said, "and told us to tell you if you called that she took $200 and her clothes and has left you for good."

Wheat Agreement To Be Signed Soon

OTTAWA, July 16.—(CP)—Indications Monday night were that the Anglo-Canadian wheat agreement would be signed before the end of the crop year, July 31.

It will be for four years, it was learned, with a fixed price of $1.55 a bushel basis No. 1 northern at the head-of-the-lakes for the first two years and no ceiling price for the second two years, but possibly a floor price.

Veterans' Lands Agreement Signed

OTTAWA, July 16.—(CP) Veterans Minister Mackenzie announced Monday in the Commons the signing of an agreement between the Dominion and British Columbia governments regarding the settlement of veterans on British Columbia lands.

Mr. Mackenzie said the agreement was signed Monday but gave no details.

Sexton Opposes Protest On Catholic Celebration

VICTORIA, July 16. — (CP) — Rt. Rev. Harold E. Sexton, Anglican Bishop of British Columbia, Monday issued a statement in connection with a protest by Rev. Dr. J. B. Rowell against allowing Roman Catholic citizens the use of streets and parks in the forthcoming centenary celebrations marking the establishment of the first Roman Catholic diocese on Vancouver Island. The protest was made by Rev. Dr. J. B. Rowell, president of the Victoria branch of the Canadian Protestant League.

Bishop Sexton's statement said: "Believing in freedom of worship, the bishop and clergy of the Anglican Diocese of British Columbia do not wish to question any legitimate concessions which the mayor and city council may grant to Roman Catholic citizens in celebrating the centenary of their diocese."

Dr. Rowell's letter to the city council criticized the use of public parks for celebration of grand pontifical mass; use of public streets for procession of the most blessed sacrament and the presence of Mayor Percy E. George as "guest" speaker at the banquet.

Mayor George denied that he was to be guest speaker and declared that the use of the parks and streets had been granted to religious and other organizations without question.

Council decided to call a meeting of ministers other than Roman Catholic for an expression of opinion on the matter.

Russians' Talk Of 3rd War Plan Bared In Report

OTTAWA, July 16.—(CP)—Igor Gouzenko, the Russian cipher clerk who exposed the existence of the Soviet spy ring in Canada, told the Royal commission on espionage that the fact that Soviet Union was "preparing" for a third great war was "freely talked about" in the Russian embassy here.

This was disclosed Monday in the commission's final report, which quoted Gouzenkoas saying:

"There was one last conversation that Colonel Zabotin (leader of the spy ring) had with us. This was before the 5th of September. He gathered us in this room at 14 Range Road and said:

"'Yesterday they were allies, today they are neighbors, tomorrow they will be our enemies.'

"In Russia there is a great deal of propaganda carried on by conversation of the propagandists and sometimes even in the press. It is all done to train the people to think that they must fight another war, that maybe it will be our final war."

The report quoted him as saying there were two schools of thought in the Embassy. There were those who were "not really tied in" with the Communist Party and feared another great war and there were those who were ardent members of the party and its subsidiary organizations.

This latter group wished for another war because they thought that to be part of the process leading toward a general upheaval throughout the world which would result in the establishment of Communism.

Asked as to what antagonist was considered in these conversations to be facing Russia, Gouzenko said that capitalism remained to be overthrown.

Mass Picketing Begins At 'Province' Today

Mass picketing by city unionists will start at the Daily Province this morning, following issuance of a Supreme Court injunction Monday afternoon restraining 100 International Typographical Union (A.F.L.) members and officials from picketing for two weeks.

Main body of pickets are expected to be a promised "minimum" of 200 Boilermakers' Union (C.C.L.) members, who paraded to the Province Building after their meeting Monday night and staged a "demonstration picket line" for 15 minutes shortly after 11 p.m.

Singing union songs, the boilermakers marched up and down before three sides of the building with a number of other unionists who had joined with I.T.U. pickets earlier Monday night.

FISHERMEN ACT

Also visible in Monday night's picketing were officers and members of United Fishermen and Allied Workers' Union (A.F.L.), United Steelworkers of America (C.I.O.-C.C.L.) A.F.L. Office Employees' International Union and C.C.L. Metal and Chemical Workers' Union.

Officials and members of the I.T.U. named as defendents in the injunction, issued by Mr. Justice A. M. Harper and applying to any persons "under direction" of those named, will observe it "religiously," I.T.U. Canadian Representative Harry Finch said Monday night.

Reporting that he and most of the I.T.U.'s local officials had already been served with the restraining order, Mr. Finch declined any other comment on the situation pending consultation with the union's legal counsel in Toronto.

Meanwhile, no word was available from Province officials as to possible immediate publishing of the newspaper which has not been issued since the strike started June 5.

The injunction followed issuance of a writ Monday morning by Southam Company Ltd. against the same defendants, alleging violence and physical interference by unionists with persons seeking to enter the Province building.

The list of 100 defendants includes Mr. Finch; Woodruff Randalph, I.T.U. International president, Indianapolis; and James Davidson, western representative, Victoria.

(Continued on Page 7)
See PROVINCE

Reserve Re-Zoned For Use By Plants

By unanimous vote city council Monday ordered the re-zoning for heavy industrial purposes of Kitsilano Indian Reserve east of Burrard Bridge.

By so doing council cleared the way for a huge industrial development with an expenditure of $1 million on an eight-acre plant and the creating of another large payroll for the city.

RAPS BOARD

J. A. Campbell, K.C., supported D. M. MacKay, Indian Commissioner for B.C. in urging the re-zoning, disclosed that the development hinged on council's decision, and criticized Park Board opposition as "dog in the manger" tactics.

Duncan A. MacDonald, chairman of the park commissioners, had urged that if the easterly portion were re-zoned the city would lose its strongest argument in seeking to have the westerly part made available to the city for park purposes.

An attitude like that would never get the Park Board anywhere, said Mr. Campbell.

BUDGET WAITING

He pointed out that the federal government could not pass its budget until it knew the zoning decision. The provincial government, he added, had already passed an order-in-council agreeing to accept $350,000 for its interest in the reserve, an interest dating back to 1913 when the late Premier Bowser believed he had bought the reserve from the Indians.

SEVERAL INTERESTED

Mr. MacKay called it an abortive attempt to buy the reserve. A number of Indians had been selected to receive the money but the government had not dealt with the trustees, he said.

He disclosed that not one but a number of firms are interested in establishing industries on the easterly portion.

PARIS, July 16.—Fear that the gigantic 110-year-old Arch de Triomphe, which dominates the Champs Elysees, may collapse, are expressed by municipal architects following the fall at dawn of two huge blocks of stone from the bas relief on top of the monument.



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Trustee Lukewarm About Art Lectures

A Junior League offer to continue paying for special art appreciation lectures open to elementary students got a lukewarm reception from the School Board Monday night.

Started a year ago as a Junior League project, the classes were called "unnecessary" by Chairman James G. Sinclair, opposing appointment of a full-time instructor whose salary would be paid by the league.

"The board has teachers qualified to teach art. This art appreciation is grasping at the shadow and forgetting the substance."

"FOR THE FEW"

The idea was "grand" for those few students who are "artistically inclined," said Trustee Frank Fredrickson, adding that he could not sit through a solid hour of technical appreciation.

Proposed centering of the lectures at the Art Gallery would be "very disrupting" to schools situated outside the downtown area, explained Superintendent H. N. MacCorkindale.

On motion from Trustee Elmore Meredith, who praised the league's "generous gesture," the matter was tabled for further consideration.

Assuring the board that he considered the project "admirable and marvellous," Superintendent MacCorkindale added a warning that only certain students would benefit.

FUNDAMENTALS

"Now that the war is over let us do more work in the fundamentals."

The board agreed to a request from the city engineer to permit passage of B.C.E.R. power lines across John Oliver school grounds on the proviso that all necessary precautions were taken concerning the children's safety.

A request from Carleton-Norquay Teen Town for permission to erect a sign on the fence at Carleton School was turned down, trustees expressing the opinion that the sign was not essential to operations of the group.

'Herding Turned B.C. Japs Into Human Wrecks'

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If You Are a No.1 Citizen You will look after No. 1 . . .

THIS is not selfishness, but the realization that a community is no better, no sounder than its citizens.

The welfare of our community — Canada — depends not alone on those charged with the government of the country, but on each of its citizens — 12,000,000 strong.

Today, that welfare is menaced by the danger of inflation. Already, millions in lands devastated by war suffer misery because of it.

Inflation, to the citizen, means simply less and less value for his dollar . . . his living costs soar as free and careless spending drives up the price of goods still in short supply.

War always brings the threat of inflation in its wake . . . only the prudence of the people can keep it in check.

• • •

How? Mainly, by conservation . . . by buying only those goods which are in fair supply, and by saving money for the day when goods now in short supply will be readily available.

This helps to keep prices steady — to keep your dollar at its real worth.

This means that, if you are a No. 1 citizen, you will rigidly avoid black market purchases and you will save money by

- building up your savings account;
- keeping up your insurance;
- buying Government bonds and War Savings Certificates;
- holding whatever of these securities you have bought.

This is conservation — the first requisite for personal security — the first attribute of good citizenship.

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"MY BANK" TO A MILLION CANADIANS
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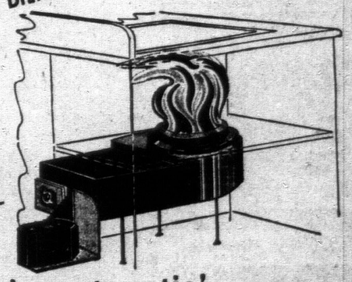

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Trustee Lukewarm About Art Lectures

A Junior League offer to continue paying for special art appreciation lectures open to elementary students got a lukewarm reception from the School Board Monday night.

Started a year ago as a Junior League project, the classes were called "unnecessary" by Chairman James G. Sinclair, opposing appointment of a full-time instructor whose salary would be paid by the league.

"The board has teachers qualified to teach art. This art appreciation is grasping at the shadow and forgetting the substance."

"FOR THE FEW"

The idea was "grand" for those few students who are "artistically inclined," said Trustee Frank Fredrickson, adding that he could not sit through a solid hour of technical appreciation.

Proposed centering of the lectures at the Art Gallery would be "very disrupting" to schools situated outside the downtown area, explained Superintendent H. N. MacCorkindale.

On motion from Trustee Elmore Meredith, who praised the league's "generous gesture," the matter was tabled for further consideration.

Assuring the board that he considered the project "admirable and marvellous," Superintendent MacCorkindale added a warning that only certain students would benefit.

FUNDAMENTALS

"Now that the war is over let us do more work in the fundamentals."

The board agreed to a request from the city engineer to permit passage of B.C.E.R. power lines across John Oliver school grounds on the proviso that all necessary precautions were taken concerning the children's safety.

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PLATFORM LOAFERS

for cool casuals . . . here's a "different" shoe from Ingledew's . . . try this casual with the streamlined sole . . . in white elk with brown, brown buck with brown.

$12.75

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working with Canadians in every walk of life for 128 years

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The New Sensational H.C. Little RANGE OIL BURNERS

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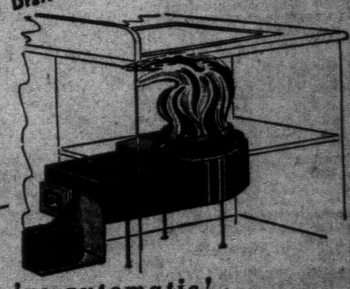

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FORSTS

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-4540.
ALSO TO DATE OF THIS LETTER

INDIAN AFFAIRS
BRANCH

DEPARTMENT
OF
MINES AND RESOURCES

Dept. of Mines & Resources
Indian Affairs Branch
July 18 1946
REGISTERED

AIRMAIL

P.O. BOX 70
VANCOUVER, B.C.

July 16th, 1946

Dear Mr. Hoey:-

Your File 28835-3

I have to refer to your letter of July 3rd, 1946 regarding the application of the Department for re-zoning the area of Kitsilano Indian Reserve No. 6 lying east of the Burrard Street Bridge from a Multiple Dwelling District to a Heavy Industrial District.

The matter was discussed at a Public Hearing at the City Hall on July 9th but was "laid on the table" without a decision. As I was absent from the City, Mr. Inspector Coleman appeared on behalf of the Department. On July 10th I wrote to His Worship the Mayor pointing out that a change in the existing zoning of the property was urgently desirable and suggested that the application of the Department be dealt with as soon as possible.

Following receipt of this letter the City arranged to bring the matter up for discussion on July 15th. I attended the final hearing and presented the case for the Department when called upon. Mr. J. C. Campbell, K.C., strongly supported our application. On the other hand, the Chairman of the Parks Board, Mr. Duncan A. MacDonald, and Mr. Don Brown, M.L.A., opposed any change whatever in the zoning of the property. It will be recalled that these gentlemen have been most energetic in presenting the claims of the City to the area lying west of the Bridge to the Department for park purposes. The Council, after hearing the various submissions, by unanimous vote, ordered the re-zoning of the area in question for Heavy Industrial purposes, thus opening the way for the disposal by the Department of this part of the Reserve.

R. A. Hoey, Esq.,
Director of Indian Affairs Branch,
Dept. of Mines and Resources,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

A copy of the morning paper of this City containing information on the subject is enclosed herewith.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

/HN

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA
DEPARTMENT
OF
MINES AND RESOURCES

28835 3

INDIAN AFFAIRS
BRANCH

AIRMAIL

P.O. BOX 70
VANCOUVER, B.C. July 17th, 1946.

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Attention: Mr. Hoey

Re: Kitsilano I. R. No. 6
Your File 28835-3

I would refer to your letter of July 3rd and to Mr. Commissioner MacKay's report of the 16th July advising that the Council of the City of Vancouver had ordered the re-zoning of the portion east of the Burrard Street Bridge to a Heavy Industrial District, and to enclose herewith a letter received from the City dated July 15th asking for assurance from the Minister that any transfers to private ownership of the parcel affected will contain, in registrable form, the restrictions outlined in the Vancouver Town Planning Commission's Report to the City dated June 11th, 1946 (of which you have a copy) set out, as follows:-

1. That no cross-over or access of any kind be permitted from the Burrard Street Bridge approach, north of First Avenue;

2. That no buildings be permitted within at least 100 feet of the boundary of the Burrard Street bridge right-of-way between the property occupied by the Seaforth Armouries and that occupied by the B. C. Electric Railway Company;

3. That the Dominion Government be required, in any sale of the property, to arrange that a restrictive covenant be placed in the Deed whereby no structure or any part thereof, and no billboard or sign, be permitted to project to a height greater than the

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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road level of the bridge in an area at least 100 feet from the bridge and extending from the south-west boundary of the B. C. Electric Railway Company's property, north-easterly to the Harbour Headline of False Creek."

I understand that the Department has before it on application to purchase the area, the identity of which is not known to the writer, but I am informed by Mr. J. A. Campbell, K.C., that the applicant would be quite agreeable to the proposed restrictions. Mr. Commissioner MacKay informed the writer in conversation that there was no objection on our part to the restrictions.

Under the circumstances, I would recommend that the conditions imposed be accepted, the restrictions for buildings and billboards set out Sections 2 and 3 of the Commission's Report being set as 100 feet from the boundary of the bridge between the National Defence Armouries and the B. C. Electric properties.

I am informed that the intention of the City is to pass the amending by-law next Monday, July 22nd, if the Minister's letter reaches them by that time, and it would be appreciated if the Department could airmail it to the City, if it can be secured in time, to reach them by that date.

Yours faithfully,

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Minister's Office 28835-3

MEMORANDUM July 19/46

To the - Acting Deputy Minister:

Attn: Director of Indian Affairs

--

Attached is a letter to the Minister dated July 17th from Mr. J.A.Campbell, K.C., Hall Bldg., Vancouver, in reference to the Kitsilano Indian Reserve in relation to the City of Vancouver. Mr. Campbell states that Major MacKay, Indian Commissioner, is writing the Department in this connection. Sick's Capilano Brewery Ltd. is interested in purchasing certain of this Reserve.

Please have a draft reply prepared for the Minister's signature to Mr. Campbell.

Pratt
Private Secretary

Mr. Hoey:

For draft reply as requested.

RKO

Department of Mines & Resources
Indian Affairs Branch.
JUL 22 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3 (R.1)

Ottawa, July 23, 1946.

EX'D.
A.

Dear Mr. Campbell:

I have for acknowledgment your letter of July 17th regarding the Kitsilano Indian Reserve.

On July 20th an air mail letter was forwarded to the Vancouver City Clerk advising that this Department concurred in the recommendation that that portion of the Kitsilano Indian Reserve lying east and south of the Burrard Bridge, except the Seaforth Armories property, be declared a heavy industry area and that there is no objection, in so far as this Department is concerned, to the proposed building restrictions.

Yours sincerely,

J. A. Campbell, Esq., K. C.,
c/o Messrs. Campbell, Meredith & Beckett,
Barristers and Solicitors,
Hall Building,
Vancouver, B. C.

MacC

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

C.C. MR. J. A. CAMPBELL, K.C., 800 Hall Bldg., Vancouver.

33-14-4557.

R-1

AIRMAIL

July 17th, 1946.

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Attention: Mr. Hoey

Re: Kitsilano I. R. No. 6
Your File 28835-3

I would refer to your letter of July 3rd and to Mr. Commissioner MacKay's report of the 16th July advising that the Council of the City of Vancouver had ordered the re-zoning of the portion east of the Burrard Street Bridge to a Heavy Industrial District, and to enclose herewith a letter received from the City dated July 16th asking for assurance from the Minister that any transfers to private ownership of the parcel affected will contain, in registrable form, the restrictions outlined in the Vancouver Town Planning Commission's Report to the City dated June 11th, 1946 (of which you have a copy) set out, as follows:-

1. That no cross-over or access of any kind be permitted from the Burrard Street Bridge approach, north of First Avenue;

2. That no buildings be permitted within at least 100 feet of the boundary of the Burrard Street bridge right-of-way between the property occupied by the Seaforth Armouries and that occupied by the B. C. Electric Railway Company;

3. That the Dominion Government be required, in any sale of the property, to arrange that a restrictive covenant be placed in the Deed whereby no structure or any part thereof, and no billboard or sign, be permitted to project to a height greater than the

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Mr. Hoey: July 17th, 1946.

road level of the bridge in an area at least 100 feet from the bridge and extending from the south-west boundary of the B. C. Electric Railway Company's property, north-easterly to the Harbour Headline of False Creek."

I understand that the Department has before it an application to purchase the area, the identity of which is not known to the writer, but I am informed by Mr. J. A. Campbell, K.C., that the applicant would be quite agreeable to the proposed restrictions. Mr. Commissioner MacKay informed the writer in conversation that there was no objection on our part to the restrictions.

Under the circumstances, I would recommend that the conditions imposed be accepted, the restrictions for buildings and billboards set out Sections 2 and 3 of the Commission's Report being set as 100 feet from the boundary of the bridge between the National Defence Armouries and the B. C. Electric properties.

I am informed that the intention of the City is to pass the amending by-law next Monday, July 22nd, if the Minister's letter reaches them by that time, and it would be appreciated if the Department could airmail it to the City, if it can be secured in time, to reach them by that date.

Yours faithfully,

:HM

J. Coleman.
For D. M. MacKay.
Indian Commissioner for B.C.

R. A. Hoey, Esq.,
Director,
Indian Affairs Branch,
Dept. of Mines and Resources,
Ottawa, Ontario.

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CANADA

As part of the consideration hereof, the Grantee (or Purchaser) aforesaid, with intent to bind all persons in whom the lands sold (or agreed to be sold) hereunder, hereinafter called "the lands aforesaid", or any interest therein, shall for the time being be vested, but not so that the Grantee (or Purchaser) aforesaid, shall be personally liable for breach of any of the terms, covenants and conditions hereof, after the Grantee (or Purchaser) aforesaid, has wholly parted with his interest in the lands aforesaid, and has no further interest therein (except an interest insufficient to prevent such breach), hereby covenants and agrees with and doth hereby grant to the Grantor (or Vendor), aforesaid, his successors and assigns, and the City of Vancouver, aforesaid, its successors and assigns, rights, liberties, easements, restrictions and charges, against the lands aforesaid, to the like effect, as follows, the said rights, liberties, easements, restrictions and charges, to be at all times for the benefit and advantage of the Grantor (or Vendor) and the City of Vancouver, aforesaid, their respective successors and assigns, and for the benefit and advantage of the lands of the Grantor (or Vendor) aforesaid, now occupied by the Seaforth Armouries, aforesaid, and the lands of the City of Vancouver aforesaid, now occupied by the right-of-way of the Burrard Street Bridge, in the City of Vancouver, aforesaid, including the approaches thereto:-

(a) That no right to a private way or other private means of access shall be granted or established or permitted to be established, or to exist, or shall be claimed by the Grantee (or Purchaser) aforesaid, his heirs, executors, administrators or assigns, at any time, from the approach to Burrard Street Bridge, North of First Avenue, in the City of Vancouver, aforesaid, to, from or over, the lands aforesaid;

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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PUBLIC ARCHIVES
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CANADA

(b) That no building or structure of any kind, other than a boundary fence, will be erected, constructed, or placed, on the lands aforesaid, any part of which building or structure shall be nearer to the boundary of the right-of-way of the Burrard Street Bridge, aforesaid, than One Hundred Feet (100'); provided that this Clause (b) shall apply only if the lands aforesaid are situate between the property occupied by the Seaforth Armouries aforesaid, and that occupied by the British Columbia Electric Railway Company Limited;

(c) That no building, billboard, sign, or structure of any kind will be erected, constructed or placed on the lands aforesaid, which building, billboard, sign or structure will exceed in height the height of the general road level of Burrard Street Bridge, aforesaid, opposite thereto; provided that this Clause (c) shall apply only if the lands aforesaid are situate in the area extending from the South-West boundary of the property now occupied by the British Columbia Electric Railway Company, Limited, North-Easterly to the Harbour Headline of False Creek as the said Harbour Headline existed on the 11th day of June, 1946, and extending laterally for a distance of One Hundred Feet (100') from the boundary of the right-of-way of Burrard Street Bridge aforesaid.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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D. E. McTaggart, K.C.
Corporation Counsel

A. E. Lord
City Solicitor

T. T. Chase J. B. Roberts
R. K. Baker E. N. R. Elliott

Law Department
City of Vancouver

ADDRESS ALL CORRESPONDENCE TO CITY SOLICITOR

CITY HALL
VANCOUVER, B.C.

July 25th, 1946.

D. M. McKay, Esq.,
Indian Commissioner for B. C.,
P. O. Box 70,
Vancouver, B. C.

Dear Sir:-

Re: Proposed Rezoning of a Portion of Kitsilano Indian Reserve

You will recall that I wrote you on the 16th inst. asking that the Minister give assurances to the City that any parcels alienated by the Crown in this area would carry in registrable form covenants running with the land covering the restrictions recommended by the Town Planning Commission.

The City Clerk has a letter from Honourable Mr. Glen of the 20th inst. which, if it is intended to meet the situation, falls far short of it. The Minister merely says that he does not see any objection to the restrictions. What is needed is an undertaking that all future owners or occupants, will be bound to observe the restrictions.

I enclose a form of covenant which should accomplish the result, and if the City can be sure that it will appear in any conveyances from the Crown, the rezoning can be proceeded with.

It is now proposed to deal with the matter on the 6th prox., and it is hoped that the City Clerk will have the necessary letter from the Minister by that date, as Council meetings during the summer are rather infrequent.

Yours ~~truly,~~

Corporation Counsel.

DEM:NM
Encl.1

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-4652.
ALSO TO DATE OF THIS LETTER

URGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Department of Mines & Resources
Indian Affairs Branch
JUL 29 1946
REGISTERED

28835-3

INDIAN AFFAIRS
BRANCH

AIRMAIL

P.O. BOX 70
VANCOUVER, B.C. July 26th, 1946.

Dear Mr. Hoey:- Re: Proposed Rezoning of a Portion of Kitsilano Indian Reserve No. 6 Vancouver Agency

I am forwarding herewith a letter received from Mr. D. E. McTaggart, Corporation Counsel, regarding the above-noted matter, together with a draft form of covenant received therewith.

It will be noted that Mr. McTaggart observes that the letter from the Minister addressed to the City Clerk does not contain the assurance the City requires in this case which is, that parcels alienated by the Crown in this area would carry in registrable form covenants embodying the restrictions recommended by the Town Planning Commission. I may say that I can see no objection to giving the City this assurance. The enforcement of the restrictions recommended would not, of course, be our concern.

As the City Council proposes to deal with this matter on August 6th, it would be appreciated if the Minister's reply could be forwarded in order to reach the City Clerk by that date.

Yours faithfully,

D. M. MacKay.
Indian Commissioner for B.C.

/HN

R. A. Hoey, Esq.,
Director, Indian Affairs Branch,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

28835-3 (R.1)

TO BE RETURNED TO INDIAN AFFAIRS BRANCH WHEN SIGNED.

Yes

Ottawa, July 25, 1946.

Dear Mr. Campbell:

I have for acknowledgment your letter of July 17th regarding the Kitsilano Indian Reserve.

On July 20th an air mail letter was forwarded to the Vancouver City Clerk advising that this Department concurred in the recommendation that that portion of the Kitsilano Indian Reserve lying east and south of the Burrard Bridge, except the Seaforth Armories property, be declared a heavy industry area and that there is no objection, in so far as this Department is concerned, to the proposed building restrictions. Copy attached.

Yours sincerely,

J. W. S.

J. A. Campbell, Esq., K. C.,
c/o Messrs. Campbell, Meredith & Beckett,
Barristers and Solicitors,
Hall Building,
Vancouver, B. C.

WMcG

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3, Pt.5)

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CANADA

28835 3

ER, BRITISH COLUMBIA, WEDNESDAY, JULY 10, 1946 M

Vancouver Sun

Indians Lose Lands By 'Bum, Buy or Steal'

Squamish Spokesman Raps Whites At Hearing on Kitsilano Rezoning

Indians have come to realize that the White Man gets their land in one of three ways, "bum it, buy it or steal it," Andy Paull, spokesman for the Squamish Indians protested bitterly at city hall, Tuesday afternoon.

Andy came to attend a public hearing on the rezoning of the easterly 15 acres of Kitsilano Indian Reserve for heavy industry. He sat through a half-hour debate in which city council was urged to use the rezoning as a lever to acquire the westerly 35 acres for park purposes. But when Don C. Brown, MLA, doubted the Indians' title would stand up in a law court, the hefty Indian rose in his seat.

"I'm one of the owners of that property," he said, "and an Indian title is the best kind of title in the British Empire. The kind of tactics I've seen here today is the thing that makes the Kitsilano Indian Reserve the rathole it is today."

Andy's eloquence did not stir aldermen into speedily granting the rezoning application. Council decided to lay the matter on the table. That means that, unless a special meeting is called, it will not be dealt with for a month.

★ ★ ★

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

SUPPLEMENTARY ESTIMATES 1946-47

SERVICE - RESERVES AND TRUSTS ADMINISTRATION

Explanation

Acquisition of Land (Cont'd.)

agreement to transfer at some undefined time any interest the Province of British Columbia may have in the lands constituting the Reserve to the Dominion of Canada for $350,000, Conveyance to be postponed to payment".

Unfortunately no sale of the property was completed before the depression commenced in 1930 and it has remained idle until it was leased to the R.C.A.F. in 1942.

The Province has for some years been demanding payment of the sum of $350,000. At the same time the Indians have been very critical of the Department for not making better use of the land. When it is considered that only $14,231.83 has been received in revenue from the property since the Indians moved away in 1913 up to the year 1942, there is justification for the criticism. It is impossible to estimate the loss suffered by the Indian Bands through the failure to sell their equity. To prevent the loss continuing it is proposed to extinguish the interest of the Province by payment of the sum agreed upon and thus enable the Department to manage or sell the property. Before payment is made to the Province the Indians will be asked to execute a formal surrender which will include a provision that out of the first proceeds of sale the Government will be repaid the monies it has advanced. The Province will also be asked to refund the rentals it collected, i.e., $12,942.24.

In recent months the Department has received several inquiries from business concerns desiring to rent or purchase portions of it. Owing to its location there would not appear to be any doubt that it could be sold for an amount very substantially in excess of the claim of the Province.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

SUPPLEMENTARY ESTIMATES 1946-47

SERVICE - RESERVES AND TRUSTS
ADMINISTRATION

Explanation

Acquisition of Land (Cont'd.)

On the 27th February in the same year P.C. 318 was passed and reads as follows:-

"Whereas the Superintendent General of Indian Affairs submits a Certified Copy of a Minute of the Executive Council of British Columbia approved by the Honourable the Lieutenant-Governor of the Province of British Columbia on January 31st, 1928, recommending as follows:-

THAT under authority of subsection 2 of Section 92 of Chapter 131, Revised Statutes of British Columbia, 1924, all the right title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in the Kitsilano Indian reserve No. 6, New Westminster Agency, which has been assigned Lot 2610, Group 1, New Westminster District, comprising 80 acres, more or less, be transferred to the Crown in the Right of the Dominion of Canada as represented by the Superintendent General of Indian Affairs, for the sum of Three hundred and fifty Thousand ($350,000.00) Dollars, Conveyance to be made upon payment of the said amount.

And Whereas the Superintendent General of Indian Affairs reports that the terms of the aforesaid Order are considered satisfactory, and recommends that they be concurred in and approved.

Therefore His Excellency the Governor General in Council is pleased to approve the terms of the aforementioned Order of the Honourable the Lieutenant-Governor of British Columbia in Council, dated January 31st, 1928, and they are hereby approved accordingly".

Why the interest of the Province was fixed at $350,000 the files do not disclose. It would appear that the Provincial Government claimed that the amount spent in negotiations and other expenses connected with the abortive attempt to secure the property, in addition to the amount paid to the Indians, made a sum total of $350,000.

As the reversionary interest would only be of value to the Province if and when the Indian Bands became extinct or if the latter wished to sell the land, it is difficult to pass any opinion now upon the arrangement that was made - The question of the legal effect of the two Orders in Council was submitted to Justice Department in 1935, who commented as follows:

"It is probable that both Governments at the time anticipated the surrender to the Dominion by the Indians of the Reserve and its subsequent sale on the Indians' behalf soon after the Orders in Council were passed. Be this as it may the Orders in Council, on the face of them, show to me nothing but an

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

SUPPLEMENTARY ESTIMATES 1946-47

SERVICE - RESERVES AND TRUSTS ADMINISTRATION

Explanation

Acquisition of Land (Cont'd.)

The Indians occupied or used most of the area until 1913 when the Provincial Government of that day through its Attorney General, the Honourable W.J. Bowser, made an abortive effort to secure it. Negotiations were carried on direct with the Indians and the sum of $219,750 was paid to twenty families and they were moved off hurriedly in one day to another vacant Reserve.

No proper surrender was obtained and there was a great deal of public criticism over what had taken place, largely because of the ridiculously low price paid for the Indian interest and because of the manner in which the negotiations were carried out. As the Province's legal position was untenable no action was taken by it to secure possession, although in 1924 it did lease a portion of the area and received between 1924 and 1928 in rents the sum of $12,942.24.

In March of 1913 expropriation proceedings were taken for the Vancouver Harbour Board and later the arbitrators fixed the value of the property at $666,200. This price was considered too low by the Department as an independent valuation had been secured fixing the value at $1,200,000 and later in the same year an offer of $2,000,000 was received from a private concern.

Some years later the Harbour Board abandoned the expropriation proceedings and up to 1929 both Governments claimed the right to administer the property. This unsatisfactory position was recognized not only by the two Governments but by the Indians as well. In 1927 the Chiefs and Councillors of the amalgamated Squamish Indian Bands passed a resolution agreeing to surrender the land and that the surrender would contain the clause that the first charge against the monies received from any sale would be paid the Province until its claim had been extinguished, the value of which was fixed at $350,000.

Following the passing of the above resolution, negotiations were carried on between the two Governments and on the 31st January, 1928, an Order in Council was passed by the Lieutenant-Governor in Council, which provided as follows:-

> "That under authority of subsection 2 of Section 92 of Chapter 131, Revised Statutes of British Columbia, 1924, all the right title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in the Kitsilano Indian Reserve No.6, New Westminster Agency, which has been assigned Lot 2610, Group 1, New Westminster District, comprising 80 acres, more or less, be transferred to the Crown in the Right of the Dominion of Canada as represented by the Superintendent General of Indian Affairs, for the sum of Three hundred and fifty thousand ($350,000.00) Dollars, Conveyance to be made upon payment of the said amount".

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

SUPPLEMENTARY ESTIMATES 1946-47

SERVICE - RESERVES AND TRUSTS ADMINISTRATION

Explanation

Acquisition of Land

Re - Kitsilano Reserve No.6, British Columbia

The purpose of the estimate of $350,000 is to acquire the reversionary interest of the Province in this Reserve.

The original Reserve as set aside at the time of the Act of Union was 37.35 acres. The Joint Reserves Commission on Indian Affairs in 1877 reviewed the claims of Indians in that Province for more land and increased the area of the Reserve by an addition of 42.55 acres, thus establishing its status as an Indian Reserve in accordance with the terms of the Union. The Reserve is situated almost in the heart of the City of Vancouver on the South side of False Creek. The legal title is in the Province who claims a reversionary interest. Justice Department has given the following opinion as to what this reversionary interest constitutes:-

Question: (A) What is the nature of the reversionary interest of the Province in the Reserve?

Answer: The beneficial interest in the Reserve belongs to the Crown in the right of the Province of British Columbia subject to the interest of the Indians. As an Indian Reserve, the land is subject to the management and control of the Dominion, but upon surrender of the Indian rights the entire interest would belong to the Province.

Question: (b) Can the Dominion sell or otherwise dispose of the land or the proceeds without the consent of the Province?

Answer: No.

Notwithstanding the absence of title the Dominion over a period of years alienated several small parcels to the Canadian Pacific Railway, the City of Vancouver and the Department of National Defence, comprising in all 23.944 acres, leaving approximately 56.046 acres. The net proceeds received from these sales was $66,184.43, which was credited to Band funds. Since then the Federal Government through dredging operations added 6.25 acres to the foreshore. The total acreage now unsold, therefore, is approximately 63 acres divided up as follows:-

41 acres in one parcel now under lease to the Royal Canadian Air Force for the duration of the war and three years afterwards.

22 acres in four separate parcels.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

July 26th, 1946.

Ottawa,

MEMORANDUM FOR CABINET:

Re - Kitsilano Indian Reserve,
Vancouver, B.C.

The facts connected with this Reserve are fully set forth in a memorandum (copy attached) prepared for Treasury Board in support of an item of $350,000 submitted in Supplementary Estimates for this year (1946-47), to pay off the claim of the Province of British Columbia.

Recently the Indians interested in the Reserve granted a surrender to the Crown in order that the land might be sold, but in the surrender they imposed a condition that the whole area should not be sold for less than $600,000.

The Reserve is divided into two areas as follows:-

(a) Approximately twenty-two acres south-east of Burrard Bridge. This area is separated into about four small parcels. They are valuable for industrial purposes and an application is now pending before the Zoning Commission in order that they might be zoned for industrial purposes.

(b) Approximately forty-one acres north-west of the Burrard Bridge now under lease to the R.C.A.F. for the duration of the war and three years afterwards. This is the area that the Vancouver Parks Board desires for park purposes.

In respect to Area (a), a firm offer has been received from an industrial concern to purchase eight acres for $72,000 and it is expected that the offer would be increased substantially if the Department were in a position to sell. It is thought the remaining parcels are of sufficient value that they could be sold to realize for the whole of the area a sum between $175,000 and $200,000. The Department is not able to accept any offers for the purchase of parts of the area unless it is assured that when all the Reserve is sold, a sum of not less than $600,000 would have been realized.

Area (b) is larger and more valuable, the value estimated to be not less than $400,000. During the war the R.C.A.F. established an equipment depot on it, erecting seven permanent concrete buildings each 100' x 200' in size, and as well a number of temporary buildings, the approximate cost being

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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$1,500,000. The Department have been informed that the R.C.A.F. require the site permanently.

On the other hand, the Parks Board of Vancouver have for many years asked that the Dominion should make this area available to the Board for park purposes, although they have never offered nor suggested that they would be willing to pay anything for it.

It should be clearly understood that the land is not ordinary Crown land but is Indian land held in trust for the amalgamated bands of Squamish Indians and can only be disposed of for value, that is at the prices prevailing at the time it is sold.

If Area (b) is required for the R.C.A.F. and a decision in that respect could be made now, it would enable the Department of Mines and Resources to dispose of the parcels in Area (a) and thus put the land to better use by the establishment of new industries thereon; as well, an opportunity would be afforded the Dominion to recover the $350,000 which has to be paid to the Province for its reversionary interest.

It is recommended, therefore, that a decision be reached as to the purchase of Area (b) by the R.C.A.F.

Submitted:

J. Allison Glen

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3

OFFICE OF THE DEPUTY MINISTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

July 31st, 1946.

MEMORANDUM:

Mr. R.A. Hoey,
Director of Indian Affairs.

Re: Kitsilano Indian Reserve.

I am returning your File No. 28835-3 which Mr. McCrimmon left with me a few days ago. This whole matter was submitted to Cabinet on Saturday the 27th instant, and was discussed on Monday, 29th instant. The Minister advised me that as Mr. King and Mr. Ilsley were both away no decision was reached and the matter is to be held pending their return.

The Minister did not wish any further action taken in the meantime with respect to the proposed re-zoning as set forth in the letter dated July 25th from the Corporation Counsel to Indian Commissioner McKay.

Chief Executive Assistant.

Department of Mines & Resources
Indian Affairs Branch.
AUG 1 1946
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

28835-3 (R.1)

AIR MAIL

Ottawa, August 1, 1946.

Major D. M. MacKay, Indian Commissioner, P. O. Box 70, Vancouver, B. C.

I wish to refer to your letter of July 26th, your file 33-14-4652, regarding the proposed rezoning of a portion of Kitsilano Indian Reserve No. 6.

The questions involved are a matter of Government policy and must be dealt with by a full meeting of the Cabinet, which will not be possible for at least a month or six weeks.

Director.

EX'D.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

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Vancouver Sun

1/7/46

Vancouver Sun 1/7/46

Park Board Will Fight For Reserve

Decision of the city council Monday to allow re-zoning of the eight acres of Kitsilano Indian Reserve west of Burrard Bridge is still opposed by Duncan Macdonald, chairman of the Vancouver Park Board.

The whole question will be reviewed at the regular meeting of Vancouver Park Board next Tuesday when he will report officially.

"I opposed the move of the city council at its meeting Monday. I was voicing the stand of the board and I think all our commissioners concur. Don Brown, MLA, who has fought from the start, also protested.

"We are not opposed to an industry being established east of the bridge, but we are opposed to anything being done with any part of the reserve until there is assurance that the western part will be protected for the citizens for beach and park purposes" Chairman MacDonald said.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

2883.5

August 21st, 1946.

My dear Colleague:

I have your letter of the 16th instant, with reference to the Kitsilano Indian Reserve. I do not see any solution of this matter until a decision is reached as to the area north-west of the Bridge now under lease to the Air Force. As you know the lease or permit of occupation contains a proviso giving the Air Force the right to remain in possession for a period of three years after the war for the same rental now being paid, namely, $5,000 a year. This low rental was agreed to by the Indians as a contribution on their part to the war effort.

Fixing the value of the area occupied by the Air Force at $400,000 the proper rental should be in the neighbourhood of $20,000 a year. We cannot of course compel the Air Force to pay a higher rental until their right of occupation terminates. When this time arrives or even should the rental be revised now, there would still be no guarantee at the end of the term of the lease that all the property would be sold to make up the price fixed by the Indians in the surrender. If the Air Force or anyone else would enter into a firm committment to purchase the property at some future date the situation would be different.

I might say there has been included in the Supplementary Estimates for this year an item to pay off the claim of the Province, namely, $350,000. When this has been passed by Parliament it is my intention to acquire the Provincial interest so that the Department will be able to deal with the property without regard to the Province. As some time may elapse before a decision is reached as to the permaneney of the Air Force occupation, I can see no other alternative but to go back to the Indians and ascertain if they would be willing to authorize the Government to make a sale of the parcels in which Mr. Campbell's clients are interested if a satisfactory price can be agreed upon.

Yours sincerely,

J. Allison Glen
22/8/46

The Honourable Ian Mackenzie, K.C.,
Minister of Veterans Affairs,
O t t a w a.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(1)

MEMORANDUM

It appears from the file that it is the intention of the Ministers office to pay the $350.000 (as voted) to B.C.

(less $12942.24) which the province owes in rentals to the Indians - which sum of deducted should be transferred to the Band fund a/c of the Squamish Band.

CK to BC	337057.76
Trans to Band funds Squamish	12942.24
	350000.00

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(2)

MEMORANDUM

2nd Requirement. To get a decision from Cabinet (awaiting presence of Chief Mr. Middleton) as to whether the R.C.A.F. are to be authorized to purchase the parcels they have at a price of $400 000 (the estimated value to the Indians?).

We would therefore in a position to offer the Balance of the land for sale if we can realize $200 000 for it. -

Surrender says not less than 600.000. in toto.

Is the Dom prepared to guarantee to the Indians that the Balance of the lands would eventually realize $200 000 for the Balance outside R.C.A.F. parcel. $50 - How?

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MEMORANDUM.

Beller form a holding Company (Govt.) to buy the whole reserve for 600.000. Sice the RCA 7 the part it wants for 400 000. and work off the Balance for what it can get for it..

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

Vancouver Sun

INDIAN RESERVE RE-ZONING SCORED

Park Board Ignored by Council, Town Planners, Says Commissioner

Criticism of City Council and the Town Planning Commission came from Commissioner Duncan A. MacDonald in discussing the re-zoning for heavy industry of the easterly section of Kitsilano Indian Reserve at Tuesday night's Park Board meeting.

"They have absolutely ignored the park board in their dealings," he said. "Neither group seems interested in helping the citizens obtain the west portion of the reserve as a perpetual park area."

He feared the federal government would sell the re-zoned eastern section, then purchase the western area as a permanent RCAF site.

"LOST CAUSE"

Members agreed to continue their efforts to set aside the western section as park land, although Superintendent P. Stroyan said the board was "fighting for a lost cause."

Use of more policewomen on the beaches and in the parks was urged by Commissioner Mrs. Tillie Rolston, MLA, after Commissioner Bert Emery had complained of lack of policing in such areas. It was decided to ask the Police Commission to detail available members of the force for such duty.

Application of Don Angel, manager for Fran Dowie, to produce a "first-class variety show" at the Malkin Bowl when the Theatre Under the Stars closes, was rejected as contrary to policy.

OFFER REJECTED

An offer made by the board to military authorities to purchase buildings at Ferguson's Point for $100 was rejected. Value of the property was set at $3000.

A request from the Labor Progressive party to use a sound truck in Stanley Park in advertising a peace rally was refused.

Commissioners will meet members of the Musicians' Union Friday at 6 p.m., to discuss regulations controlling use of bands in city parks.

Vancouver Sun

July 24, 1946

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

DEPARTMENT OF MINES AND RESOURCES

August 21st, 1946.

Dear Colonel Hanson:

I have your letter of the 19th instant, with reference to the Kitsilano Indian Reserve. Mr. Mackenzie brought to the Minister's attention the suggestion relating to fixing a rent commensurate to the value of the land. I do not see how this will help us out of our difficulty because at the end of the lease that might be entered into there would be no obligation on the part of the lessee to buy the property at the minimum figure that might be required. The way the situation stands at the present I do not think the Air Forde would be prepared to enter into any contract to buy at a future date.

For your confidential information I might mention that the Minister proposes to have included in the Supplementary Estimates an item to pay off the claim of the Province. When the vote has been passed by Parliament it is our intention to acquire the complete interest in the property. As it may take some time for the Government to determine whether the Air Force are to have the property permanently, I propose recommending to the Minister that Commissioner McKay of Vancouver should go back to the Indians for the purpose of ascertaining whether they would be prepared to grant surrenders covering any individual parcels south-east of the Bridge. If necessary he can put up to the Band for their consideration any offer to purchase that your Company is willing to make.

In trying to arrive at the value of the whole property for the purpose of seeing whether the total amount fixed by the Indians can be secured when all the property is sold, I think it will be necessary for the Department to secure more per acre for the separate parcels south-east of the Bridge. Fixing a value of $400,00 on the park area would mean that we would have to sell the other parcels for a sum not less than $200,000. It is doubtful if we could do this on the basis of the offer you have made for the parcel in which your Company is interested. The price per acre would have to be somewhat in excess of $10,000. I do not know if the offer you have made is your final say in the matter, but if you are anxious to secure the property

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

it is my feeling there would be more chance of the offer being attractive to the Indians if it were increased to a sum in the neighbourhood of $100,000.

I hope that the Supplementary Estimates will be passed by Parliament within the next week or ten days when we will then be in a position to take the matter up with the Province and at the same time with the Indians. The question of acquiring the Provincial interest is only a matter of form as they have agreed to give up their claim for the amount that was agree upon.

Yours very truly,

for Deputy Minister.

E.G. Hanson, Esq.,
Hanson Bros. Investments Limited,
255 St. James Street,
Montreal 1, P.Q.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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for Deputy Minister.

E.G. Hanson, Esq.,
Hanson Bros. Investments Limited,
255 St. James Street,
Montreal 1, P.Q.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy

HANSON BROS. INVESTMENTS LIMITED

255 St. James Street

Montreal 1, Que.

August 27th, 1946.

C.W. Jackson, Esq.,
Deputy Minister,
Department of Mines and Resources,
Ottawa, Ontario.

Dear Mr. Jackson:

Very many thanks for your letter of August 21st which gives me your opinion in connection with the Kitsilano Indian Reserve. This is most interesting and I can see there is only one thing we can do, and that is to work for a complete and final sale of the property as you suggest.

I am passing the information on to Mr. Ker, our President, and I will probably be seeing you again in the near future.

Yours very truly,

(Sgd.) Gerald Hanson.

EGH/M

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

OFFICE OF THE DEPUTY MINISTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

August 31st, 1946.

Department of Mines & Resources
Indian Affairs Branch.
SEP 3 1946
REGISTERED

MEMORANDUM:

Mr. R.A. Hoey,
Director of Indian Affairs.

Re: Kitsilano Indian Reserve.

I am enclosing two copies of a letter which I wrote to Colonel Hanson who represents the Company interested in purchasing a portion of the Kitsilano Reserve. I am also sending you a copy of his reply dated August 27th, 1946.

The Minister will be in Vancouver on a Western trip and hopes to have an opportunity of discussing the matter with Major McKay, and it is suggested that you might send to the latter a copy of this correspondence in order that he will, in the meantime, give consideration to the suggestion that we hold another meeting with the Indians for the purpose of securing a new surrender which might permit a sale being made of the portion of the Reserve in question.

for Deputy Minister.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28835-3 (R.2)

EXD.

OTTAWA, September 5th, 1946.

AIR MAIL

D.M. McKay, Esq., Indian Commissioner for B.C.
P.O. Box 70, VANCOUVER, B.C.

Re: Kitsilano Indian Reserve

As you are aware, the Department has had under consideration the disposition of the Kitsilano Reserve and as the Minister will be in Vancouver shortly and hopes to have an opportunity of disucssing the entire matter with you I am enclosing herewith a copy of a letter addressed to Colonel Hanson by the Deputy Minister and also a copy of Colonel Hanson's reply.

You will note that in the Deputy Minister's letter of August 21st he proposes that the Indians should be again consulted to ascertain whether they would be prepared to grant surrenders covering any individual parcels south-east of the Bridge and the correspondence is being forwarded to you in order that you may give consideration to the suggestion prior to discussing the matter with the Minister.

for D.J. Allan,
Superintendent,
Reserves and Trusts.

Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C O P Y

BRITISH AMERICA PAINT COMPANY LTD.

VANCOUVER, B.C.
August 14, 1946.

The Indian Commissioner of B.C.,
P.O. Box 70,
VANCOUVER, B.C.

Dear Sir:

We understand that the Kitsilano Indian Reserve may be divided into industrial sites of various sizes, if the City gives permission to your zoning application. If this location should be divided into an industrial area, we would be interested in getting a plan of the lay-out and full information thereon.

Thanking you for giving this your consideration, we remain,

Yours very truly,
BRITISH AMERICA PAINT CO. LTD.

BY: "R.J. Cummins"
Sales Manager

RJC/HE

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY

33-14-4920

August 19, 1946.

Dear Sirs:

With reference to your letter of August 14th the proposed By-law for the rezoning of that portion of the Kitsilano Indian Reserve lying East and South of Burrard Street Bridge has not yet been passed by the City Council, but I will advise you when the By-law has been made effective and when the Reserve is available for disposal.

Yours faithfully,

-mh

D. M. MacKay,
Indian Commissioner for B.C.

Sales Manager,
British America Paint Co. Ltd.,
522 Beatty St.,
Vancouver, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-5314
ALSO TO DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

P.O. BOX 70
VANCOUVER, B.C. Sept. 28, 1946.

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Re: Kitsilano Indian Reserve

Enclosed herewith is a copy of a letter received from the British America Paint Company Ltd., regarding the above-noted property, together with a copy of my reply thereto.

D. M. MacKay,
Indian Commissioner for B.C.

/EW
Encl.

Department of Mines & Resources
Indian Affairs Branch.
OCT 2 1946
REGISTERED

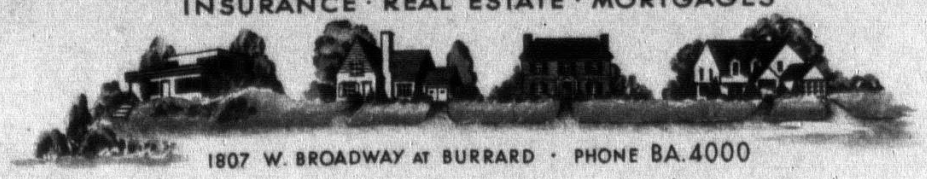
Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Campbell & Pound Limited

INSURANCE · REAL ESTATE · MORTGAGES



1807 W. BROADWAY AT BURRARD · PHONE BA.4000

VANCOUVER, B. C.

September 26th, 1946

Indian Commissioner,
Dept. of Indian Affairs,
Federal Building,
Vancouver, B.C.

Attention Major D.M. MacKay

Dear Sir:

In reference to the sale of the property on the West side of Burrard Bridge, in Vancouver, British Columbia, known as a portion of the Kitsilano Indian Reserve.

We have submitted this property to the Bekins Moving and Storage Company, of 137 West Pender Street, Vancouver. Mr. Andrews is their local manager.

In examining this site, apparently the Army huts are on the most level and accessible portion and, since we have no idea of your plans for subdivision, or access to the property, we can only quote you the general requirements of the Bekins Company, and find out if they will fit in with your plans.

This Company requires a site of 150 feet frontage on Burrard Street, by a depth of 250 feet, or they would take the full depth of this property East, which appears to be approximately 400 feet. Trackage will probably be brought in from the B.C. Electric by Bekins. They would set their building well back from Burrard Street, and install an attractive lawn and parking space for customers. This would require a drive-in entrance from Burrard Street. I notice there is one only in existence, on nearly the North line of the Permanent Armouries site. The exit from the property for customers would not be so important. This would probably be through the rear of the property and out on to First Avenue.

Bekins would be building a six-story modern building, costing approximately $210,000.00.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Commissioner, Vancouver, B.C . Sept. 25th, 1946

Since this is the general requirements of the Bekins Company, could you advise us, at a convenient time, as to how this would fit into your general subdivision plans. There is no doubt that if the Bekins Company could be accommodated on this site it would set a high standard for the development of the balance of the property.

To clarify our position as Agents, in the event of the Bekins Company completing negotiations with you, the usual commission covering real estate sales would be payable by yourselves.

Yours very truly,

CAMPBELL & POUND LTD.

CF:FW

Per: Cyril Flack

(Cyril Flack)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

33-14-5312

Sept. 28, 1946.

Dear Sirs:

I have your letter of September 26th in which you advise that your clients, Bekins Moving and Storage Company, of 137 West Pender Street, Vancouver, may be interested in the purchase of a portion of Kitsilano Indian Reserve lying to the east of the Burrard Street bridge.

The Department has under consideration the disposal of this Reserve, but it is not in a position to do so until the provincial interest therein has been extinguished. Negotiations with the Province, however, in this connection are underway and as soon as the Department is in a position to offer the land for sale you will be advised.

Perhaps I should observe here that it is doubtful if the Town Planning Commission will permit of access to the property from Burrard Street; I should say this would be from First Avenue.

A copy of your letter is being forwarded to the Department for their information and records.

Yours faithfully,

/EW

D. M. MacKay,
Indian Commissioner for B.C.

Campbell and Pound Limited,
1807 W. Broadway,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-5313
ALSO TO DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

P.O. BOX 70
VANCOUVER, B.C. Sept. 28, 1946.

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Re: Kitsilano Indian Reserve

EX'D.
A.

I beg to forward herewith a letter from Campbell and Pound Limited, Vancouver, making enquiry on behalf of their clients, Bekins Moving and Storage Company, of 137 West Pender Street, Vancouver, regarding lands of the above noted Reserve, together with a copy of my reply thereto. This information is being forwarded in order that the Department may be kept posted in respect to enquiries received here regarding this property.

D. M. MacKay,
Indian Commissioner for B.C.

/EW
Encl.

Department of Mines & Resources
Indian Affairs Branch.
OCT 2 1946
REGISTERED

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Hoey

28835-3

Copy for the information of
Mr. Hoey.

Ottawa, October 8, 1946.

Department of Mines & Resources
Indian Affairs Branch.
OCT 11 1946
REGISTERED

EX D.
A.

Dear Mr. Kenney,-

In the absence of the Minister I wish to acknowledge the receipt of your letter of the 16th ultimo in which you refer to the Kitsilano Indian Reserve.

Funds were provided in the estimates of the Department at the last Session of Parliament to enable the Dominion to acquire the interest of the Province in the Reserve. As I do not expect that Mr. Glen will return to Ottawa much before the end of the month, I would suggest you might prepare and forward a draft copy of the Order in Council to be passed by your Government conveying the Provincial interest. It is assumed that the transfer will be by Order in Council and that it will include a surrender of your interest in the whole Reserve, including the areas which have already been sold. As you are aware, the Indians have now granted a conditional surrender, thus permitting the Dominion to deal with the property. Besides fixing the minimum price at which the land can be sold, the Band referred to the rentals collected by the Province from the Rat Portage Lumber Company between the years 1920 and 1930 amounting to $12,942.24 and expects the Dominion to recover them.

From reading Premier Hart's letter of May 15th to Mr. Glen there appears to be a misunderstanding of the Dominion's position in the matter. The land has always been dealt with as trust property for this Band of Indians. The proceeds from the sale of the small areas that were sold and all the rentals collected, including those paid by other departments of the Dominion Government, have been credited to the Band Trust Account. The opinion we have received from Justice Department, copy of which was

The Honourable E.T. Kenney,
Minister of Lands & Forests,
VICTORIA, B.C.

.....

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

forwarded to Premier Hart, would seem to clearly set out the legal status. The Dominion having the management and control of the land must account to the Indians for any revenue derived from it. The beneficial interest of the Province is, of course, subject to the rights of the Indians. Consequently there would not appear to be any legal grounds for the Province to retain the rentals it collected and which the Indians claim belong to them.

It would be appreciated if when you forward the draft Order in Council you would let me know if it will be satisfactory to deduct the amount of such rentals from the sum of $350,000 to be paid to the Province under the arrangement set out in the two Orders in Council.

Yours very truly,

for Deputy Minister.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, Ontario,
November 6, 1946.

MEMORANDUM TO: File.

Re: Kitsilano Indian Reserve
proposed settlement with B.C.
and subsequent disposal of the
property.

In discussion with Mr. Jackson, November 5th, we were instructed to await a reply from Mr. Kenny to Mr. Jackson's letter in which he invited a submission of a conveyance by Order in Council of the interest of the Province to the Crown Dominion in the whole reserve including the accretions thereto.

When the proposed conveyance by Order in Council is received it should be checked by our legal officers, or by the Department of Justice, as to its sufficiency for our purposes and to cure any defects in the titles of grantees from us to the various parcels which have previously been alienated (the railway companies, Department of National Defence, etc.). When the conveyance has been received and approved it is then proposed to issue a cheque for $350,000.00 to the Province of British Columbia and terminate our negotiations with the Province.

It is then proposed that the property north of the Canadian Pacific Railway and Burrard bridge right-of-way, marked "E" on our maps, containing 35.145 acres and the accretions of approximately 6.25 acres should be offered to the city at a price of $400,000.00, possibly on terms of one-tenth cash and the balance in nine equal annual instalments, the deferred payments to bear interest at a rate to be agreed upon. It is considered expedient that negotiations with the city for the purchase of this property should be deferred until after the 1946 elections. Any sale to the city is to be subject to the condition that the city must make its own arrangements with the R.C.A.F. for any use which that organization would require to make of the property.

When the arrangements with the city are consummated it is then proposed that we should deal with the offer of the Sicks Brewery Company to purchase the block of 8.352 acres designated as Blocks C D and B B in the valuators' report at a price to be arranged at some figure not less than $72,000.00, which is their present offer, and possibly somewhere between that figure and $100,000.00. This would leave the two triangles containing respectively 2.233 acres and .26 acres together with the lumber mill site of 11.16 acres for future disposal to make up the balance of the $600,000.00 which is the minimum price fixed by the Indian surrender as the minimum for the whole property. It is not anticipated that there would be any difficulty in disposing of the remaining parcels for sufficient to satisfy the terms of the surrender.

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The possibility was considered of the necessity of obtaining a new surrender for the actual consideration arrived at covering parcel "E" and its accretions and parcels "A D" and "B B", the parcels it is proposed to sell to the Sicks Brewery Company, in order to provide a firm foundation for the conveyance we would be asked to give covering these lands.

Once we are in a position to assure the Squamish band the sum of $600,000.00 for the property then the existing surrender is sufficient to enable us to carry out any arrangements that may be made.

There appears to be a possibility, or a probability, that the mill-site of 11.16 acres would realize considerably more than the valuation placed upon it in the appraisal submitted by the Pemberton Realty Company.

With reference to the back rentals collected by British Columbia, the Province has refused to recognize any claim against it for the return of these rentals on the ground that they were disposed of in the settlement of $350,000.00. The Indian surrender provided that these back rentals will be paid to the band if and when collected from British Columbia and if they are not collected from British Columbia there is no responsibility on the Dominion Government for them.

D.J. Allan,
Superintendent,
Reserves & Trusts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

RESERVES AND TRUSTS

PERSONAL

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

28835-3 (R.T.)

Ottawa, Ontario,
November 6, 1946.

MEMORANDUM TO: C.W. Jackson, Esq.

I am enclosing herewith a copy of a memorandum which I placed on the Kitsilano file following my conversation with you yesterday.

Please look the attached memorandum over and if I have it twisted in any way note it on the copy and I will amend it to make the matter clear.

I was anxious to put something on the file for the guidance of the boys over here in order that they may be alert to what is required as the matter develops.

Department of Mines & Resources
Indian Affairs Branch.
NOV 7 1946
REGISTERED

D.J. Allan;
Superintendent,
Reserves & Trusts.

Mr Allan,

Your memo is satisfactory. I do not think it would be wise for our officers to take any action in the matter without first consulting this office.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, Ontario,
November 6, 1946.

MEMORANDUM TO: File.

Re: Kitsilano Indian Reserve proposed settlement with B.C. and subsequent disposal of the property.

In discussion with Mr. Jackson, November 5th, we were instructed to await a reply from Mr. Kenny to Mr. Jackson's letter in which he invited a submission of a conveyance by Order in Council of the interest of the Province to the Crown Dominion in the whole reserve including the accretions thereto.

When the proposed conveyance by Order in Council is received it should be checked by our legal officers, or by the Department of Justice, as to its sufficiency for our purposes and to cure any defects in the titles of grantees from us to the various parcels which have previously been alienated (the railway companies, Department of National Defence, etc.). When the conveyance has been received and approved it is then proposed to issue a cheque for $350,000.00 to the Province of British Columbia and terminate our negotiations with the Province. Conclude arrangement

It is then proposed that the property north of the Canadian Pacific Railway and Burrard bridge right-of-way, marked "E" on our maps, containing 35.145 acres and the accretions of approximately 6.25 acres should be offered to the city at a price of $400,000.00, possibly on terms of one-tenth cash and the balance in nine equal annual instalments, the deferred payments to bear interest at a rate to be agreed upon. It is considered expedient that negotiations with the city for the purchase of this property should be deferred until after the 1946 elections. Any sale to the city is to be subject to the condition that the city must make its own arrangements with the R.C.A.F. for any use which that organization would require to make of the property.

11 When the arrangements with the city are consummated it is then proposed that we should deal with the offer of the Sicks Brewery Company to purchase the block of 8.352 acres designated as Blocks C D and B B in the valuators' report at a price to be arranged at some figure not less than $72,000.00, which is their present offer, and possibly somewhere between that figure and $100,000.00. This would leave the two triangles containing respectively 2.233 acres and .26 acres together with the lumber mill site of 11.16 acres for future disposal to make up the balance of the $600,000.00 which is the minimum price fixed by the Indian surrender as the minimum for the whole property. It is not anticipated that there would be any difficulty in disposing of the remaining parcels for sufficient to satisfy the terms of the surrender.

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The possibility was considered of the necessity of obtaining a new surrender for the actual consideration arrived at covering parcel "E" and its accretions and parcels "A D" and "B B", the parcels it is proposed to sell to the Sicks Brewery Company, in order to provide a firm foundation for the conveyance we would be asked to give covering these lands.

Once we are in a position to assure the Squamish band the sum of $600,000.00 for the property then the existing surrender is sufficient to enable us to carry out any arrangements that may be made.

There appears to be a possibility, or a probability, that the mill-site of 11.16 acres would realize considerably more than the valuation placed upon it in the appraisal submitted by the Pemberton Realty Company. ($108,000)

With reference to the back rentals collected by British Columbia, the Province has refused to recognize any claim against it for the return of these rentals on the ground that they were disposed of in the settlement of $350,000.00. The Indian surrender provided that these back rentals will be paid to the band if and when collected from British Columbia and if they are not collected from British Columbia there is no responsibility on the Dominion Government for them.

D.J. Allan,
Superintendent,
Reserves & Trusts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

PERSONAL

28835-3 (R.T.)

Ottawa, Ontario,
November 6, 1946.

MEMORANDUM TO: C.W. Jackson, Esq.

EX'D.
A.

I am enclosing herewith a copy of a memorandum which I placed on the Kitsilano file following my conversation with you yesterday.

Please look the attached memorandum over and if I have it twisted in any way note it on the copy and I will amend it to make the matter clear.

I was anxious to put something on the file for the guidance of the boys over here in order that they may be alert to what is required as the matter develops.

DJA

D.J. Allan;
Superintendent,
Reserves & Trusts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

Minister of Mines & Resources
NOV 14 1946

November 12th,
1946.

Air Mail.

Honourable J.A.Glen,
Minister of Mines & Resources,
OTTAWA, Can.

Dear Mr. Glen:

RE: KITSILANO INDIAN RESERVE AND
CAPILANO INDIAN RESERVE.

I acknowledge receipt of your letter of the 7th instant. The Directors of the Capilano Breweries are most anxious concerning their position and would like to know at the earliest possible date as to whether they will be able to buy the portion of the Reserve as applied for. They have a Directors meeting fixed for the 19th instant.

In the meantime I am writing to the Hon. Ian Mackenzie as you mentioned in your letter that he isfully aware of how the matter now stands.

With the kindest regards,

Yours very truly,

J.A. Campbell.

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

Department of Mines and Resources

MINISTER'S OFFICE

MEMORANDUM

November 14th, 1946.

To the - Acting Deputy Minister

Attention Director of Indian Affairs

Attached please find letter to the Minister, dated Nov. 12, 1946, from J. A. Campbell, Esq., Vancouver, B.C., advising the Capilano Breweries have a Directors meeting on the 19th and would like to know whether or not they will be able to buy the portion of Kitsilano Reserve and Capilano Reserve applied for.

This is for your information.

Department of Mines & Resources
Indian Affairs Branch.
NOV. 15 1946
REGISTERED

Leita Vail Allingham.
Assistant Secretary.

Mr. Moey:
For your information.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

File 28835-3

EXTRACT
ORIGINAL ON
75-167

VANCOUVER INDIAN AGENCY

QUARTERLY REPORT OF H.E. TAYLOR, INDIAN AGENT - 30 SEPT./46.

X X X

RESERVES & TRUSTS

Dumping of refuse on Kitsilano Reserve in the heart of Vancouver has again been the s bject of complaint from the City Health Department. As the dumping is done by trucks at night detection is difficult. Signs previously erected were pulled down. Access by truck to the reverve has been along the private road to the car shops of the B.C. Electric Railway. They have agreed to erect two "Private Road" signs. We have asked for tenders on two large signs for the Reserve.

X X X

H.E. Taylor,
Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
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CANADA

28835-3

MINISTER OF LANDS AND FORESTS
PROVINCE OF BRITISH COLUMBIA

Department of Mines & Resources
OTTAWA.
NOV 28 1946
DEPUTY MINISTER

VICTORIA

November 19th,
1 9 4 6.

Department of Mines & Resources
Indian Affairs Branch.
NOV 29 1946
REGISTERED

Deputy Minister,
Department of
Mines and Resources,
Ottawa. Ontario.

Dear Sir:

Your letter of the 29th ultimo requesting a draft copy of the proposed Order-in-Council conveying Kitsilano Indian Reserve No. 6 to the Dominion is acknowledged, and enclosed herewith is the draft copy for your examination.

Upon receipt of the consideration immediate steps will be taken to have the Order submitted for the approval of the Executive Council.

Yours very truly,

E. J. Kenny

Minister.

Enc.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Photostat
of
Plan B.C. #900
Re- Kitselas I.R. #6

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

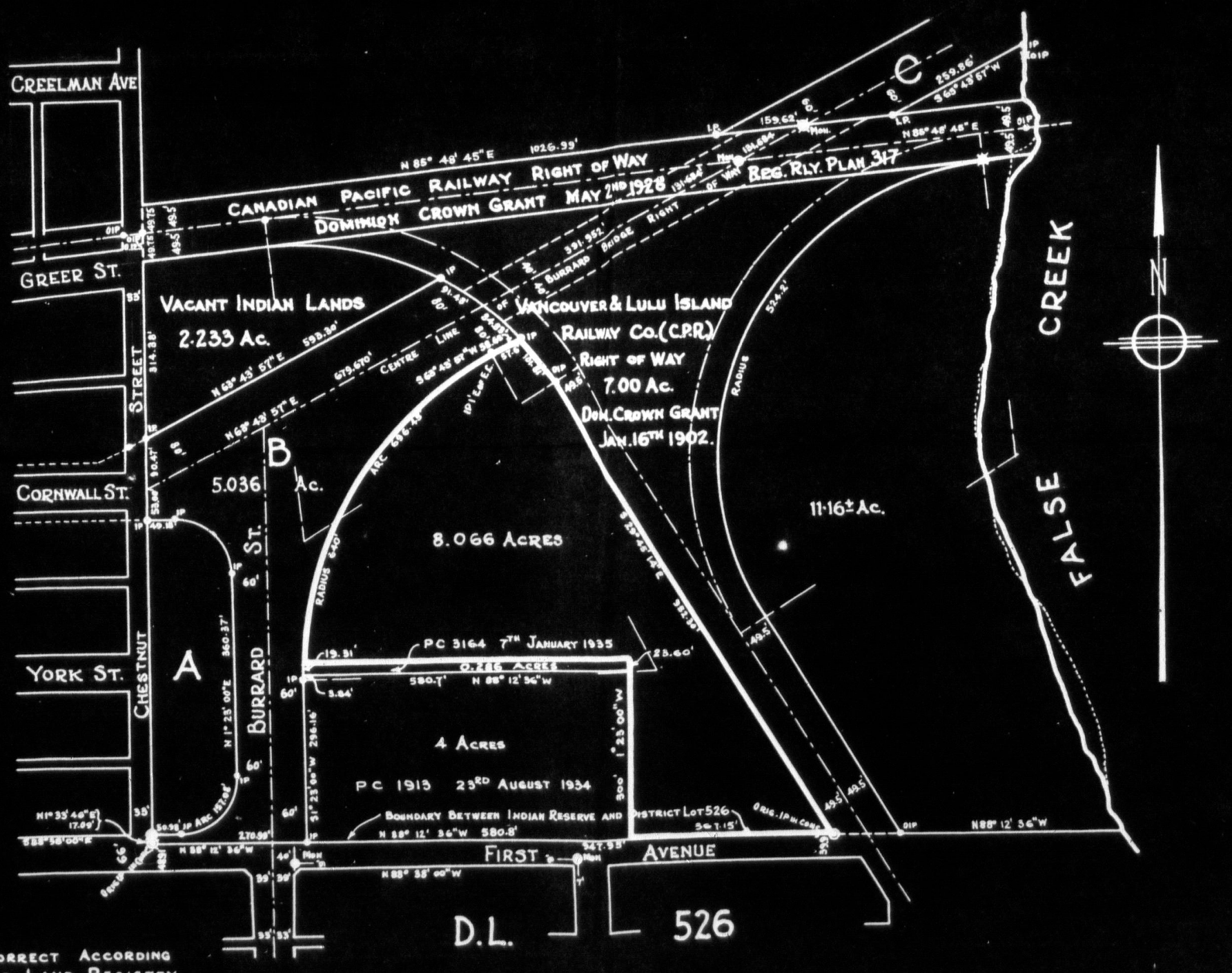
EXPLANATORY PLAN

SHOWING PORTION OF DISTRICT LOT 3610, GROUP 1, NEW WESTMINSTER DISTRICT

(KITSILANO INDIAN RESERVE Nº 6 OF THE SQUAMISH BAND)

CITY OF VANCOUVER
BRITISH COLUMBIA

SCALE: 1" = 200'



CERTIFIED CORRECT ACCORDING
TO VANCOUVER LAND REGISTRY
OFFICE RECORDS

Alex L. Walker ... B.C.L.S.

DATE: May 27TH 1947

EXPLANATORY PLAN

SHOWING PORTION OF DISTRICT LOT 3610, GROUP 1, NEW WESTMINSTER DISTRICT

(KITSILANO INDIAN RESERVE Nº 6 OF THE SQUAMISH BAND)

CITY OF VANCOUVER
BRITISH COLUMBIA

SCALE: 1"=200'

CERTIFIED CORRECT ACCORDING
TO VANCOUVER LAND REGISTRY
OFFICE RECORDS

John J. Walker B.C.L.S.

DATE: May 27TH 1947

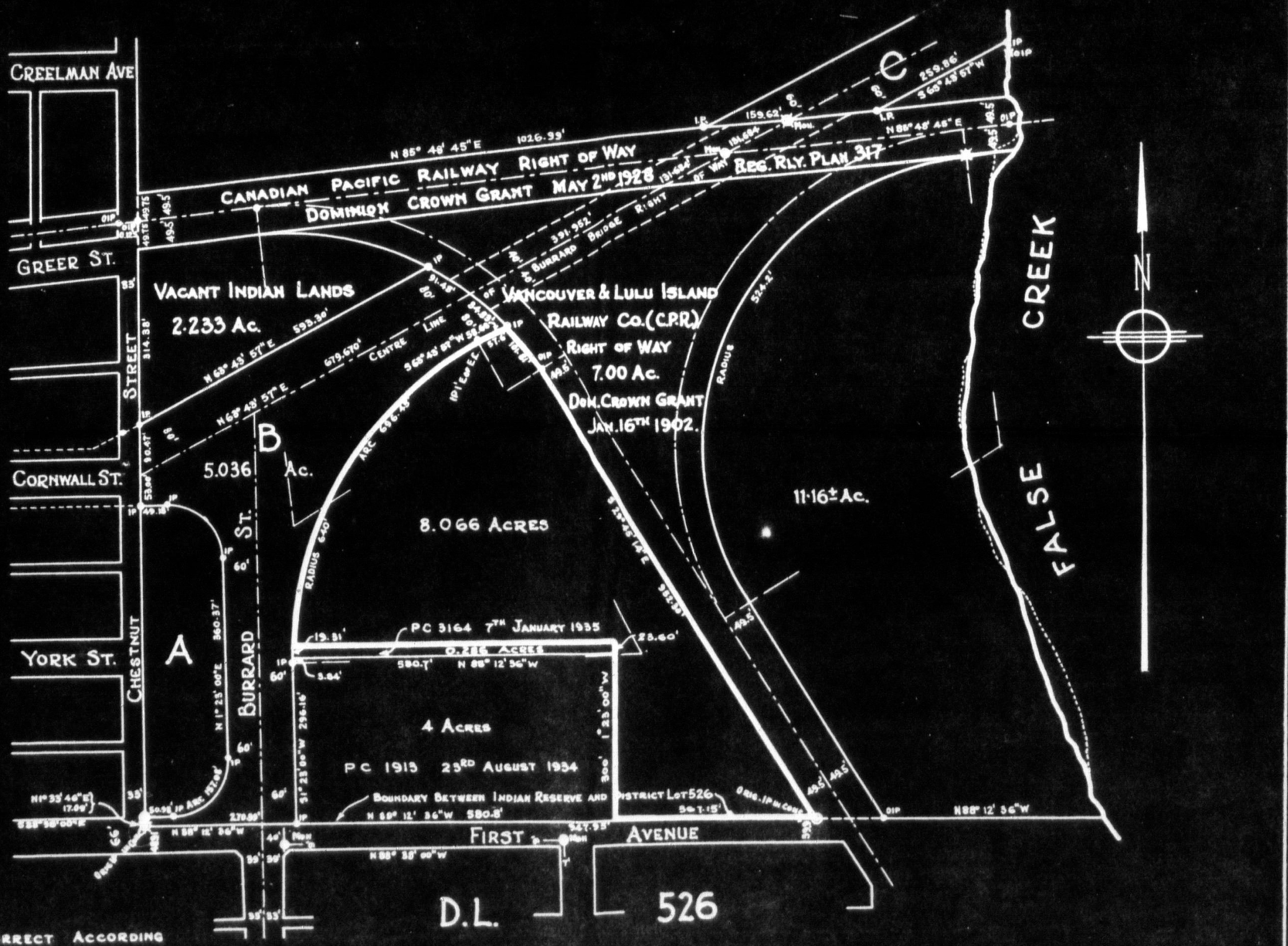
EXPLANATORY PLAN

SHOWING PORTION OF DISTRICT LOT 3610, GROUP 1, NEW WESTMINSTER DISTRICT

(KITSILANO INDIAN RESERVE Nº 6 OF THE SQUAMISH BAND)

CITY OF VANCOUVER
BRITISH COLUMBIA

SCALE: 1"=200'



CERTIFIED CORRECT ACCORDING
TO VANCOUVER LAND REGISTRY
OFFICE RECORDS

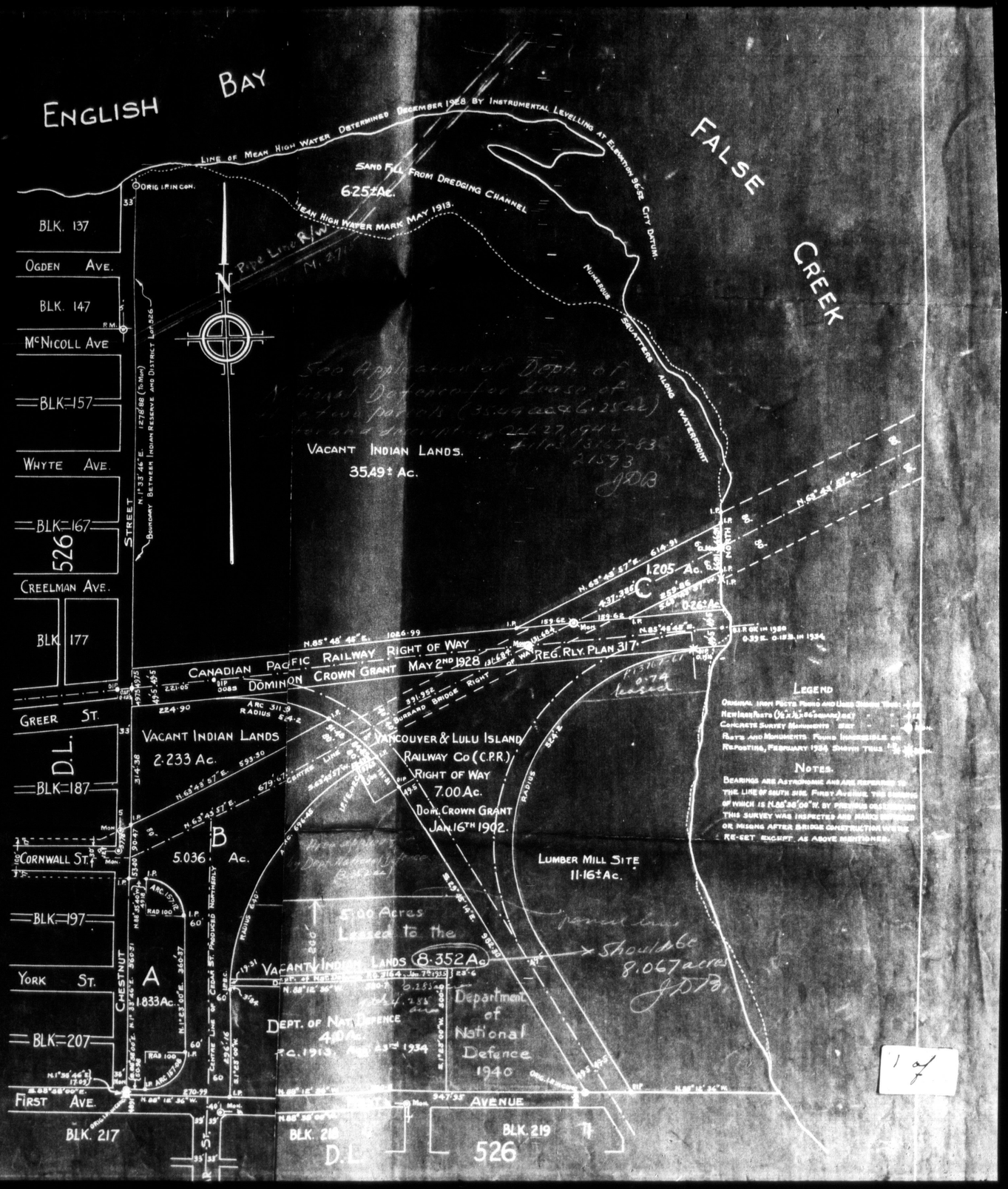
J. Alex. L. Walker ... B.C.L.S.

DATE: ... May. 27TH 1947 ...

COMPILED PLAN OF KITSILANO I R Nº 6. Vancouver B.C.

Scale: 1 in. = 200 feet.

COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



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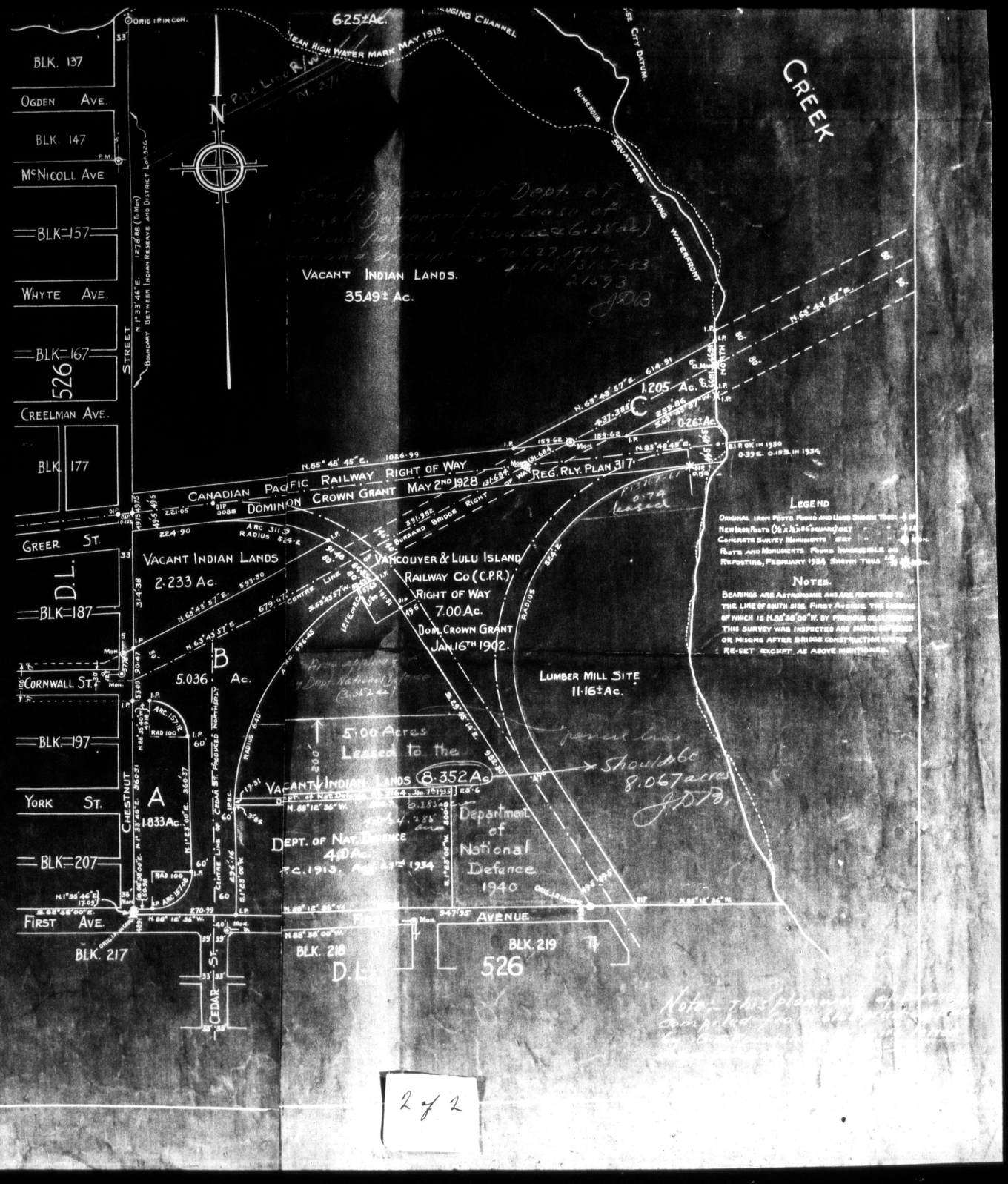
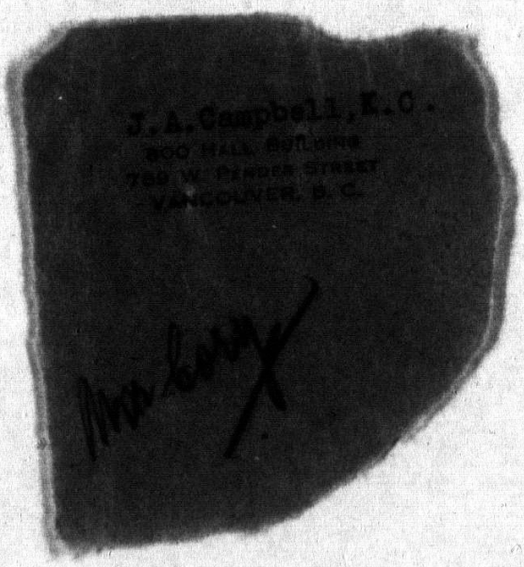
Scale: 1 in. = 200 feet.

COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



2 of 2

Drawer 3



Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ADDRESS REPLY TO:
HYDROGRAPHIC AND MAP SERVICE

All accretions [illegible]
[illegible]

QUOTE FILE 21593.

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
SURVEYS AND ENGINEERING BRANCH
Labelle Bldg.

OTTAWA December 6, 1946

Memorandum:

D.J. Allan, Esq.,
Indian Affairs Branch.

Attention - Mr. McCrimmon.

In compliance with your verbal request, we have reviewed the "draft copy" of the proposed Order in Council germane to the conveyance of the reversionary rights of the Province of British Columbia to the Dominion in Kitsilano Indian Reserve No.6 which draft copy was forwarded with letter dated November 19th from the Minister of the Provincial Department of Lands and Forests. In connection with this review, we submit the following:

(1) In the third paragraph of the "draft" the reserve is stated to contain 80 acres, more or less, and that all rights, interest, etc. reversionary or otherwise therein will be conveyed to the Dominion. The acreage (80 acres) is shown on our copy of the plan of the original survey of the reserve by Wm.S. Jemmett, 1880-81 which is of record number L.231 in this Department. Since that date a portion of the foreshore along English Bay and False Creek has been built up with a sand fill by dredging operations. It is assumed that this work may have been done by the Harbour Board as the Harbour headline runs up the aforesaid bodies of water. The area so built up by the year 1930 according to a plan of survey prepared by G.F. Fontaine, B.C.L.S. in 1930, apparently for the Engineer's Office of the City of Vancouver and from which our Compiled Plan No.900 was prepared comprises 6.25 acres. The total area of the Reserve according to this plan is 86.439 acres. (Blue prints of Mr. Fontaine's plan are attached to your file 28835-3B with letters dated October 9th and October 18th, 1934. A photostat copy of our plan B.C.900 is also enclosed).

The question now arises as to whether this artificially built-up land (6.25 acres) is legally part of the reserve. Your files apparently contain no information to show that it has ever been set up as such. It is therefore apparent that its status should be investigated. In this connection it should also be ascertained whether the Harbour Board (if it built up this area) has any legal rights to it.

Further, it is our opinion if no plan is referred to in the Provincial Order in Council that the phraseology relating to the land to be transferred, should specifically cover all the land south and southwest of English bay and False creek including all artificially built-up land. If the area 80 acres is allowed to stand in the Order-in-Council when it is known that the area is 86.437 acres according to Mr. Fontaine's plan, it could be claimed in a court of law that the difference between these two areas which represents the built-up area was not included in the conveyance. To avoid any possible cloud in the title

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

granted this Department this point should be cleared up because the question of the ownership of the built-up land may arise when this Department undertakes to convey it.

At the present time we have no legal plan of the reserve according to Mr. Fontaine's survey, and it would therefore appear if the Provincial Government is not prepared to grant title covering all built-up land that it should be ascertained how Mr. Fontaine's plan could be used for basing title on it and whether the plan would be accepted by the Registrar of Titles. It is assumed that Mr. Fontaine's plan is filed in the City Engineer's office of the City of Vancouver and that a copy of it has not been filed in the Land Registry office.

The schedule of Indian Reserves in B.C. gives the present area of the unalienated portion of the reserve as 63.745 acres; we find that the area should be 63.46 acres. Apparently the area 0.285 for the parcel of land conveyed to the Department of National Defence by P.C.3164 dated January 7th, 1935 had been overlooked at the time of the preparation of the schedule.

Your files 28835-3B and 28835-3 Vol.5 are returned herewith.

Encls.

F.H. Peters,
Surveyor General, and
Chief, Hydrographic Service.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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F.H. Peters,
Surveyor General, and
Chief, Hydrographic Service.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

Approved and ordered this day of A.D. 19

At the Executive Council Chamber, Victoria, Lieutenant-Governor.

PRESENT:

The Honourable Mr.
Mr.
Mr.
Mr.
Mr.
Mr.

TO HIS HONOUR
The Lieutenant Governor in Council:

The undersigned has the honour to report:

THAT Order in Council No. 91, approved January 31st, 1928, authorized the conveyance of all the right, title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in Kitsilano Indian Reserve No. 6, New Westminster Agency, to His Majesty the King in the right of the Dominion of Canada, upon payment of the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00);

THAT the said sum of Three Hundred and Fifty Thousand Dollars ($350,000.00) has now been paid;

AND TO RECOMMEND:

THAT under authority of subsection 2 of Section 93, Chapter 144, Revised Statutes of British Columbia, 1936, all the right, title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in Kitsilano Indian Reserve No. 6, New Westminster Agency, more particularly described as Lot 3610, Group 1, New Westminster District, comprising 80 acres more or less (suggested amendment - "together with all accretions thereto, natural or otherwise") be conveyed to His Majesty the King in the Right of the Dominion of Canada, as represented by the Minister of Mines and Resources;

AND TO FURTHER RECOMMEND:

THAT a certified copy of this Minute, if approved, be transmitted to the Registrar, Land Registry Office, Vancouver, British Columbia, to the intent that such certified copy be accepted by him as a conveyance of the said land to His Majesty the King in the Right of the Dominion of Canada, as represented by the Minister of Mines and Resources, without further formal instrument of transfer;

AND TO FURTHER RECOMMEND:

THAT a certified copy of this Minute, if approved, be forwarded to the Indian Affairs Branch, Department of Mines and Resources, at Ottawa.

DATED this day of A.D. 1946.

.....
Minister of Lands and Forests.

APPROVED this day of A.D. 1946.

.....
Presiding Member of the Executive Council.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

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CANADA

Poor Copy

LEGAL DIVISION

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 13th December, 1946.

MEMORANDUM:

Mr. Allan.

Please see attached file 21593 re Kitsilano Reserve and would draw your particular attention to the memorandum of the 6th instant from the Surveyor General on this subject.

Legally, the accretions caused artificially are in the Crown (Dominion) by reason of the fact that Kitsilano borders on a Federal harbour. I drew this to Mr. Jackson's attention but he was of opinion that we should have something in our conveyance whereby the Province releases its interest to the accretions, natural or otherwise, as well as releasing its interest to the Kitsilano Reserve proper. It is, therefore, suggested that the following words be inserted in the draft proposed Executive Order of the Province -"together with all accretions thereto, natural or otherwise". I have written these in in this proposed draft in ink and have initialled them.

I would further particularly draw your attention to the question raised by the Surveyor General as to whether the Harbour Board, if it added accretions to the Reserve by dumping fill, has any rights to this accretion. All lands held by the Harbour Board are vested in His Majesty in right of Canada and the Board may possibly lay claim to such accretions. This is a matter, however, that may be settled following the conveyance from the Province to the Dominion of all the right, title, and interest of the Crown in the right of the Province of British Columbia, reversionary or otherwise, in the said Kitsilano Indian Reserve.

The Minister is anxious to have this title conveyed by the Province at the earliest possible date.

Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy for I.A.Br.

Ottawa, 14th December, 1946.

Dear Mr. Kenney -

I wish to thank you for your letter of the 19th ultimo enclosing draft copy of the proposed Executive Order conveying Kitsilano Indian Reserve No. 6 to the Dominion. This proposed draft has been examined and is satisfactory.

The Surveyor General, in examining this draft, advises that possibly the proposed wording in your draft conveyance might not cover any accretions that may have accrued to the foreshore of this reserve, consequently I suggest that the following words "together with all accretions thereto, natural or otherwise" be included in the Executive Order of your Government.

I am returning herewith the draft submitted in your said letter of the 19th November last wherein this suggested amendment is indicated. Please advise me if this is satisfactory.

APPROVED
[signature]
LEGAL DIVISION

Yours very truly,

[signature]

for Deputy Minister.

The Honourable E. T. Kenney,
Minister of Lands and Forests,
Victoria, B.C.

When conveyance made - send cheque to the Province - pursue proposals to sell
(a) to Sicks Brewery Co.
(b) to the City of Vancouver - ext. for RCA 7.
(c) Sales of remaining parcels according to demand

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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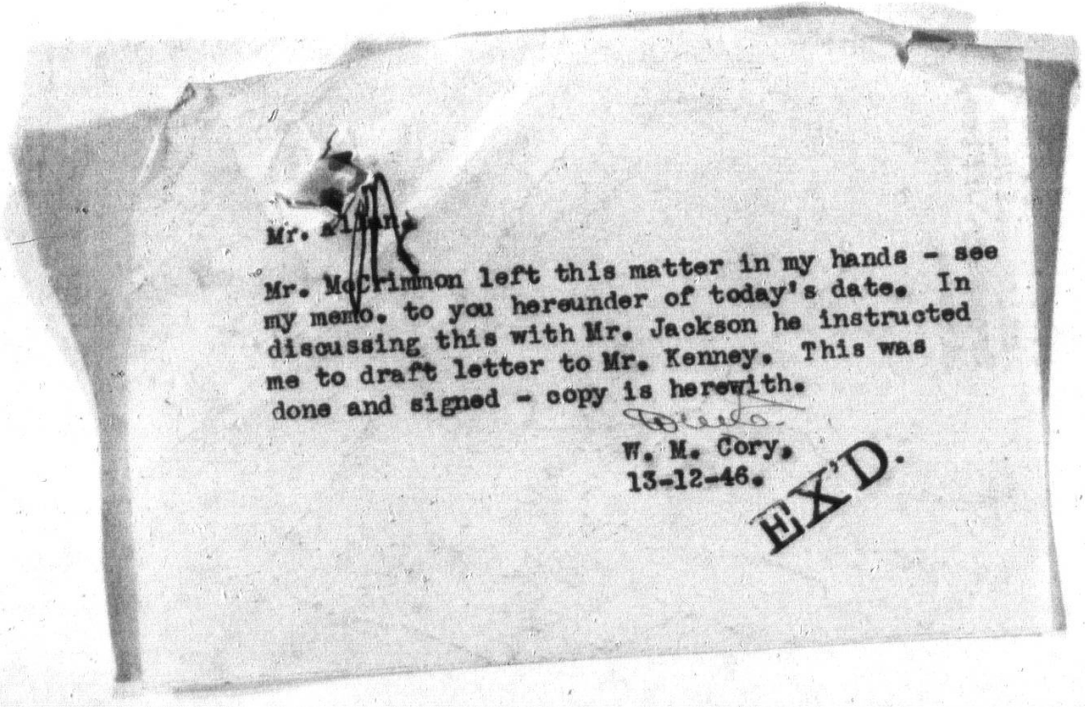
CANADA



Mr. [illegible]

Mr. McCrimmon left this matter in my hands - see my memo. to you hereunder of today's date. In discussing this with Mr. Jackson he instructed me to draft letter to Mr. Kenney. This was done and signed - copy is herewith.

W. M. Cory.
13-12-46.

EX'D.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28835-A

OTTAWA, January 27th, 1947.

Dear Mr. Kenney:

I wish to refer to my letter of December 14th last with which I returned a draft copy of the proposed Executive Order conveying Kitsilano Indian Reserve No.6 to the Dominion and suggested a slight amendment which would ensure that any accretion to the foreshore of the said Reserve would be included in the conveyance.

As the funds for the acquisition of this land were made available to us only for the present fiscal year we are most anxious that the transaction be completed before March 31st next and I would be very pleased to have your assurance that the matter will be expedited and that title will be transferred to the Dominion prior to the date aforesaid.

Yours very truly,

for Deputy Minister.

The Honourable E.T. Kenney,
Minister of Lands and Forests,
Victoria, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28835-3 (R.2)

OTTAWA, January 27th, 1947.

Dear Mr. Kenney:

I wish to refer to my letter of December 14th last with which I returned a draft copy of the proposed Executive Order conveying Kitsilano Indian Reserve No.6 to the Dominion and suggested a slight amendment which would ensure that any accretion to the foreshore of the said Reserve would be included in the conveyance.

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Yours very truly,

for Deputy Minister.

The Honourable E.T. Kenney,
Minister of Lands and Forests,
Victoria, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
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CANADA

"B.F." SLIP

"B.F."

FOR

Date Feb. 24/47

Initials F Brown H.A.D.

R 2059

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28835-3 (R.2)

To be returned to Indian Affairs Branch
when signed.

OTTAWA, January 27th, 1947.

Department of Mines & Resources
Indian Affairs Branch
JAN 28 1947
REGISTERED

E & O'D.

Dear Mr. Kenney:

I wish to refer to my letter of December 14th last with which I returned a draft copy of the proposed Executive Order conveying Kitsilano Indian Reserve No.6 to the Dominion and suggested a slight amendment which would ensure that any accretion to the foreshore of the said Reserve would be included in the conveyance.

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Yours very truly,

for Deputy Minister.

The Honourable E.T. Kenney,
Minister of Lands and Forests,
Victoria, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Vancouver Sun
24 January 1947

Vancouver Sun
24 January 1947

Indian Land Price High Says Miller

Acting-Mayor George C. Miller declared Thursday that $400,000 would be "an outrageous price" to pay for the westerly 40 acres of Kitsilano Indian Reserve

He was commenting oupon the offer made by Veterans' Affairs Minister Ian Mackenzie to R. Rowe Holland, Park Board chairman, to turn the property over to the city for 10 equal payments of $40,000, without interest.

Tuesday, the Park Board passed a resolution urging City Council to accept the offer. In announcing this fact to the press, Mr. Holland said he had no doubt that alderman would be enthusiastic about the deal. But the $400,000 price tag has dampened the enthusiasm of Acting-Mayor Miller, who is also chairman of City Council's finance committee.

"Mind you," the acting mayor explained, "I'm not opposed to the city acquiring the Kitsilano Reserve. I think it's a good idea. I'm merely opposed to the price that has been quoted."

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

Victoria Times
23 January
1947

Will Sell Indian Reserve Property

Victoria Times 23 Jan. 1947

VANCOUVER (CP)—R. Rowe Holland, head of the Vancouver Parks Board, announced Wednesday that the Federal government will sell 40 acres of the Kitsilano Indian Reserve to Vancouver for $400,000. The parks board decided to ask City Council to make the purchase provided payments could be made in 10 interest-free installments over a period of 10 years. Another condition was that the R.C.A.F., which has been paying a yearly rent of $5,000, would vacate within three years from the time war ended under terms laid down by City Council.

E/A'D.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.5)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Affairs.
Headquarters Files

(RG 10, Volume 7798)

File 29167-5-3	5	New Westminster Agency - Sale of portion of Kitsilano Reserve and dispute between the City of Vancouver, the Province of British Columbia and the Federal Government (clippings and maps enclosed). 1928 - 1947
File 29167-5-3	6	New Westminster Agency - Sale of portion of Kitsilano Reserve and dispute between the City of Vancouver, the Province of British Columbia and the Federal Government (clippings, maps and photos enclosed). 1947 - 1948
File 30001	1	Canada - Issuing of permits and licenses to cut timber on Indian Reserves throughout Canada, and regulations governing the cutting of timber on reserves (detailed estimate of timber on reserves 1923, maps and clippings). 1903 - 1936
File 30001	2	Canada - Issuing of permits and licenses to cut timber on Indian Reserves throughout Canada, and regulations governing the cutting of timber on reserves (detailed estimate of timber on reserves 1923, maps, clippings). 1937 - 1944

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

FILE NO. 28835-3 VOL.6 VOL.5 CLOSED

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

CLOSED ENCL.

CENTRAL REGISTRY	P.A. or B.F.	DATE	INITIALS	REFERRED TO	FOR REMARKS (If purpose for which referred cannot be expressed on one line, add minute to file, and enter here "With Minute")	INITIALS	DATE

FILE NO.

SURVEYS & RESERVES KITSILANO INDIAN RESERVE

VANCOUVER

28835-3 VOL.6 VOL.5 CLOSED

R 8073

DO NOT WRITE BELOW THIS LINE

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3, Pt.6)

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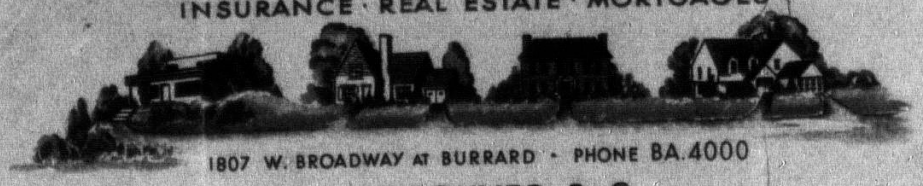
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Campbell & Pound Limited

INSURANCE · REAL ESTATE · MORTGAGES



1807 W. BROADWAY AT BURRARD · PHONE BA.4000

VANCOUVER, B. C.

January 30th, 1947

Mr. D. M. McKay,
Indian Commissioner for British Columbia,
P.O. Box 79,
Vancouver, B.C.

Dear Mr. McKay:

We wrote you in September last, saying we had Bekins Company interested in a portion of the Indian Reserve property east of Burrard Street.

I do not believe this Company is now interested, but we have another client who would be very interested in knowing your selling price on the whole site East of Burrard Street Bridge that might be for sale.

Yours very truly,

CAMPBELL & POUND LTD.

Per: Cyril Flack

(Cyril Flack)

CF:FW

MEMBER:- VANCOUVER REAL ESTATE EXCHANGE

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-6455
ALSO TO DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

P.O. BOX 70
VANCOUVER, B.C. February 3, 1947

Indian Affairs Branch, Dept. of Mines & Resources,
Ottawa.

Re: Kitsilano Indian Reserve
Your file 28835-3 (R.2)

With reference to my letter of September 28th I am enclosing a further communication from Campbell & Pound Limited making inquiry on behalf of a client regarding the sale price of Kitsilano Indian Reserve East of the Burrard Bridge.

I have not replied to the Company's letter as I am not aware of the progress which has been made in clearing a way for the sale of the property.

D. M. MacKay,
Indian Commissioner for B.C.

-mh
enc.

Dept. of Mines & Resources
Indian Affairs Branch
FEB 5 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

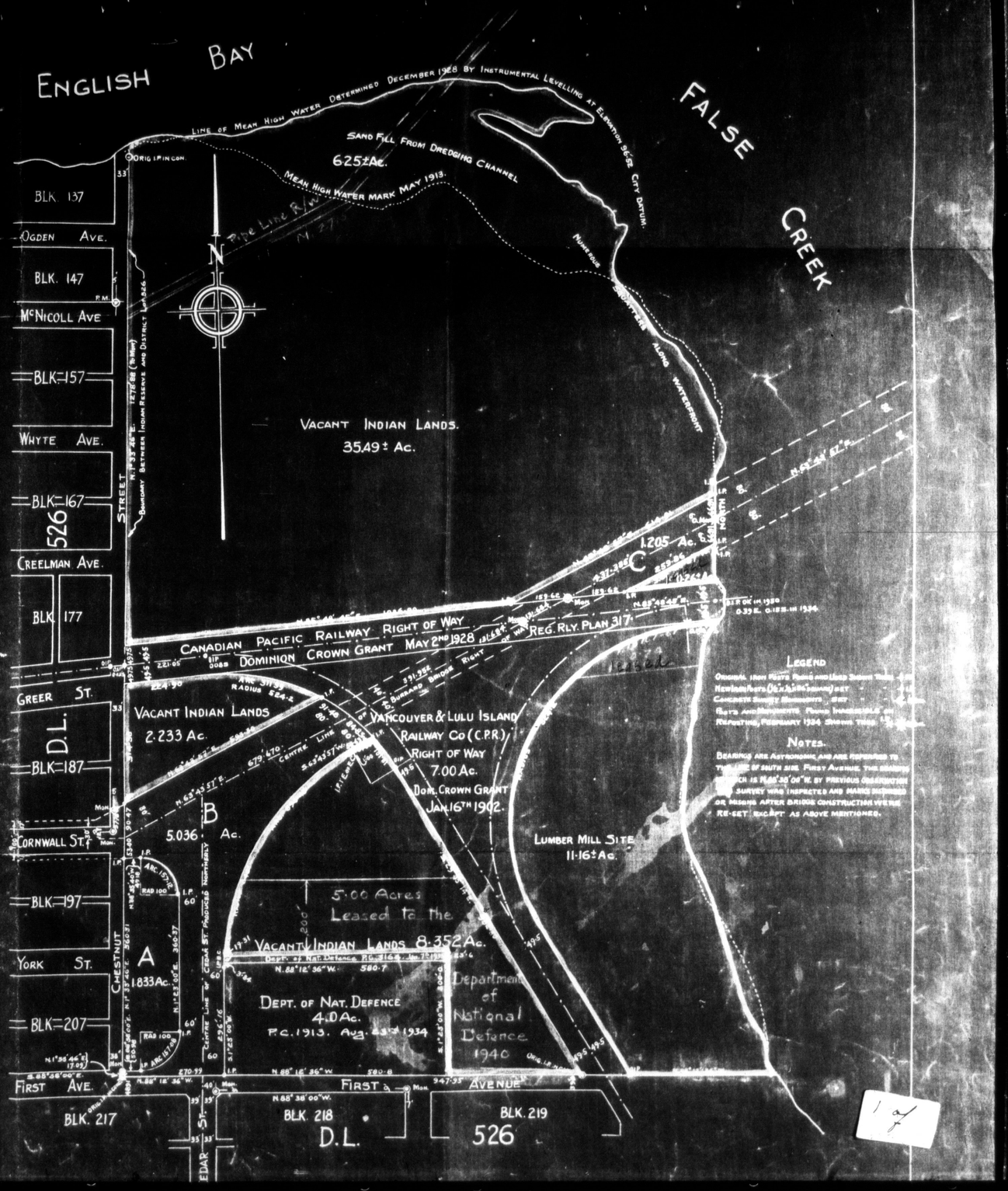
Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COMPILED PLAN OF KITSILANO I R Nº 6. Vancouver B.C.

Scale: 1 in. = 200 feet.

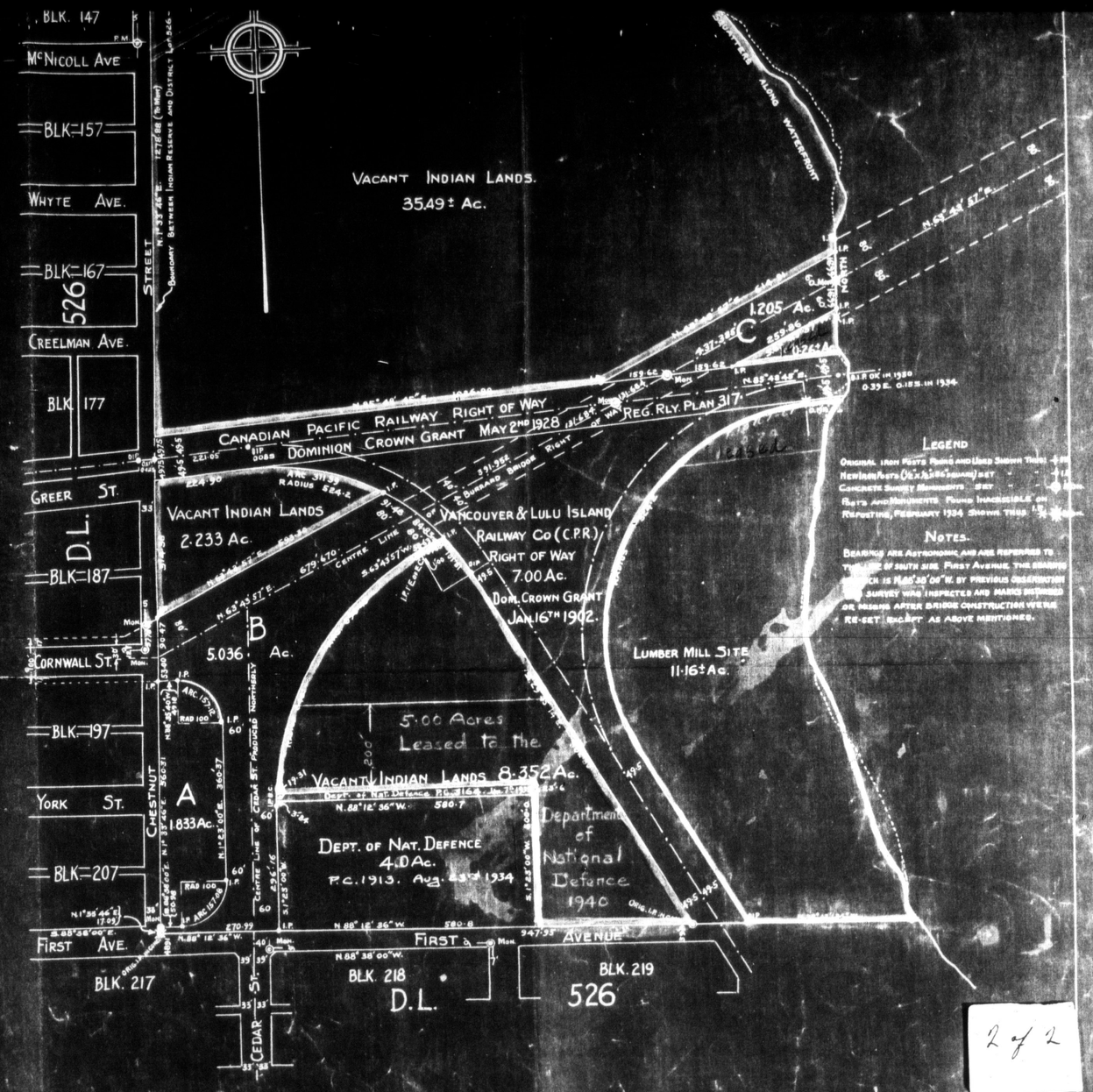
COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



PLAN OF KITSILANO I R Nº 6. Vancouver B.C.

Scale: 1 in. = 200 feet.

COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



2 of 2

PLAN B.C. 900.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Kitsilano Indian Reserve No 6
Squamish Band
NORTH WESTERLY PORTION
35.49 Acres
6.25 Acres
HARBOUR
HEADLINE
False Creek
Bute St.
Beach Ave
Thurlow St.
Pacific St.
Burrard St.
Hornby St.
Howe St.
Granville St.
BRIDGE
BURRARD
0.26 Acres
C.P.R. Rly.
Chestnut St.
B
2.33 Acres
Railway 2.1 Ac.
SOUTH WESTERLY PORTION
7.96 Acres
SOUTH EASTERLY PORTION
9.1 Acres
Duranleau
GRANVILLE
Johnston
BRIDGE
N
1 of

NORTH WESTERLY PORTION
35.49 Acres

BURRARD BRIDGE

0.26 Acres

C.P.R. Rly

Chestnut St.

B
2.33 Acres

SOUTH WESTERLY PORTION
7.96 Acres

SOUTH EASTERLY PORTION
9.1 Acres

Railway 2.1 Acres

CITY OF VANCOUVER C
1.893 Acres

ARMOURY
4.29 Acres

1ST Ave

2ND Ave

3RD Ave.

Howe St.

Granville St.

BRIDGE

Duranleau St.

GRANVILLE

Johnston St.

Anderson St.

GRANVILLE St.

ISLAND

Cartwright St

2 of 2

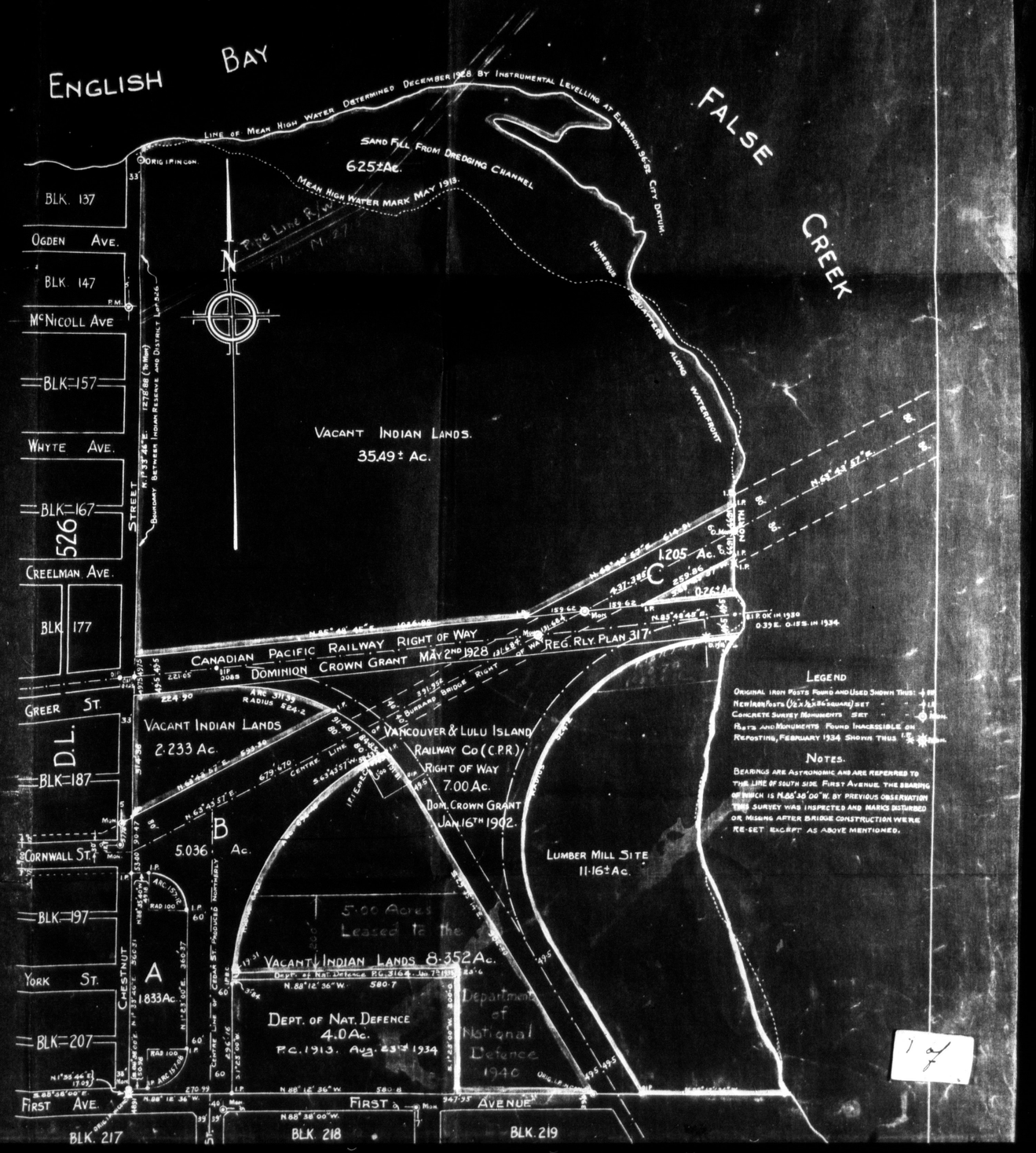
Scale 1" = 200'

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COMPILED PLAN OF KITSILANO I R Nº 6. Vancouver B.C.

Scale: 1 in. = 200 feet.

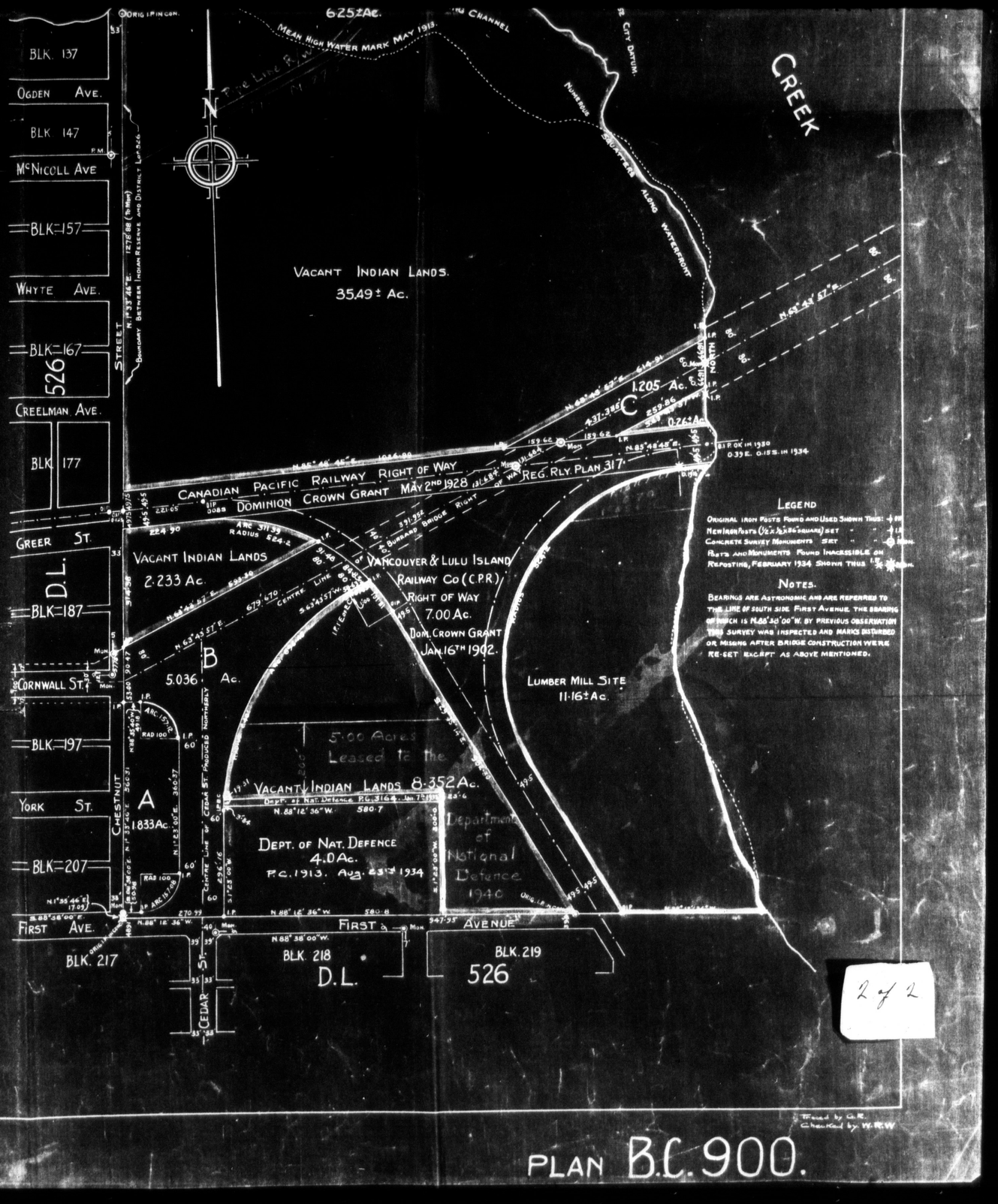
COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



COMPILED PLAN OF KITSILANO I R No 6. Vancouver B.C.

Scale: 1 in. = 200 feet.

COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



2 of 2

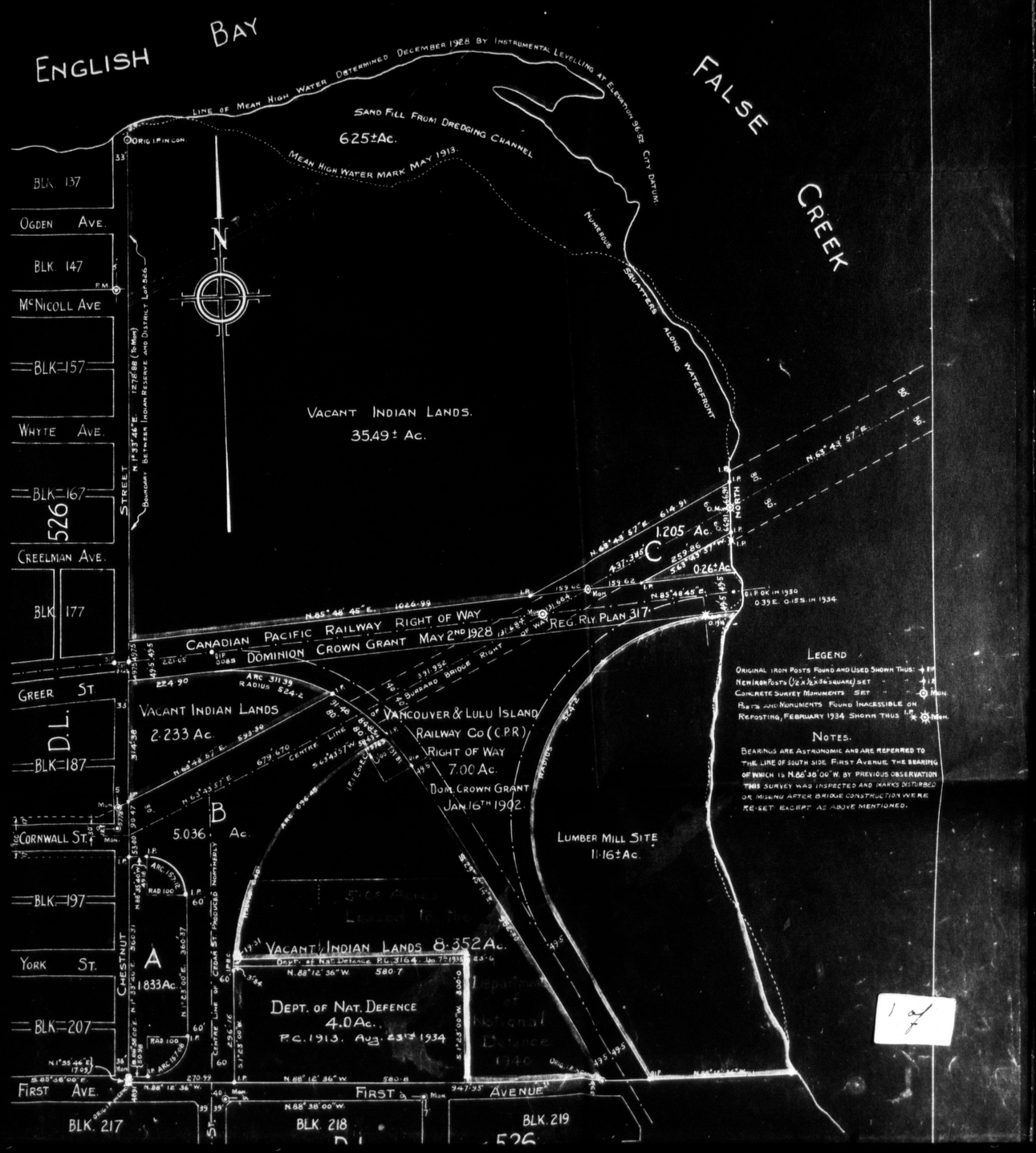
Traced by G.R.
Checked by W.R.W

PLAN B.C. 900.

COMPILED PLAN OF KITSILANO I R Nº 6. Vancouver B.C.

Scale: 1in. = 200 feet.

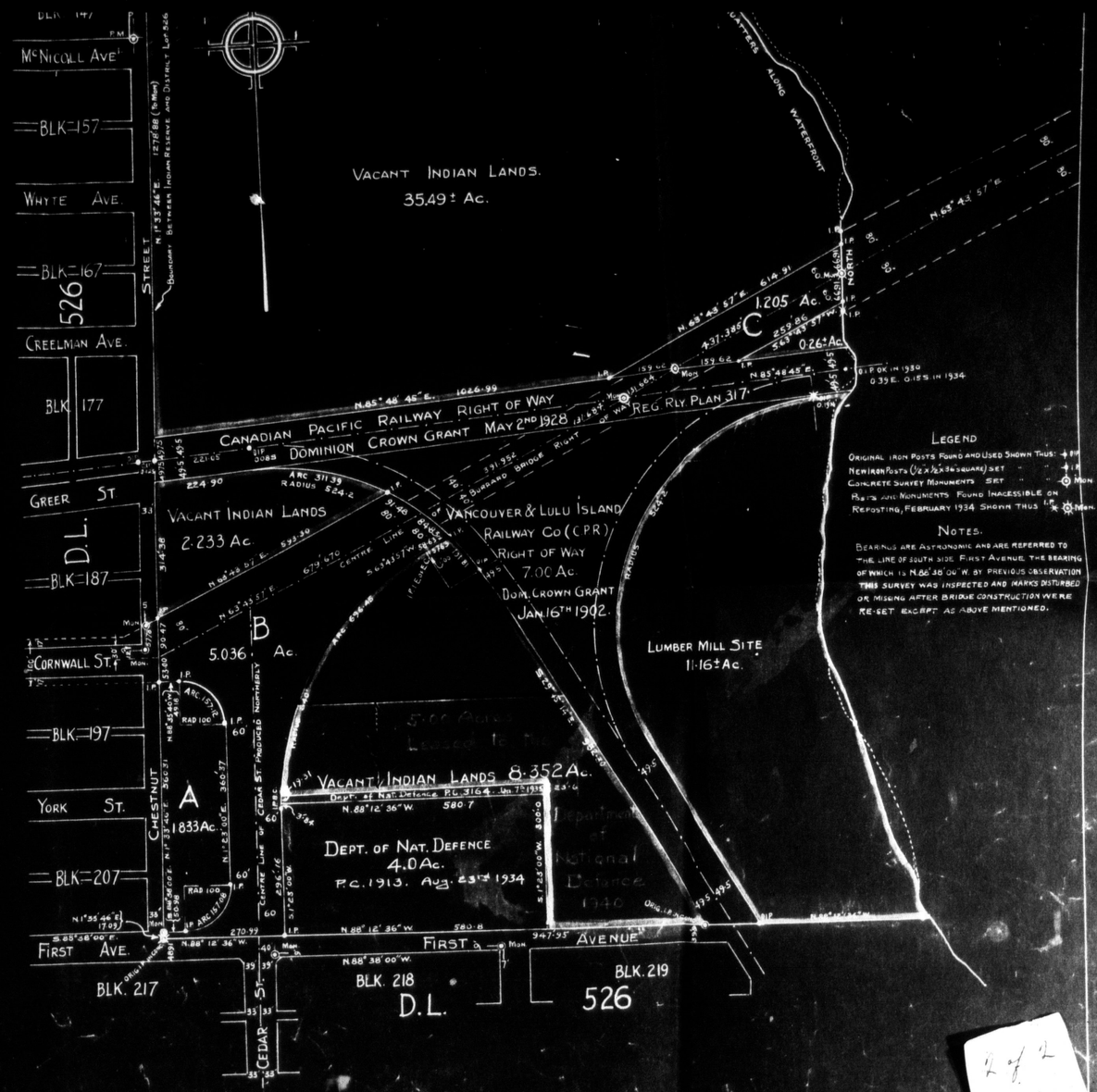
COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



PLAN OF KITSILANO I R No. 6. Vancouver B.C.

Scale: 1 in. = 200 feet.

COMPILED FROM PLANS RECORDED IN DEPT. OF IND. AFFAIRS.



2 of 2

Traced by G.R.
Checked by W.R.W.

PLAN B.C. 900.

BC Drawer 3

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY

DEPARTMENT OF MINES AND RESOURCES

Ottawa, February 5, 1947.

Dear Mr. Campbell,-

In the event of the Dominion Government being able to complete a satisfactory sale to the City of Vancouver of that portion of the Kitsilano Reserve north-west of the approaches to the Burrard Street bridge, I am prepared to recommend to my colleagues that the parcel - approximately eight acres - lying to the south-east of the said bridge, and roughly shown in red on the attached plan, be sold immediately to the Sick's Capilano Brewery Limited for the sum of $10,000 an acre, subject to the restrictions placed thereon by the Town Planning Commission of Vancouver.

It is understood, of course, that the proposed sale would be conditional to the Province transferring to the Dominion its reversionary interest in this Reserve.

Yours sincerely,

(Sgd.) J. Allison Glen,

...R. Campbell, Esq., K.C.,
VANCOUVER, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

28835 3

Department of Mines and Resources

OFFICE OF THE DEPUTY MINISTER

Memorandum to: Mr. Hoey:

Re - Kitsilano Reserve

Will you please note the attached copy of letter which the Minister wrote to Mr. J.A. Campbell, K.C., of Vancouver in reference to the proposed sale of part of the Reserve to his clients, the Sick's Capilano Brewery Limited.

For your information I might state that the Right Honourable Mr. Mackenzie discussed the proposed sale of the Park area with the Council of the City of Vancouver, the suggested purchase price being $400,000. It is expected that a formal offer from the City to purchase will be made in the near future.

Department of Mines & Resources
Indian Affairs Branch
FEB 11 1947
REGISTERED

C.W. Jackson,
Chief Executive Assistant.

February 10, 1947.

Encl.

R 1765

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28832-3

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF LANDS AND FORESTS

OFFICE OF
THE DEPUTY MINISTER OF LANDS
VICTORIA, B.C.

Department of Mines & Resources
OTTAWA.
FEB 12 1947
DEPUTY MINISTER.

February 4th,
1 9 4 7.

Deputy Minister,
Department of Mines
and Resources,
Ottawa, Canada.

File 52429

Dear Sir:

I have to acknowledge receipt of your letter of the 27th ultimo, in regard to Kitsilano Indian Reserve No. 6, and the draft copy of the Executive Order returned with your letter of December 14th last, covering the conveyance of said Indian Reserve to the Dominion.

This matter is receiving attention and you will be advised in respect thereto, at the earliest possible date.

Yours truly,

Department of Mines & Resources
Indian Affairs Branch
FEB 12 1947
REGISTERED

REB:BL

Deputy Minister of Lands.

72-11-40

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

REQUISITION FOR ENCUMBRANCE CERTIFICATE

DEPARTMENT OF MINES AND RESOURCES—INDIAN AFFAIRS BRANCH

NOT VALID UNLESS SIGNED BY THE REPRESENTATIVE OF THE TREASURY

REQUISITIONS WILL BE NUMBERED IN ONE GENERAL SEQUENCE IN THE ACCOUNTS BRANCH

BRANCH Indian Affairs DATE Feb. 21, 1947

ACCOUNTS BRANCH
E. R. No. 816
QUOTE THIS No. ON ALL VOUCHERS

VOTE No. 72 YEAR 1946-1947

PRIMARY AND SUB ALLOTMENT 11-401 AGENCY

TO THE COMPTROLLER OF THE TREASURY:—
AN ENCUMBRANCE CERTIFICATE IS REQUESTED FOR THE SERVICE ARTICLES DETAILED BELOW.

FILE No 28835-3 (R.2)

DESCRIPTION OF CONTRACT, AGREEMENT OR UNDERTAKING IN RESPECT OF WHICH THE ENCUMBRANCE IS SOUGHT. (ATTACH EXPLANATORY DOCUMENTS IF, AND WHEN, NECESSARY)	ESTIMATED EXPENDITURE
To acquire the reversionary interest of the Province of British Columbia in Kitsilano Indian Reserve No. 6 as authorized by P.C. 318 February 27th, 1928.	$350,000 00

DATE OF INVOICE	INVOICE OR VOUCHER No.	PAYEE	DETAILS	AMOUNT

INDIAN AFFAIRS BRANCH

RECOMMENDED
HEAD OF BRANCH

APPROVED
DEPUTY MINISTER

TREASURY CERTIFICATE

CERTIFIED AS REQUIRED BY SECTION 29 (1) OF THE CONSOLIDATED REVENUE AND AUDIT ACT

VERIFIED AND ENTERED
LEDGERKEEPER

FOR COMPTROLLER OF THE TREASURY

FINAL ADJUSTMENT

	DEBIT	CREDIT
AUTHORIZED		
EXPENDED		
ADJUSTMENT		

POSTED
LEDGERKEEPER

Form No. I.A. 528
R. 2369

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C.T. 17A
100,000—5-46

REQUISITION FOR CHEQUE

TO BE USED FOR ADVANCES OR AUTHORIZED PAYMENTS FOR WHICH THERE ARE NO ACCOUNTS

DEPT. NO.

FILE NO. 28835-3 (R2

DEPARTMENT Mines and Resources

TREAS. NO.

BRANCH Indian Affairs DATE February 21st, 1947.

APPLICATION IS HEREBY MADE FOR THE ISSUE OF THE FOLLOWING CHEQUE OR CHEQUES:—

CHEQUE No.	IN FAVOUR OF	AMOUNT
	Comptroller General of British Columbia	$350,000. 00
	U R G E N T	
	Cheque to be handed to Mr. L. Brown, Room 604, Booth Bldg., Ottawa.	

AUDITED FOR PAYMENT FEB 21 1947 Treasury Office D.A. BRANCH

STATE BELOW, WITH DETAILS IN EVERY CASE, WHETHER (a) STANDING ADVANCE, (b) ADVANCE FOR SPECIFIC JOURNEY—ESTIMATING NUMBER OF DAYS, (c) OTHER ACCOUNTABLE ADVANCE, OR (d) AUTHORIZED PAYMENT.

To acquire the reversionary interest of the Province of B.C. in Kitsilano Indian Reserve No.6 as authorized by P.C. 318 February 27th, 1928.

CHARGE TO
VOTE 72 ENC. No.
ALLOTMENT
SUB-ALLOTMENT 11-401

I CERTIFY THAT THIS APPLICATION IS MADE UNDER THE REQUISITE AUTHORITY, AND THAT THE EXPENDITURE IS NECESSARY IN THE INTERESTS OF THE PUBLIC SERVICE.

HEAD OF BRANCH

TREASURY OFFICE APPROVAL

R. A. HOEY
DEPUTY HEAD

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

MEMORANDUM

Letter signed by Hon J.H. Glen to Solicitor Joe Sicks Brewery

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

Approved and ordered this day of A.D. 194

At the Executive Council Chamber, Victoria, Lieutenant-Governor.

PRESENT:

The Honourable
Mr.
Mr.
Mr.
Mr.
Mr.
Mr.
Mr.
Mr.
Mr.
Mr.
Mr.

TO HIS HONOUR
THE LIEUTENANT GOVERNOR IN COUNCIL:

The undersigned has the honour to report:

THAT Order in Council No. 91, approved January 31st, 1928, authorized the conveyance of all the right, title and interest of the Crown in the right of the Province of British Columbia, reversionary or otherwise, in Kitsilano Indian Reserve No. 6, New Westminster Agency, to His Majesty the King in the Right of the Dominion of Canada, upon payment of the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00);

THAT the said sum of Three hundred and Fifty Thousand Dollars ($350,000.00) has now been paid;

AND TO RECOMMEND:

That under authority of Subsection 2 of Section 93, Chapter 144, Revised Statutes of British Columbia, 1936, all the right, title and interest of the Crown in the right of the Province of British Columbia, reversionary or otherwise, in Kitsilano Indian Reserve No. 6, New Westminster Agency, more particularly described as Lot 3610, Group 1, New Westminster District, comprising 80 acres more or less, together with all accretions thereto, natural or otherwise, which have accrued to the said Lot at the date of the approval of this Minute of Council, be conveyed to His Majesty the King in the Right of the Dominion of Canada, as represented by the Minister of Mines and Resources;

AND TO FURTHER RECOMMEND:

That a certified copy of this Minute, if approved, be transmitted to the Registrar, Land Registry Office, Vancouver, British Columbia, to the intent that such certified copy be accepted by him as a conveyance of the said land to His Majesty the King in the right of the Dominion of Canada, as represented by the Minister of Mines and Resources, without further formal instrument of transfer;

AND TO FURTHER RECOMMEND:

That a certified copy of this Minute, if approved, be forwarded to the Indian Affairs Branch, Department of Mines and Resources, Ottawa.

Dated this day of A.D. 1947.

.....
Minister of Lands and Forests.

APPROVED this day of A.D. 1947.

.....
Presiding Member of the Executive Council.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

DEPARTMENT OF LANDS AND FORESTS

Office of

The Deputy Minister of Lands.

Victoria, B.C.,
February 18th, 1947.

Deputy Minister,
Department of Mines and Resources,
Ottawa, Ont.

File 52429 #2.

Dear Sir -

Further to your letter of the 27th ultimo and my reply of the 4th instant regarding the conveyance of Kitsilano Indian Reserve No. 6, New Westminster Agency, herewith is a re-draft of the proposed former conveyance providing for the inclusion of all accretions thereto, natural or otherwise, as requested in your letter of the 14th of December last. You will note that we have provided that such accretions shall be as at the date of the approval of the Minute of Council.

Upon receipt of the consideration we are prepared to submit this order for the approval of the Executive Council.

Yours very truly,

(sgd) Geo. P. Melrose,

Deputy Minister.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

OFFICE [illegible]E
DEPUTY [illegible]TER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Miss Hadden
to note
R. D.

Ottawa, [illegible] February, 1947.

Department of Mines & Resources
Indian Affairs Branch
FEB 21 1947
REGISTERED

MEMORANDUM:

Mr. Hoey.

Attached hereto please find copy of draft Executive Order in re Kitsilano Indian Reserve No. 6, together with a copy of a letter dated the 18th instant from George P. Melrose, Deputy Minister of the Department of Lands and Forests, British Columbia.

As this proposed conveyance is now satisfactory in form it would be appreciated if you would have a cheque in the amount of $350,000.00 sent to me immediately for transmission to the Province. As you are aware this is a matter of some urgency and I would like to send this cheque to the Province as soon as possible.

[signature]

Chief Executive Assistant.

Mr Hoey

In order to expedite this - Mr Jackson suggests you prepare letter for his signature to Geo. P. Melrose. Deputy Minister of Lands B.C.

[illegible]

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28835-3 (R.2)

To be returned to Indian Affairs Branch
when signed.

OTTAWA, February 21st, 1947.

Mines & Resources
Indian Affairs Branch
FEB 24 1947
REGISTERED

George P. Melrose, Esq.,
Deputy Minister,
Department of Lands and Forests,
VICTORIA, B.C.

Dear Mr. Melrose:

I have for acknowledgment your letter of February 18th enclosing for our consideration a redraft of the proposed formal conveyance transferring to the Dominion of Canada the reversionary interest of the Province of British Columbia in Kitsilano Indian Reserve No.6.

The redraft was quite satisfactory to us and I, therefore, have pleasure in enclosing herewith a cheque in favour of the Comptroller General, Province of British Columbia, in the amount of $350,000.00 and will expect to have you advise shortly that the conveyance has been approved by your Executive Council and to receive certified copies of the Minute of Council.

Yours very truly,

Chief Executive Assistant.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28835-3 (R.2)

OTTAWA, February 21st, 1947.

George P. Melrose, Esq.,
Deputy Minister,
Department of Lands and Forests,
VICTORIA, B.C.

Dear Mr. Melrose:

I have for acknowledgment your letter of February 18th enclosing for our consideration a redraft of the proposed formal conveyance transferring to the Dominion of Canada the reversionary interest of the Province of British Columbia in Kitsilano Indian Reserve No.6.

The redraft was quite satisfactory to us and I, therefore, have pleasure in enclosing herewith a cheque in favour of the Comptroller General, Province of British Columbia, in the amount of $350,000.00 and will expect to have you advise shortly that the conveyance has been approved by your Executive Council and to receive certified copies of the Minute of Council.

Yours very truly,

Chief Executive Assistant.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28835-3 (R.2)

OTTAWA, February 26th, 1947.

Major D.M. MacKay, Indian Commissioner, P.O. Box 70,
VANCOUVER, B.C.

E.K.D.

Re: Kitsilano Indian Reserve

I have for acknowledgment your letter of February 3rd enclosing further communication received by you from Campbell & Pound Limited with reference to the sale of the above noted Reserve.

Within the past few days we have forwarded to the Province of British Columbia the sum of $350,000.00 in consideration of their promise to convey the reversionary interest of the Province in Kitsilano Indian Reserve to this Department and when such conveyance has been received we will then be free to consider the sale of the property. How this will be done has not as yet been decided for as you are aware there are certain problems confronting us over and above the Province's reversionary interest and I can only suggest that you advise Campbell & Pound Limited that you are not in a position to state when the property will be open for sale.

It is noted that they believe they have a client who would be interested in acquiring the site east of the Burrard Street Bridge and if you could get some idea as to what they might be prepared to pay for the property per acre it would undoubtedly be of assistance to us when and if we formulate a sale plan.

D.J. Allan,
Superintendent,
Reserves and Trusts.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Norman P. Baker
Deputy Provincial Secretary.
~~DEPUTY CLERK OF EXECUTIVE COUNCIL~~

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

Certified Copy of a Minute of the Honourable the Executive Council, approved by His Honour the Lieutenant-Governor on the 4th day of March, A.D. 1947.

374.

To His Honour
The Lieutenant-Governor in Council:

The undersigned has the honour to report:

THAT Order-in-Council No. 91, approved January 31st, 1928, authorized the conveyance of all the right, title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in Kitsilano Indian Reserve No. 6, New Westminster Agency, to His Majesty the King in the Right of the Dominion of Canada, upon payment of the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00);

THAT the said sum of Three Hundred and Fifty Thousand Dollars ($350,000.00) has now been paid:

AND TO RECOMMEND that under authority of Subsection 2 of Section 93, Chapter 144, Revised Statutes of British Columbia 1936, all the right, title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in Kitislano Indian Reserve No. 6, New Westminster Agency, more particularly described as Lot 3610, Group 1, New Westminster District, comprising 80 acres more or less, together with all accretions thereto, natural or otherwise, which have accrued to the said Lot at the date of the approval of this Minute of Council, be conveyed to His Majesty the King in the Right of the Dominion of Canada, as represented by the Minister of Mines and Resources;

AND TO FURTHER RECOMMEND that a certified copy of this Minute, if approved, be transmitted to the Registrar, Land Registry Office, Vancouver, British Columbia, to the intent that such certified copy be accepted by him as a conveyance of the said land to His Majesty the King in the Right of the Dominion of Canada, as represented by the Minister of Mines and Resources, without further formal instrument of transfer;

AND TO FURTHER RECOMMEND that a certified copy of this Minute, if approved, be forwarded to the Indian Affairs Branch, Department of Mines and Resources, Ottawa.

DATED this 4th day of March, A.D. 1947.

"E.T. Kenney".

Minister of Lands and Forests.

APPROVED this 4th day of March, A.D. 1947.

"John Hart".

Presiding Member of the Executive Council.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

2P835-3

ADDRESS OFFICIAL COMMUNICATIONS TO
THE HON. [illegible] PROVINCIAL SECRETARY
[illegible] TO
THE DEPUTY [illegible]VINCIAL SECRETARY

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

OFFICE OF
PROVINCIAL SECRETARY
VICTORIA

March 5th, 1947.

R2

Department of Mines & Resources
Indian Affairs Branch
MAR 10 1947
REGISTERED

Sir:

In accordance with the instruction contained in Order-in-Council No. 374, approved by His Honour the Lieutenant-Governor in Council on the 4th instant, I beg to enclose herewith a certified copy of the same.

Yours truly,

Norman Baker
Deputy Provincial Secretary.

Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Canada.

/BK
Enc.

FW
Mr Collins
C.P.R. Manager
Industrial ~~Development~~
C.P.R. Montreal.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File No. 28835-3 (R.2)

April 29th, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

The undersigned has the honour to report:

THAT the attached surrender, dated the 17th April, 1946, has been duly executed in accordance with the provisions of the Indian Act by the Chief and principal men of the Squawish Band of Indians in order that the land hereinafter described may be sold for the benefit of the Indian Band.

The undersigned, therefore, recommends that the said surrender be and it is hereby accepted as provided by Section 51 (4) of the Indian Act, C. 98, R.S. 1927, and that he be and is hereby authorized to sell the said land subject to the conditions of the surrender and the provisions of the Indian Act.

Description

All and singular that certain parcel or tract of land and premises, situate, lying and being in the District of New Westminster and Province of British Columbia containing by admeasurement sixty-three acres and seven hundred and forty-five thousandths of an acre, be the same more or less, and being composed of all Kitsilano Indian Reserve (Squawish No.6).

Respectfully submitted,

Minister of Mines and Resources.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3.Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

April 29th, 1947.

PRECIS FOR CLERK OF THE PRIVY COUNCIL

Acceptance of surrender dated April 17, 1946, of 63.745 acres of land in Kitsilano Indian Reserve (Squamish No.6), by Squamish Band of Indians in order that the land may be sold.

Copies of Order in Council required by Indian Affairs Branch - one signed and three stamped.

Poor Copy

Indian Affairs. (RG 10, Volume [illegible], File [illegible] Pt.[illegible])

PUBLIC ARCHIVES
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CANADA

EXCLUSIVE CONNECTION

CANADIAN NATIONAL TELEGRAPHS

W M ARMSTRONG GENERAL MANAGER
TORONTO

CHECK	RECEIVERS NO.	TIME FILED	CHARGE TO DEPT. OR ADDRESS
			2883J

Veuillez expedier la dépêche suivante aux conditions mentionnées au verso auxquelles je consens par les présentes
Send the following message, subject to the terms on back hereof, which are hereby agreed to

Mr Hoey

Copy for the information of Mr. Hoey.

File

Ottawa, April 29, 1947.

J.A. Campbell, Esq., K.C.,
Hall Building,
Vancouver, B.C.

Reference your letter twentysixth authority now received to complete sale to your clients at ten thousand per acre STOP Suggest you forward draft legal description which will be satisfactory to Registry Office STOP Also forward authority from your clients to conveyance being made in the name of Royal Trust Company.

J.Allison Glen,
Minister.

Charge: Minister's Office,
Dept. of Mines and Resources.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

PEMBERTON REALTY CORPORATION LIMITED

Telephone Pacific 8241.

418 Howe Street
Vancouver, Canada.
April 30, 1947.

The Indian Agent,
325 Granville Street,
VANCOUVER, B. C.

Dear Sir:

With reference to our telephone conversation, kindly let me know if that part of the Kitsilano Indian Reserve is for sale or lease which is situated on the north side of Burrard Bridge, on the south side of the Kitsilano street car line, and on the east side of Chestnut Street. It would appear to contain a little over an acre.

Yours very truly,

PEMBERTON REALTY CORPORATION LIMITED,

"P. R. Burr"

P. R. Burr

PRB-JM

(CERTIFIED TRUE COPY)

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

[redacted] OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE_____

416 Federal Building,
Vancouver, B. C.

1st May, 1947.

D. M. MacKay, Esq.,
Indian Commissioner for B.C.
Vancouver, B.C.

I enclose two copies of a letter received from Pemberton Realty Corporation Limited with reference to sale or lease of a portion of Kitsilano Indian Reserve No.6.

As I have no present information about any negotiations for purchase of land on this Reserve, will you kindly advise me what to tell this applicant.

H E Taylor

(H. E. Taylor),
Indian Agent.

Encl.
AA.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

IN YOUR REPLY REFER TO
NO 33-14-7206
ALSO TO DATE OF THIS LETTER

R. 2

Air Mail

P.O. BOX 70
VANCOUVER, B.C. May 2, 1947.

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Your File 28835-3 (R.2)

With reference to Mr. Indian Agent Taylor's letter of May 1st and enclosure attached, this office is not in a position to supply the information requested with respect to the Kitsilano Indian Reserve.

I may say that following receipt of Mr. D. J. Allan's letter of February 26th I wrote to Campbell & Pound Ltd., asking for information with respect to the location and acreage of the particular parcel in which their client was interested and the price per acre which they would be prepared to offer, but received no reply. Campbell and Pound, however, recently asked for details with respect to survey of the reserve on which to base a legal description of a particular parcel which indicates that they may have had some correspondence with the Department at Ottawa. I would appreciate being advised what the position is with respect to the disposition of the Kitsilano Reserve.

-EW
Encl.

For D. M. MacKay,
Indian Commissioner for B.C.

Department of Mines & Resources
Indian Affairs Branch
MAY 5 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

29th April, 1947.

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL:

Authority to sell to His Majesty the King, as represented by the Minister of National Defence, approximately 41.387 acres of land and to the Royal Trust Company approximately 8.067 acres at the rate of $10,000.00 per acre, which said areas formerly comprised a portion of the Kitsilano Indian Reserve, British Columbia.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

D.L.'s Plan Can returned
a copy.

29th April, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT the Kitselano Indian Reserve, in the City of Vancouver, Province of British Columbia, set aside for the benefit of the Squamish Band of Indians, was surrendered for sale by the said Band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said surrender was duly accepted by Order of Your Excellency in Council on the day of April, 1947, P.C. No.

THAT an application to purchase a portion of the said surrendered reserve has been received from His Majesty the King, as represented by the Minister of National Defence; the land so applied for has been occupied by His said Majesty for some years under licence from the undersigned. The land applied for comprises an area of approximately 41.307 acres and the offer to purchase is at the rate of Ten Thousand Dollars ($10,000.00) per acre;

THAT an application to purchase an area of approximately 8.067 acres of the said land has also been received from the Royal Trust Company which offer is at the same rate, viz., Ten Thousand Dollars ($10,000.00) per acre;

THAT an appraisal of the said lands has recently been made by reputable appraisers and the offers to purchase, as aforesaid, are fair and reasonable; and

THAT the Deputy Minister of the Department of Mines and Resources recommends that these offers to purchase be accepted and the lands sold to the said applicants.

The undersigned, therefore, recommends that he be authorized to accept the offers to purchase made by His Majesty the King, as represented by the Minister of National Defence, of an area of approximately 41.307 acres of land and the Royal Trust Company of an area of approximately 8.067 acres and to sell the lands to the applicants at the rate of Ten Thousand Dollars ($10,000.00) per acre. Both parcels of land comprise a portion of the land formerly known as the Kitselano Indian Reserve, Province of British Columbia.

APPROVED
[illegible]
LEGAL DIVISION

Respectfully submitted,

J. Allison Glen

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

MD/9 P.C.1707

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 29 APRIL 1947.

Privy Council
Canada

The Committee of the Privy Council have had before them a report, dated 29th April, 1947, from the Minister of Mines and Resources, representing:

That the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, set aside for the benefit of the Squamish Band of Indians, was surrendered for sale by the said Band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

That the said surrender was duly accepted by Order in Council P.C. 1706 of the 29th day of April, 1947;

That an application to purchase a portion of the said surrendered reserve has been received from His Majesty the King, as represented by the Minister of National Defence; the land so applied for has been occupied by His Majesty for some years under license from the Minister of Mines and Resources;

That the land applied for comprises an area of approximately 41.387 acres and the offer to purchase is at the rate of Ten Thousand Dollars ($10,000.00) per acre;

That an application to purchase an area of approximately 8.067 acres of the said land has also been received from the Royal Trust Company which offer is at the same rate, viz., Ten Thousand Dollars ($10,000.00) per acre; and

That an appraisal of the said lands has recently been made by reputable appraisers and the offers to purchase, as aforesaid, are fair and reasonable.

The Committee, therefore, on the recommendation of the Minister of Mines and Resources, advise that authority be granted to accept the offers to purchase made by His Majesty the King, as represented by the Minister of National Defence, of an area of approximately 41.387 acres of land and the Royal Trust Company of an area of approximately 8.067 acres and to sell the lands to the applicants at the rate of Ten Thousand Dollars ($10,000.00) per acre; both parcels of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia.

A.D.P. Heeney,
Clerk of the Privy Council.

The Honourable
the Minister of Mines and Resources
Copied:GS

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

Poor Copy

AD/9

P.C. 1707

28835-1-3

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 29 APRIL 1947

PRIVY COUNCIL

CANADA

2 COPY Placed on File

The Committee of the Privy Council have had before them a report, dated 29th April, 1947, from the Minister of Mines and Resources, representing:

That the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, set aside for the benefit of the Squamish Band of Indians, was surrendered for sale by the said Band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

That the said surrender was duly accepted by Order in Council P.C. 1706 of the 29th day of April, 1947;

That an application to purchase a portion of the said surrendered reserve has been received from His Majesty the King, as represented by the Minister of National Defence; the land so applied for has been occupied by His Majesty for some years under license from the Minister of Mines and Resources;

That the land applied for comprises an area of approximately 41.387 acres and the offer to purchase is at the rate of Ten Thousand Dollars ($10,000.00) per acre;

That an application to purchase an area of approximately 8.067 acres of the said land has also been received from the Royal Trust Company which offer is at the same rate, viz., Ten Thousand Dollars ($10,000.00) per acre; and

That an appraisal of the said lands has recently been made by reputable appraisers and the offers to purchase, as aforesaid, are fair and reasonable.

The Committee, therefore, on the recommendation of the Minister of Mines and Resources, advise that authority be granted to accept the offers to purchase made by His Majesty the King, as represented by the Minister of National Defence, of an area of approximately 41.387 acres of land and the Royal Trust Company of an area of approximately 8.067 acres and to sell the lands to the applicants at the rate of Ten Thousand Dollars ($10,000.00) per acre; both parcels of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia.

A. D. P. Heeney.

Clerk of the Privy Council.

The Honourable
the Minister of Mines and Resources

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

d-a

May 3rd, 1947

air

MAY 5 1947
Mines & Resources

The Hon. J. Allison Glen
Minister of Mines and Resources
OTTAWA, Ontario

Dear Mr. Glen:

Re: Kitsilano Reserve

Following my letter to you of the 1st instant I have now received further copies of the plan of the Kitsilano Reserve on file in the Land Registry Office on which you will note outlined in orange the property being purchased by my client from you.

Thinking you might require further copies of the plan, I enclose herewith 3 extra copies for your use.

Awaiting your further advice, and with kindest regards, I am

Yours very truly,

J.A. Campbell

Encl.
JAC/LP

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

OLD STYLE BEER
V.C. EXPORT LAGER
ACE LAGER

Sicks' Capilano Brewery Ltd.

1445 POWELL STREET,
VANCOUVER, B.C.

May 1st, 1947.

The Honourable J. Allison Glen,
Minister of Mines and Resources,
OTTAWA, Canada.

Dear Sir:

Re: Kitsilano Indian Reserve

Referring to the letter to you of May 11th, 1946, from our Counsel, Mr. J. A. Campbell, K.C., containing our offer, subject to the terms as therein set out and to the later increase in price to $10,000.00 an acre, to purchase free of encumbrance 8.00 acres more or less, known as part of the Kitsilano Indian Reserve, False Creek, in this City, East of Burrard Bridge, as indicated with the red letter A on the plan that accompanied the said letter, a more complete description of which said property is being forwarded to you herewith, we would be pleased if you would have the conveyance of the said property made to the Royal Trust Co., 626 West Pender Street of this City, and have it forwarded in due course to our Counsel, Mr. J. A. Campbell, K.C., aforesaid, Hall Building, of this City, and this shall be your authority for so doing.

SICKS' CAPILANO BREWERY LIMITED

Per _____
Manager and Director.

Per _____
A/Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

It will be necessary to have the Deed contain the covenant required by the City of Vancouver, a copy of which was forwarded to the Indian Department at Ottawa through Mr. D.M. Mackay. If you have not written to the City Clerk approving the covenant I would be pleased if you would do so so that the By-Law re-zoning the portion of the Reserve East of the Bridge for heavy industry may be passed.

Kindly let me know the amount of money you require to complete the purchase price at $10,000.00 an acre, giving credit for the sum of $10,000.00 forwarded to you on the 11th of May, 1946, together I presume with an allowance for interest thereon.

Kindly have forwarded to me as well copies of the relevant Orders-in-Council, the first settling the procedure to deal with this Reserve, and the second one authorizing the specific sale.

If further information is required I would be pleased if you would let me know so that the same might be forwarded.

Yours truly,

J.A. CAMPBELL.

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH H. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

Minister of
MAY 5 1947
Mines & Resources

d-a

Air Mail

May 1st,
1947.

Honourable J. Allison Glen,
Minister of Mines and Resources,
OTTAWA, Ont.

Dear Mr. Glen: RE: KITSILANO INDIAN RESERVE.

Further in reference to your telegram of the 29th instant reading as follows:

" REFERENCE YOUR LETTER TWENTY SIXTH AUTHORITY NOW RECEIVED TO COMPLETE SALE TO YOUR CLIENTS AT TEN THOUSAND PER ACRE STOP SUGGEST YOU FORWARD DRAFT LEGAL DESCRIPTION WHICH WILL BE SATISFACTORY TO REGISTRY OFFICE STOP ALSO FORWARD AUTHORITY FROM YOUR CLIENTS TO CONVEYANCE BEING MADE IN THE NAME OF ROYAL TRUST COMPANY."

I now enclose herewith:

1. Legal description of the approximate eight acres in the Kitsilano Indian Reserve East of Burrard Bridge being purchased by the Royal Trust Company.

2. Copy of Plan of the Kitsilano Indian Reserve on file in the Land Registry Office, which will be referred to on the application to register the Deed as an explanatory plan.

3. Letter of authority from Sicks' Capilano Brewery Ltd. to yourself to have the conveyance made to the Royal Trust Company of this City.

I assume that the conveyance will be from yourself, not only as Minister of Mines and Resources, but as the Minister in charge of Indian Affairs.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

Department of Mines and [illegible]

MINISTER'S OFFICE

MEMORANDUM

May 5th, 1947.

To the Deputy Minister

Attention Director of Indian Affairs

Attached please find letters to the Minister, dated May 1st, and May 3rd, from J. A. Campbell, Esq., K.C., Barrister, etc., Hall Building, Vancouver, B.C., enclosing documents and plans concerning the sale of land on the Kitsilano Indian Reserve to Sicks' Capilano Brewery Limited.

Please deal with this departmentally.

W. J. F. Pratt,
Private Secretary.

Mr. Hoey:
For departmental attention.

Department of Mines & Resources
Indian Affairs Branch.
MAY 6 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

Poor Copy

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CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

HALL BUILDING
VANCOUVER, B.C.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

Minister of
APR 30 1947
Mines & Resources

April 29th,
1947.

Minister of
MAY 1 1947
Mines & Resources

The Honourable J. A. Glen,
Minister of Mines & Resources,
OTTAWA, Ont.

Dear Mr. Glen: RE: KITSILANO INDIAN RESERVE

I was today pleased to receive your telegram to me reading as follows:

" REFERENCE YOUR LETTER TWENTY SIXTH AUTHORITY NOW RECEIVED TO COMPLETE SALE TO YOUR CLIENTS AT TEN THOUSAND PER ACRE STOP SUGGEST YOU FORWARD DRAFT LEGAL DESCRIPTION WHICH WILL BE SATISFACTORY TO REGISTRY OFFICE STOP ALSO FORWARD AUTHORITY FROM YOUR CLIENTS TO CONVEYANCE BEING MADE IN THE NAME OF ROYAL TRUST COMPANY."

to which I replied as follows:

" WILL FORWARD AS SOON AS POSSIBLE LEGAL DESCRIPTION SATISFACTORY TO VANCOUVER REGISTRY OFFICE AND AUTHORITY TO CONVEY TO THE ROYAL TRUST AS REQUESTED IN YOUR WIRE TODAYS DATE."

I am having the legal description carefully checked and obtaining the required authority from my clients to have the conveyance made to the Royal Trust Company. I hope to forward the same to you within the next day or so.

In view of the proposal to make the sale as above I would be pleased if you would now approve the form of covenant required by the City to be contained in the conveyance from the Crown as mailed by D.E. McTaggart, Corporation Counsel, to D.M. McKay, Indian Commissioner for British Columbia, on the 25th of July, 1946, and which had

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

been forwarded by Mr. McKay to the Department of Indian Affairs so that the By-Law re-zoning the portion East of the Bridge for Heavy Industry might be passed.

Thanking you for your telegram, and with kindest regards,

I am,

Yours very truly,

J. A. Campbell

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt. 6)

PUBLIC ARCHIVES
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CANADA

been forwarded by Mr. McKay to the Department of Indian Affairs so that the By-Law re-zoning the portion East of the Bridge for Heavy Industry might be passed.

Thanking you for your telegram, and with kindest regards,

I am,

Yours very truly,

J. A. Campbell.

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

CAMPBELL, MEREDITH & BECKETT
[redacted]ELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

Minister of
APR 27 1947
Mines & Resources

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

April 26th, 1947.

Air Mail

PERSONAL

Honourable James A. Glen,
Minister of Mines & Resources,
OTTAWA, Ont.

Dear Mr. Glen: RE: KITSILANO INDIAN RESERVE.

I am informed by the Right Honourable Ian Mackenzie under date of the 24th instant that you are recommending the sale to my client of the eight acres East of Burrard Bridge as applied for on the 11th of May, 1946, at which time $10,000.00 was deposited with you on the purchase price in the event of the offer made by my client, Sicks Capilano Brewery, 1445 Powell Street of this City, being accepted, and that to obtain the necessary authority two submissions to the Council are required, the first to establish the procedure and the second, in accordance with that procedure, to authorize acceptance of our offer.

The above offer, contained in our letter of the 11th of May, 1946, as you will recall, was amended on February 5th last, increasing the price of $9,000.00 to $10,000.00 per acre, as referred to in your letter to the writer of the above date.

It is the wish of my client not to give publicity to the name of the Purchaser, and for that reason, if it is necessary in the Order-in-council authorizing the sale to give the name of the purchaser, we would suggest the sale being made to the Royal Trust Company, 626 West Pender Street, of this City.

You might inform me if this latter course is acceptable to you and whether you require further authority from myself or the Royal Trust Company to have the sale made to them.

I would be glad to receive your advice on the above by Air Mail or telegram so that the necessary arrangements might be completed.

Yours very truly,

J.A. Campbell

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

CAMPBELL, MEREDITH & BECKETT

[redacted]ELL, MURRAY & CO.

[redacted]RRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MENCA"
TELEPHONES: MARINE 5331-2-3

[redacted] HALL BUILDING
VANCOUVER, B.C.

September 23rd,
1946.

Hon. J.A.Glen, K.C.,
Minister of Mines and Resources,
OTTAWA, Can.

Dear Mr. Glen: RE: KITSILANO INDIAN RESERVE

Referring to my letter to you of the 17th of July last and our conversations when you were in Vancouver, the City of Vancouver is anxious to completethe By-Law rezoning theportion of Kitsilano Reserve east of the Bridge for heavy industry, and would like if you would approve and forward to the City Clerk of Vancouver the covenant as in the form submitted, to be contained in Deeds from the Crown to purchasers of property east of the Bridge and covering the restrictions as required by the Town Planning Commission.

I might make the suggestion that if the covenant as submitted appears too formal and lengthy and requires lengthy consideration by the Department of Justice I think that if you were to write to the City Clerk for the City a letter similar to the one you sent to them on the 20th of July last, only changing the second paragraph to read that you agree that suitable covenants as required by the Town Planning Commission and as set out therein, will be contained in the Deeds, the same I think will be accepted by the Corporation Counsel and will enable us to have the By-Law passed.

I enclose herewith copy of a letter which you might forward with the relevant change as mentioned above. The part underlined in red is the wording that is different from your letter of the 20th of July last.

I would like to have the rezoning completed with the present Council which will in all probability be changed with the election that will take place later this Fall.

With kind personal regards and every good wish, I am,

Yours truly,

J.A.Campbell.

JAC:MO'L.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

As part of the consideration hereof, the Grantee (or Purchaser) aforesaid, with intent to bind all persons in whom the lands sold (or agreed to be sold) hereunder, hereinafter called "the lands aforesaid", or any interest therein, shall for the time being be vested, but not so that the Grantee (or Purchaser) aforesaid, shall be personally liable for breach of any of the terms, covenants and conditions hereof, after the Grantee (or Purchaser) aforesaid, has wholly parted with his interest in the lands aforesaid, and has no further interest therein (except an interest insufficient to prevent such breach), hereby covenants and agrees with and doth hereby grant to the Grantor (or Vendor), aforesaid, his successors and assigns, and the City of Vancouver, aforesaid, its successors and assigns, rights, liberties, easements, restrictions and charges, against the lands aforesaid, to the like effect, as follows, the said rights, liberties, easements, restrictions and charges, to be at all times for the benefit and advantage of the Grantor (or Vendor) and the City of Vancouver, aforesaid, their respective successors and assigns, and for the benefit and advantage of the lands of the Grantor (or Vendor) aforesaid, now occupied by the Seaforth Armouries, aforesaid, and the lands of the City of Vancouver aforesaid, now occupied by the right-of-way of the Burrard Street Bridge, in the City of Vancouver, aforesaid, including the approaches thereto:-

(a) That no right to a private way or other private means of access shall be granted or established or permitted to be established, or to exist, or shall be claimed by the Grantee (or Purchaser) aforesaid, his heirs, executors, administrators or assigns, at any time, from the approach to Burrard Street Bridge, North of First Avenue, in the City of Vancouver, aforesaid, to, from or over, the lands aforesaid;

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

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(b) That no building or structure of any kind, other than a boundary fence, will be erected, construction, or placed, on the lands aforesaid, any part of which building or structure shall be nearer to the boundary of the right-of-way of the Burrard Street Bridge, aforesaid, than One Hundred Feet (100'); provided that this Clause (b) shall apply only if the lands aforesaid are situate between the property occupied by the Seaforth Armouries aforesaid, and that occupied by the British Columbia Electric Railway Company Limited;

(c) That no building, billboard, sign, or structure of any kind will be erected, constructed or pladed on the lands aforesaid, which building, billboard, sign or structure will exceed in height the height of the general road level of Burrard Street Bridge, aforesaid, opposite thereto; provided that this Clause (c) shall apply only if the lands aforesaid are situate in the area extending from the South-West boundary of the property now occupied by the British Columbia Electric Railway Company, Limited, North-Easterly to the Harbour Headline of False Creek as the said Harbour Headline existed on the 11th day of June, 1946, and extending laterally for a distance of One Hundred Feet (100') from the boundary of the right-of-way of Burrard Street Bridge aforesaid.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CAMPBELL, MEREDITH & BECKETT
[redacted]ELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

airmail

Minister of
JUL 29
Mines & Resour

July 26th, 1946.

The Honourable J. A. Glen,
Minister of Mines & Resources,
OTTAWA, Ontario.

Dear Mr. Glen: RE: Kitsilano Reserve

Mr. D. E. McTaggart, K. C., Counsel for the City of Vancouver, has seen me regarding your letter of the 20th inst. in which you consent to the various requirements of the Town Planning Commission in regard to re-zoning the portion of the Reserve east of the Bridge. Mr. McTaggart states that your consent hardly goes far enough and that he wishes an assurance from you that any conveyances the Department will make will contain the covenants covering the requirements of the Town Planning Commission. To make sure this time that we would meet his requirements so that the By-law might pass on August 6th, I have asked him to draw the covenants that he wishes to be embodied in the conveyances. A copy of these he has forwarded to me and which I enclose herewith.

Our client, the Sicks' Capilano Brewery are agreeable to the relevant covenants as herewith enclosed being contained in any conveyance that will be given to it by the Crown.

I would be most pleased if the City could hear from you further so that a By-law might be formally passed and confirmed at a meeting of the Council on August 6th.

I would be glad if you would let me know if you are now in a position to deal with the offer made by our client to you on May 11th last to purchase approximately 8 acres of the Reserve east of the Bridge.

We are anxious to know as soon as possible.

With kind regards, I am

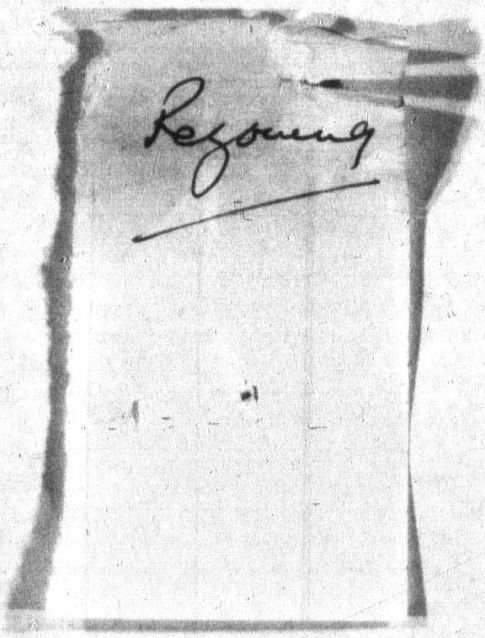
Yours very truly,

J. A. Campbell.

JAC/el Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

AIR MAIL

July 20th, 1946.

Re: Proposed Rezoning of a Portion of Kitsilano Indian Reserve.

Dear Sir:

I understand that a recommendation by the Town Planning Commission that the portion of the Kitsilano Indian Reserve lying east and south of the Burrard Bridge, except the Seaforth Armories property, be declared a heavy industry area under the zoning by-laws is to be given consideration at a meeting of the City Council on Monday next July 22nd.

This is to advise you that this Department concurs with the recommendation that this portion of the Kitsilano Indian Reserve be declared a heavy industry area and does not see any objection to the three restrictions proposed, as follows:-

1. That no cross-over or access of any kind be permitted from the Burrard Street Bridge approach, north of First Avenue;

2. That no buildings be permitted within at least 100 feet of the boundary of the Burrard Street bridge right-of-way between the property occupied by the Seaforth Armouries and that occupied by the B.C. Electric Railway Company;

3. That the Dominion Government be required, in any sale of the property, to arrange that a restrictive covenant be placed in the Deed whereby no structure or any part thereof, and no billboard or sign, be permitted to project to a height greater than the

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

road level of the bridge in an area at least 100 feet from the bridge and extending from the south-west boundary of the B.C. Electric Railway Company's property, north-easterly to the Harbour Headline of False Creek.

Yours sincerely,

J. Allison Glen

The City Clerk,
City Hall,
Vancouver, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

road level of the bridge in an area at least 100 feet from the bridge and extending from the south-west boundary of the B.C. Electric Railway Company's property, north-easterly to the Harbour Headline of False Creek.

Yours sincerely,

J. Allison Glen

The City Clerk,
City Hall,
Vancouver, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

Minister of
MAY 16
Mines & Resources

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

May 14th, 1946.

The Honourable J. A. Glen,
Minister of Mines & Resources,
OTTAWA, Ontario.

Dear Sir: RE: Kitsilano Indian Reserve

Since writing to you on the 11th instant making an offer on behalf of Sicks' Capilano Brewery Ltd. to purchase 7.96 acres known as part of the Kitsilano Indian Reserve, east of the Burrard Bridge and north of First Avenue, I have given consideration to the question of zoning this area for heavy industry, which would be necessary in the event of the acceptance of our offer. It appears that the application for re-zoning should be made by the Department of Mines and Resources to His Worship the Mayor and Council of Vancouver to enable the Department to sell the Reserve as contemplated by the terms of surrender given to the Department by the Indians.

If application has not already been made by your Department to the Mayor and Council, I would respectfully suggest that such application be made as soon as possible, addressed to the Mayor and Council, requesting that all that portion of the Kitsilano Indian Reserve lying north of First Avenue and between Burrard Street Bridge right of way and the B. C. Electric right of way, less the area occupied by the Seaforth Armoury be changed in zoning classification from a 3-story multiple dwelling district to a heavy industrial district.

The Department may include in this application all lands of the Reserve east of the Burrard Bridge. As you are aware, we are interested only in the portion first above mentioned. The application for re-zoning would take approximately one month to complete. After being received by the Mayor and Council, it would be referred to the Town Planning Commission of this city, who would give consideration and make its recommendation in the form of a report to the Council. After this report would be received by the Council, a public hearing would be advertised and called for the purpose of having the citizens of this city, if any, present their views. Following this hearing, the Council by resolution or by-law would change the zoning, as requested, if in their opinion the report of the Town Planning Commission and the result of the public hearing would justify them in doing so.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

 May 14th, 1946.

It appears to the writer that this matter of zoning should be dealt with as soon as possible to enable the Dominion Government to sell the lands in question.

I am writing this letter in the hope that the above suggestions will be of use to the Department.

Yours very truly,

J. A. Campbell.

JAC/el

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2 R
Kitsilano
Loted

Air Mail

Ottawa, May 14, 1946.

Dear Mr. Campbell,-

I wish to acknowledge the receipt of your two letters of the 11th instant - one making an offer on behalf of Sicks' Capilano Brewery Limited to purchase a portion of the Kitsilano Reserve (7.96 acres) at a price of $9,000 per acre.

As you know, we have not yet succeeded in securing a release of the Provincial interest. The matter was discussed with Premier Hart when he was here a week ago. I have since written him about it and he has promised to take it up immediately he returns.

I do not think any useful purpose would be served by you coming to Ottawa to discuss the proposed sale of the portion your client is interested in until we are in a legal position to accept the offer.

Yours very truly,

ls
5/14.

J.A. Campbell, Esq., K.C.,
C/o Messrs. Campbell, Meredith & Beckett,
Hall Building,
VANCOUVER, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

CAMPBELL, MEREDITH & BECKETT
[redacted]LL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

Minister of
MAY 13 1946
Mines & Resources

May 11th, 1946.

The Honourable J. A. Glen,
Minister of Mines and Resources,
OTTAWA.

Dear Sir:

We are instructed by Sicks' Capilano Brewery Ltd. of this city to make an offer to you of $9,000.00 an acre for clear title to the 7.96 acres, more or less, known as part of the Kitsilano Indian Reserve, False Creek, in the City of Vancouver, B. C., and more particularly described as being east of the Burrard Bridge, south of the Canadian Pacific Railway right-of-way and north of First Avenue and surrounding the 4.29 acres occupied by the Armoury and indicated with the red letter "A" on the accompanying plan.

We enclose herewith cheque of the Sicks' Capilano Brewery Ltd., in favour of the Department of Mines and Resources, in the sum of $10,000.00, to be applied on the purchase price in the event of our offer being accepted.

This offer is made subject to the following conditions:

1. The Department shall deliver to Sicks' Capilano Brewery Ltd., without further charge, a Deed, conveying to it clear title to the above land, which said Deed shall be registerable in the Land Registry Office in Vancouver, B. C.

2. All surveys necessary for plans required under our Land Registry Act to enable such Deed to be registered to be made by the Dominion Government as soon as possible after the acceptance of the offer.

3. That the above area of 7.96 acres will be zoned in the City of Vancouver for heavy industry and in particular, that we will be able to build and operate a brewery thereon.

4. That we shall be able to get, without further consideration, a deed or quit claim deed from the Provincial Government of the Province of British Columbia, transferring to us all its right, title and interest in the said lands and in particular of any reversionary or equitable interest it has or may have therein.

5. That this offer will be accepted within a reasonable time.

Yours truly,

JAC/el

J. A. Campbell.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

2883J--3

OFFICE OF THE DEPUTY MINISTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Ottawa, May 5, 1947.

Department of Mines & Resources
Indian Affairs Branch
OCT 3 1947
REGISTERED

MEMORANDUM:

- Mr. Hoey -

Re: Kitsilano Indian Reserve

Copies of the two Orders in Council passed recently in reference to this Reserve have already been forwarded to you. I also forwarded to-day a letter from Mr. J.A. Campbell, K.C., enclosing a number of documents, including a description of the property to be conveyed to his clients. You will no doubt wish to have the latter checked carefully by the Surveyor General and have him complete accurately the actual number of acres in the area being transferred.

In order that you may have all the correspondence on your files in reference to this sale, I am also enclosing the following letters:-

(1) Letter dated May 11th, 1946, from Mr. J.A. Campbell to the Minister making a formal offer to purchase and enclosing a cheque for $10,000. (Cheque also enclosed).

(2) Copy of letter dated May 14th, 1946, from the Minister to Mr. J.A. Campbell.

(3) Letter dated May 14th, 1946, from Mr. J.A. Campbell to the Minister.

(4) Letter dated July 20th, 1946, from the Minister to City Clerk, Vancouver.

(5) Letter dated July 26th with enclosure from Mr. J.A. Campbell to the Minister.

Department of the Treasury
RECEIVED
MAY 7 1947
INDIAN AFFAIRS
RECEIVED $ 10,000.00
Date 7 May 47
Form of Remittance C.K.
TREASURY - INDIAN AFFAIRS
Cashier

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

(6) Letter dated September 23rd, 1946, from Mr. J.A. Campbell to the Minister.

(7) Letter dated April 26th, 1947, from Mr. J.A. Campbell to the Minister.

(8) Letter dated April 29th, 1947, from Mr. J.A. Campbell to the Minister.

I understand that in a few days a letter will be received from the Office of the Judge Advocate General of the Department of National Defence in regard to the transfer to that Department of the 41.74 acres (approximately) west of the bridge. It will be necessary for the Surveyor General to prepare a proper description of this area and also to compute the acreage.

As soon as the two descriptions have been prepared and checked it will then be necessary for you to prepare separate submissions to Council formally conveying the two properties.

C.W. Jackson,
Chief Executive Assistant.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

OFFICE OF THE DEPUTY MINISTER

MEMORANDUM

DATE May 6, 1947.

Cheque re Kitsilano Indian Reserve.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File: 28835-3 (R.

Ottawa, May 10th, 1947.

MEMORANDUM TO:

F. H. Peters, Esq.,
Surveyor General.

I am enclosing herewith a copy of P.C. 1706 dated April 29th, 1947, wherein the Governor General in Council accepts the surrender of Kitsilano Indian Reserve (Squamish No.6) as given by the Squamish Band on April 17th, 1946.

We are now concerned with the sale of the said Reserve and authority has been given to sell that portion of the Reserve lying north of the C.P.R. and Burrard Bridge rights-of-way to the Department of National Defence and that portion shown outlined in red on the plan enclosed herewith to the Royal Trust Company and we therefore require descriptions in duplicate of the said parcels suitable for insertion in the case of the Department of National Defence - in an Order in Council and in the case of the Royal Trust Company - Letters Patent.

The solicitor for the Royal Trust Company has forwarded to us the enclosed plan and also the enclosed description which may be of assistance to you in the preparation of the desired descriptions.

for D.J. Allan,
Superintendent,
Reserves and Trusts.

Encls.

LB/EPB

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

28835-3

CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

Minister of
MAY 12 1947
Mines & Resources

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

Air Mail

May 9th,
1947.

Honourable J. A. Glen,
Minister of Mines & Resources,
OTTAWA, Ont.

Dear Mr. Glen: RE: KITSILANO INDIAN RESERVE

This morning's News Herald carried an announcement stating that housing for sixty Veterans' families will be provided likely within three months in hutments at Seaforth Armories on Burrard Street, and that the Citizens' Rehabilitation Council will assume responsibility for administering and readying the accommodation which will be financed by grants from the City and from the Dominion. As these hutments are on the acreage being purchased by my client under Order-in-Council from your Department it is most essential that no commitment be made to Veterans as to possession as my client wishes immediate possession of the entire area on completion of the purchase price.

If you have not already forwarded your Consent to the Clerk of the City of Vancouver agreeing to the covenant requested by the Town Planning Commission I would be glad if you would do so as it is most essential to have the By-Law completed before any complications develope.

Thanking you in advance,

I am,

Yours very truly,

J.A. Campbell.

Department of Mines & Resources
Indian Affairs Branch.
MAY 12 1947
REGISTERED

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

2883J-3

CANADIAN NATIONAL TELEGRAPHS

MOA457 C-X Vancouver B.C. 9 252P 1947 May 9; PM 705

HON. J. A. GLEN, MINISTER OF MINES AND RESOURCES

OTTAWA

VANCOUVER PRESS TODAY STATES CITIZENS REHABILITATION COUNCIL APPLYING FOR HUTMENT IN KITSILANO RESERVE NORTH OF SEAFORTH ARMORIES STOP THESE HUTS ON ACREAGE BEING PURCHASED BY MY CLIENT STOP SUGGEST MOST ESSENTIAL POSSESSION TO HUTS NOT BE GIVEN VETERANS AS MY CLIENT WISHES IMMEDIATE POSSESSION OF ENTIRE AREA ON COMPLETION OF PURCHASE STOP WRITING

J A CAMPBELL

Department of Mines & Resources
Indian Affairs Branch
MAY 12 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File: 28835-3 (R.2)

Ottawa, May 13th, 1947.

MEMORANDUM TO:

W. M. Cory, Esq.,
Departmental Solicitor.

Re: Kitsilano Indian Reserve

As you are aware negotiations with reference to the above Reserve have proceeded to the point where authority has been granted by the Governor General in Council for sales of parts of the Reserve.

The said Reserve, as presently constituted, is zoned for multiple dwellings and the Council of the City of Vancouver has ordered the re-zoning of the portion East of the Burrard Bridge to a heavy industrial district but before passing the necessary by-law has asked for an assurance from our Minister that any transfers to private ownership of the parcel affected will contain in registerable form covenants running with the land.

I am enclosing herewith copies of relevant correspondence and in particular would refer you to the letter of July 25th, 1946, from D. E. McTaggart to D. M. McKay and the covenants attached to the said letter. I am also enclosing our form of Letters Patent.

In so far as the Department is concerned there would appear to be no objection to the restrictions which the City wish to place on the area but we are not at all sure that the proposed covenants are suitable for insertion in Letters Patent and would be glad to have you look over the matter and let us have your views on the subject. I am also enclosing a copy of the Kitsilano Reserve plan.

for D.J. Allan,
Superintendent,
Reserves and Trusts.

Encls.

LB/EPB

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File: 28835-3 (R.2)

Ottawa, May 14th, 1947.

MEMORANDUM TO:

C. W. Jackson, Esq.,
Chief Executive Assistant.

Re: Kitsilano Indian Reserve

Pursuant to your verbal request, an examination has now been made of our records and it is found that there are four leases on the Kitsilano Reserve, the particulars of which are as follows:

1. Permit - Giroday and Company

   Month to month permit covering the right of the said Company to use two old sheds for storage purposes. The permit is dated October 12th, 1939 and rental has been paid each month up to the present. It is not clear from the records where the sheds are located on the Reserve but it appears likely that they are on the old mill site.

2. Permit - Department of National Defence

   Dated February 19th, 1940, covering five acres of the Reserve "from October 15th, 1939 for the duration of the war and one year thereafter" at $1,500.00 per year.

It is of importance to note that the following covenants appear in the permit, first, that the said land shall be used for military purposes and for no other purpose and, fourth, that he will not sublet or assign his rights under this agreement to any person or persons whomsoever.

3. Permit - Department of National Defence

   Dated September 14th, 1942, covering 3.35 acres of the Reserve "from June 1st, 1942 for the duration of the

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

3. (Cont'd)

war and one year thereafter" at $650.00 per year.

The covenants as referred to in permit No. 2 above also appear in this permit.

Permit Nos. 2 and 3 covered the area which it is now desired to sell to the Royal Trust Company.

4. Permit - Department of National Defence (Air)

Dated November 16th, 1942, covering 41.74 acres "from April 8th, 1942 for the duration of the war and three years thereafter, the permittee to have the option of renewal or extension subject to such rental and on such terms as may be at that time mutually agreed upon" at a rental of $5,000.00 per year. This permit contains the following covenant:

"That the said land shall be used for the purpose of an equipment depot and for no other purpose".

The area covered by this permit is that which it is now proposed to sell to the Department of National Defence.

Director.

LB/EPB

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

MINISTER OF VETERANS AFFAIRS

CANADA

Minister of
MAY 13 1947
Mines & Resources

Ottawa, May 12, 1947.

My dear Colleague:-

I have copy of the letter addressed to you on May 9th by Mr. J.A. Campbell, K.C., with respect to the conveyance of a tract in the Kitsilano Indian Reserve to the Royal Trust Company.

In a covering letter to me Mr. Campbell makes the following statements which appear to extend the information contained in his letter to you:

> "I discussed the matter with the Land Registry officials today. They state they are prepared to accept an Order-in-Council vesting title in the name of our clients providing they are shown that the Dominion has such power. They mention that under our Provincial Land Act the Provincial Government has power to do so, and they assume that the Dominion has similar power.
>
> I assume that the Order-in-council passing title will contain the covenant or proviso required by the Town Planning Commission in the By-Law re-zoning the portion East of the Bridge for heavy industry."

I should appreciate being informed of the nature of your reply to Mr. Campbell.

Yours sincerely,

The Honourable J.A. Glen,
Minister of Mines and Resources,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

28835-3

Department of Mines and Resources

OFFICE OF THE DEPUTY MINISTER

Memorandum to: Mr. Hoey

I am sending herewith a communication dated

May 12, 1947, from The Right Honourable Ian Mackenzie, Minister of Veterans Affairs, Ottawa.

Subject: Referring to a letter addressed to the Minister on May 9th from Mr. J.A. Campbell, with respect to the conveyance of a tract in the Kitsilano Indian Reserve to the Royal Trust Company. Will you kindly prepare a draft reply for the Minister's signature.

Department of Mines & Resources
Indian Affairs Branch.
MAY 14 1947
REGISTERED

If the information desired is not available within the next days, will you be good enough to advise me when it may be expected.

for DEPUTY MINISTER

May 13, 1947.

R.2749

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

CANADIAN PACIFIC TELEGRAPHS

World Wide Communications

W. D. NEIL, General Manager of Communications, Montreal

16 CR OC 27 N L

CALGARY ALTA MAY 14

LEONARD BROWN

INDIAN AFFAIRS OTTAWA ONT

WIRE ME DAY LETTER TO HOTEL VANCOUVER MATERIAL PROVISIONS NATIONAL DEFENCE LEASE ON EIGHT ACRES KITSILANO AND EXPIRY DATE STOP IS THERE A COPY IN MACKAYS OFFICE.

D J ALLAN

705PM

Department of Mines & Resources
Indian Affairs Branch
OCT 3 1947
REGISTERED

CANADIAN PACIFIC TELEGRAPHS

CLASS OF SERVICE	
Full Rate	
Day Letter	X
Night Message	
Night Letter	
Evening and Sunday Message	

Please mark opposite the class of service desired.

CHECK

TIME FILED

STANDARD TIME

World Wide Communications

W. D NEIL, General Manager of Communications, Montreal

Send the following message, subject to the conditions on the back thereof, which are hereby agreed to.

OTTAWA MAY 15 1947

D. J. ALLAN
HOTEL VANCOUVER
VANCOUVER B C

PERMITS OF FEBRUARY NINETEENTH 1940 AND DECEMBER FOURTEENTH 1942 TOGETHER COVER EIGHT ACRE PARCEL FOR DURATION PLUS ONE YEAR stop BOTH CONTAIN PROVISION AGAINST SUBLETTING OR ASSIGNING OR USE FOR OTHER THAN MILITARY PURPOSES stop PROVISIONS OF PERMITS IMMATERIAL IN VIEW OF ORDER DATED TWELFTH INSTANT MADE BY CENTRAL MORTGAGE AND HOUSING CORPORATION TAKING POSSESSION OF LAND AND BUILDINGS AND SUSPENDING ANY EXISTING AGREEMENTS REGARDING THE LAND stop COPIES OF PERMITS IN INDIAN AGENCY OFFICE

L. BROWN

Charge to Indian Affairs Branch

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

ORDER MADE UNDER

THE EMERGENCY SHELTER REGULATIONS

To Mr. H. L. Keenleyside, Deputy Minister of Mines and Resources:

WHEREAS certain Army huts and buildings erected on land adjacent to the Seaforth Armouries, in Vancouver, are presently occupied by the Department of National Defence under license from the Department of Mines and Resources;

AND WHEREAS the said huts and buildings and land will in the near future be released by the Department of National Defence;

AND WHEREAS the said land is land referred to in Order in Council P.C. 1787, dated 29th April, 1947, comprising approximately 8.867 acres of land;

AND WHEREAS the said land, huts and buildings erected thereon are urgently needed for emergency shelter purposes for veterans and their families;

IT IS THEREFORE ORDERED pursuant to Order in Council P.C. 9459 of December 19th, 1944, as amended and Order in Council P.C. 7582 of December 28th, 1945, that possession of the said land and huts and other buildings be delivered to Central Mortgage and Housing Corporation for emergency Shelter purposes, subject to the use by the Department of National Defence of the said land and huts and buildings;

AND IT IS FURTHER ORDERED that the terms and conditions of any covenant, agreement for sale or other agreement affecting the said land, huts and other buildings are hereby suspended.

CENTRAL MORTGAGE AND HOUSING CORPORATION.

Dated at Ottawa this
12th day of May,
1947. (SEAL)

(sgd) D.B.Manner, President.

(sgd) Nyle R. Gibb, Secretary.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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ORDER MADE UNDER

THE EMERGENCY SHELTER REGULATIONS

To Mr. W. G. Mills, Deputy Minister of National Defence.

Pursuant to The Emergency Shelter Regulations established by Order in Council P.C. 9459 of December 19th, 1944, as amended and Order in Council P.C. 7502 of December 28th, 1945, you are hereby required to deliver to Central Mortgage and Housing Corporation on July 1st, 1947, or on such date as may be agreed upon between your Department and this Corporation, possession of the Army huts and buildings and the land upon which they are erected adjacent to the Seaforth Armouries, in Vancouver, for emergency shelter purposes.

CENTRAL MORTGAGE AND HOUSING CORPORATION.

.....
President

.....
Secretary

Dated at Ottawa this
12th day of May, 1947.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

COPY

H.Q.54-27-76-9-15

DEPARTMENT OF NATIONAL

OFFICE OF THE DEPUTY MINISTER

Ottawa, May 13, 1947.

The Deputy Minister,
Department of Mines and Resources,
Ottawa.

Dear Sir:

This Department occupies under lease from the Indian Affairs Branch of your Department certain portions of the Kitsilano Indian Reserve at Vancouver, B.C., as follows:

(a) 3.35 acres, at a rental of $650 per annum, until June 1st, next;
(b) 5 acres, at a rental of $1500 per annum, until October 15th next.

On the five acre block are situated some forty-six buildings which originally formed part of this Department's Seaforth Camp and which this Department was asked, through the office of the Minister of Veterans Affairs, to move onto adjacent Crown owned lands. The adjacent lands consist of four acres, over one-third of which is occupied by the permanent Seaforth Armoury Building, and the removal of such buildings would not be practicable for several reasons:

(a) the area of land available is not nearly large enough to accommodate even those buildings which could be moved;

(b) the condition of many of the buildings would not permit them to be moved;

(c) the cost of moving the remaining buildings would not be justified, particularly in view of the limited requirement this Department would have;

(d) the occupation of the land in question by the buildings would eliminate the parade ground which is required in connection with the Seaforth Armoury building.

.....

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

My Minister has today advised the Minister of Veterans Affairs to the foregoing effect.

The circumstances referred to in the preceding paragraph are aside from the point, however, in view of the orders to both the Department of Mines and Resources and the Department of National Defence, dated May 12th and issued by Central Mortgage and Housing Corporation under the Emergency Shelter Regulations, which require that the premises be delivered by this Department to Central Mortgage and Housing Corporation on July 1st next and "that the terms and conditions of any covenent, agreement for sale or other agreement affecting the said land, huts and other buildings are hereby suspended".

This Department proposes to vacate the premises as soon as possible and will pay the rent provided in the leases referred to in the first paragraph above up to July 1st, 1947, or until such date as the premises are delivered to Central Mortgage and Housing Corporation.

Yours very truly,

(Sgd.) W.G. Mills,
Deputy Minister.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

Copy for the information of Mr. Hoey.

Ottawa, May 15, 1947.

Dear Dave,-

Referring to our telephone conversation yesterday, I thought I should send you a copy of the freezing order passed by the Housing Organization. I am taking it for granted they have the powers to do what is contemplated by the order. We will have to assume this in the meantime.

I am also sending you a copy of a letter received from the Deputy Minister of National Defence. You will notice they are prepared to vacate the land on July 1st; consequently the permits which we granted to that Department to occupy the land will not enter into the picture of your negotiations.

Our position would seem to be that we have entered into an agreement to sell the eight odd acres to the Royal Trust Company and naturally it is our duty to give them possession, and, as you know, they are anxious to secure it at once. The order that has been passed legally prohibits us from giving possession and I do not imagine that the purchaser would have any recourse against the Crown for damages. However, both the Government as vendor and the Royal Trust Company as purchasers are anxious to complete this sale. I am sure after you have discussed the matter with Mr. Campbell, between the two of you, you will be able to explore all possible avenues of escape from the present impasse. Without knowing the local situation, it was our feeling here that it might be possible to make an arrangement with the Housing Authorities to move the huts that are going to be turned into living accommodation either on to the Air Force property or on to the other parcels which have not yet been sold. I

D.J. Allan, Esq.,
C/o Major D.M. MacKay,
Indian Commissioner for B.C.,
P.O. Box 70,
VANCOUVER, B.C.

.....

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

refer to the eleven odd acres on False Creek and the two and a half acres and the other small parcel which lie to the East of the Bridge. It is possible that Mr. Campbell's clients may not need possession of all of the land immediately in connection with their proposed plans and they would be willing to allow the huts which are going to be used for living accommodation to remain on the part of the property we are purchasing, if arrangements can be made to remove the other huts which are not fit for habitation. Campbell, I know, is anxious to complete the purchase of the property and I am sure his clients will be willing to consider an arrangement of this kind.

In connection with the sale to the Royal Trust Company and the covenant we have to put in the Letters Patent in reference to the zoning conditions, I understand that Major MacKay was quite satisfied that these conditions did not affect the value of the other parcels we have to sell. The conditions are, of course, satisfactory to Mr. Campbell's clients but we must realize that they also affect the other parcels. Mr. Campbell will have a copy of the proposed conditions and I think it might be well for you to satisfy yourself on this point. Major MacKay wrote us last summer saying that he was quite satisfied to have them apply on all the land we owned East of the Bridge.

With kind regards,

Yours sincerely,

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

33-14-7307

May 14th, 1947.

Attention: Mr.Cyril Flack

Dear Sirs:

Replying to your letter of the 12th inst., re sale of a portion of Kitsilano Indian Reserve, I would advise that my inquiry of March 6th last was to meet our headquarters' request that I ascertain if I could get some idea what you might be prepared to pay for the property per acre as it would undoubtedly be of assistance to them when and if they formulate a sale.

COPY

However, it is noted that it is impossible for you to do business this way and I am advising the Department accordingly.

Yours faithfully,

:EW

For D. M. MacKay,
Indian Commissioner for B.C.

Campbell and Pound Limited,
1807 W. Broadway at Burrard,
Vancouver, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

Campbell & Pound Limited
INSURANCE · REAL ESTATE · MORTGAGES



1807 W. BROADWAY AT BURRARD · PHONE BA.4000
VANCOUVER, B. C.

May 12th, 1947.

Indian Commissioner for B.C.,
Department of Mines & Resources,
P. O. Box 70,
VANCOUVER, B. C.

Attention: Mr. D. M. MacKay

Dear Sir:

In our previous inquiries regarding Indian Reserve property that might be offered for sale, we have suggested that we had clients interested in purchasing. I notice in your letter of March 6th you ask us how much property our client would be interested in, and the price per acre that he would be willing to pay.

In my opinion, it is impossible to do business in this way, and would appreciate it if you could give us an idea as to what it would cost a client for this property, and how you are going to divide it.

Yours very truly,

CAMPBELL & POUND LTD.

Per: Cyril Flack.
(Cyril Flack)

CF:mc

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

INDIAN COMMISSIONER
BRITISH COLUMBIA

IN YOUR REPLY REFER TO
NO 33-14-7308
ALSO TO DATE OF THIS LETTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

P.O. BOX 70
VANCOUVER, B.C. May 14th, 1947.

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Your File 28835-3 (R.2)

With further reference to my letter of the 2nd instant regarding Kitsilano Indian Reserve, I enclose for your information Messrs. Campbell and Pound Limited's letter of the 12th instant, together with my reply, which are self-explanatory.

:EW
Encls.

For D. M. MacKay,
Indian Commissioner for B.C.

Department of Mines & Resources
Indian Affairs Branch.
MAY 17 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

REQUISITION FOR CHEQUE

TO BE USED FOR ADVANCES OR AUTHORIZED PAYMENTS FOR WHICH THERE ARE NO ACCOUNTS

DEPT. NO.

FILE NO. 101-7.4

TREAS. NO.

DEPARTMENT National Defence

BRANCH Air DATE 28th April, 1947.

APPLICATION IS HEREBY MADE FOR THE ISSUE OF THE FOLLOWING CHEQUE OR CHEQUES:—

CHEQUE No.	IN FAVOUR OF	AMOUNT
	Receiver General of Canada, c/o Dept. of Mines & Resources, Indian Affairs Branch, Booth Bldg. Sparks Street, Ottawa, Ontario.	$417,400.00

STATE BELOW, WITH DETAILS IN EVERY CASE, WHETHER (a) STANDING ADVANCE, (b) ADVANCE FOR SPECIFIC JOURNEY—ESTIMATING NUMBER OF DAYS, (c) OTHER ACCOUNTABLE ADVANCE, OR (d) AUTHORIZED PAYMENT.

Acquisition of Land, Kitsalino Reserve, Vancouver, B.C.

1946-47

H.D.H.Q. F.E. No. (4)0000	DIV. (2)00	ESTAB. (3)000	VOTE (3)000	PRI. (2)00	DIST. ALT. OR H.Q. SUB. ALT. (2)00	OBJECT (3)000	AMOUNT	DIST. SUB. AL. (2)00	DIST. F.E. No. (4)0000
29304			602	08	70	350	$417,400.00		

I CERTIFY THAT THIS APPLICATION IS MADE UNDER THE REQUISITE AUTHORITY, AND THAT THE EXPENDITURE IS NECESSARY IN THE INTERESTS OF THE PUBLIC SERVICE.

(W.R. Davis) A/G HEAD OF BRANCH

(J. Herbert) A/G DEPUTY HEAD

CHEQUE SIGNED BY
E. E. WILSON

TREASURY OFFICE APPROVAL

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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O.K. JB

JD/

TREASURY OFFICE
AIR FORCE SERVICES

COPY 2

NO ACKNOWLEDGMENT IS NECESSARY.
PLEASE QUOTE CHEQUE NUMBER WHEN REFERRING TO THIS REMITTANCE.
THE ENCLOSED OFFICIAL CHEQUE IS IN PAYMENT OF
YOUR CLAIM AS DETAILED HEREUNDER.
ADDRESS ANY INQUIRIES IN CONNECTION WITH THIS PAYMENT TO—

AIR HEADQUARTERS
JACKSON BLDG., OTTAWA, ONT.
(SOURCE 22) 17

CHIEF TREASURY OFFICER
DEPT. NAT'L DEFENCE (AIR)
JACKSON BLDG., OTTAWA

To Receiver General of Canada

DATE April ~~30~~ 30, 1947

1946-47

CHEQUE NO.	PARTICULARS	AMOUNT
	for Dept. of Mines & Resources, Indian Affairs Branch, Booth Bldg., Sparks St., Ottawa, Ont.	
6516	Acquisition of Land, Kitsalino Reserve, Vancouver, B.C.	417,400. 00

AIR H.Q.-F.E. No. (4)0000	DIV. (2)00	ESTAB. (3)000	VOTE (3)000	PRI. (2)00	COM. ALT. OR H.Q. SUB. ALT. (2)00	OBJECT (3)000	AMOUNT		COM. SUB. AL. (2)00	COM. F.E. No. (4)0000
29304			602	08	70	350	417,400.	00		
						TOTAL				

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

Poor Copy

C.T. 254
3M—28-2-46

Mr Bryson

File No. 28835 3

CREDIT MEMORANDUM Treasury

Received

$ 417,400.00 Ck. Gal

Department of Mines & Resources
Indian Affairs Branch.
JUL 19 1947
REGISTERED

Representative of the Treasury
RECEIVED
MAY 8 1947
INDIAN AFFAIRS

Deposited

Entered in Official Cash Book — Folio 51

Treasury Office Receipt No. 1844

Received from Air Force Services, D.N.D.
Ottawa Ont.

On account of Acquisition of Land, Kitsalino Res, Vancouver.

Land Surp
54C 1001.

Mr Bryson

R 2577

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

ORIGINAL FOR PAYOR

№ 1844

Ottawa, May 8th, 1947.

$417,400.00

Received from

Air Force Services,
Department of National Defence,
Jackson Building,
OTTAWA, Ontario.

Department of Mines & Resources
Indian Affairs Branch.
JUL 19 1947
REGISTERED

The sum of Four Hundred and Seventeen Thousand and Four Hundred .....xx/100 Dollars

on account of
Acquisition of land - Kitsalino Reserve.

E. J. Morgan
For Chief Treasury Officer
INDIAN AFFAIRS

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C.T. 254
3M—28-2-46

File No. 28835-3

Department of Mines & Resources
Indian Affairs Branch.
JUL 10 1947
REGISTERED

CREDIT MEMORANDUM

Treasury

Received

$10,000.00 ck. Gal

Deposited

Representative of the Treasury
RECEIVED
MAY 7 1947
INDIAN AFFAIRS

Entered in Official Cash Book — Folio 50

Treasury Office Receipt No. 1841

Received from J. A. Campbell K.C.
Vancouver B.C.

Land Insp. 995

On account of Purchase of 7.96 ac. of Kitsilano Ind. Res. by Sicks' Capilano Brewery Ltd.

54C

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

№ 1841

PAYOR

Ottawa, May 7th, 1947.

Department of Mines & Resources
Indian Affairs Branch
JUL 10 1947
REGISTERED

$ 10,000.00

ed from

J. A. Campbell, Esq., K.C.,
Barrister & Solicitor,
VANCOUVER,
British Columbia.

The sum of Ten Thousand .....xx /100 Dollars

on account of
Purchase of land by Sicks' Capilano
Brewery Limited - Kitsilano Indian Reserve.

For Chief Treasury Officer
INDIAN AFFAIRS

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

21593.

Ottawa, May 31st, 1947

Description of a portion of Kitsilano I.R. No.6 In New Westminster District, B.C., for insertion in conveyance to the Dept. of National Defence.

All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District in the Province of British Columbia, comprising by admeasurement forty-one acres and seventy-four hundredths of an acre, more or less, and which is bounded as follows:

On the south by the north boundary of the Canadian Pacific Railway right of way and the north boundary of Parcel C of the Burrard Inlet Bridge right-of-way; on the west by the eastern boundary of Chestnut street; on the north and east by the line of mean high water as determined in December in the year nineteen hundred and twenty-eight by Instrumental Levelling at elevation 96.52 feet, City datum; and as the aforesaid boundaries are shown upon a plan of Parcels "A", "B", and "C" of said Indian reserve signed by G.F. Fontaine, British Columbia Land Surveyor, on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry office at Vancouver in said Province, and whereof a copy is of record number M. two thousand six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa; the said portion being subject to the terms and provisions in a lease dated the first day of March, nineteen hundred and thirty-eight, to the Greater Vancouver Water District in British Columbia for a pipe line.

J.D. Bradley

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

21593.

Ottawa, May 31st, 1947

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All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District in the Province of British Columbia, comprising by admeasurement forty-one acres and seventy-four hundredths of an acre, more or less, and which is bounded as follows:

On the south by the north boundary of the Canadian Pacific Railway right of way and the north boundary of Parcel C of the Burrard Inlet Bridge right-of-way; on the west by the eastern boundary of Chestnut street; on the north and east by the line of mean high water as determined in December in the year nineteen hundred and twenty-eight by Instrumental Levelling at elevation 96.52 feet, City datum; and as the aforesaid boundaries are shown upon a plan of Parcels "A", "B", and "C" of said Indian reserve signed by G.F. Fontaine, British Columbia Land Surveyor, on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry office at Vancouver in said Province, and whereof a copy is of record number M. two thousand six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa; the said portion being subject to the terms and provisions in a lease dated the first day of March, nineteen hundred and thirty-eight, to the Greater Vancouver Water District in British Columbia [illegible] pipe line.

H.D. Bradley

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

21593.

Ottawa, May 31st, 1947

Description of a portion of Kitsilano Indian Reserve No.6 in New Westminster District in British Columbia, for insertion In Letters-Patent.

All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District in the Province of British Columbia, which said portion is bounded as follows:

On the westerly side by that part of the easterly limit of the right of way of the Burrard Bridge known as Parcel "B"; on the easterly side by the westerly limit of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.); on the south by the north boundary of District lot five hundred and twenty-six; and as the aforementioned boundaries are shown upon a plan of Parcels "A", "B", and "C", in said Indian Reserve, signed by G.F. Fontaine, British Columbia Land Surveyor on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry Office at Vancouver in said Province, and whereof a copy is of record number M. twenty-six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa; saving and excepting thereout and therefrom those two parcels, conveyed to the Department of National Defence by ~~respective~~ Orders-in-Council, P.C. 1913 dated the twenty-third day of August, nineteen hundred and thirty-four and P.C. 3164 dated the seventh day of January, nineteen hundred and thirty-five; the portion hereby conveyed containing by admeasurement eight acres and sixty-six thousandths of an acre, more or less.

J. D. Bradley

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

28835-3

QUOTE FILE 21593.

ADDRESS REPLY TO:
HYDROGRAPHIC AND MAP SERVICE

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
SURVEYS AND ENGINEERING BRANCH
Labelle Bldg.

OTTAWA May 31st, 1947

Memorandum:

D.J. Allan, Esq.,
Indian Affairs Branch.

Re: Kitsilano I.R. No.6, in British Columbia.

With reference to your memorandum of May 10, file 28835-3, transmitting copy of P.C. 1706 dated April 29th, 1947, and description of the parcel applied for by the Royal Trust Company, we are enclosing herewith descriptions prepared in this office, of the lands applied for by said Trust Company, and by the Department of National Defence in Kitsilano I.R.No.6.

With reference to the land applied for by the Department of National Defence, your attention is directed to that part of our description therefor which relates to the terms and provisions in a lease dated March 1st, 1938 to the Greater Vancouver Water District for a right of way for a pipe line. You may consider that this part of the description should be deleted and that reference to it should be made elsewhere in the document transferring the land.

In respect to this description, you will observe that we included the 6.25 acres of artificially built-up land. In this connection please refer to our memorandum dated December 6th, 1946, your file 28835-3, wherein we stated that the status of this area should be ascertained before transfer of it was made by this Department.

Two blue prints of our plan M.2600, and your files 21167-5-2 and 13167-83 are herewith.

The print of the plan accompanying your memorandum of May 10th has been retained by us.

Department of Mines & Resources
Indian Affairs Branch.
JUN 3 1947
REGISTERED

Encls.

F.H. Peters,
Surveyor General, and
Chief, Hydrographic Service.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

VANCOUVER DAILY PROVINCE
A SOUTHAM NEWSPAPER
Published every day except Sunday and holidays at the southeast corner of Hastings and Cambie streets, Victory Square, in the City of Vancouver, Province of British Columbia, by the Southam Company Limited.

The Province aims to be an independent, clean newspaper for the home, devoted to public service.

THURSDAY, MAY 29, 1947

The Reserve Scandal

KITSILANO Reserve may never become a park, but if it does not, it will certainly stand as a monument—a monument to the folly of certain brands of politics, to bureaucratic stubbornness and to Ottawa's stupid greed and utter lack of imagination in dealing with one of Canada's great cities.

The Kitsilano Reserve once belonged to British Columbia. It was handed over to the Dominion at Confederation for the use of the Indians. But no Indian has lived on it or used it for 35 years. Hon. W. J. Bowser tried to get possession of it in his day and paid $300,000 of the province's money for it. He wanted to make it a railway terminal, but could never get title. Only a few weeks ago, the Dominion paid the $300,000 back to the province with $50,000 interest.

Meanwhile, the city of Vancouver, which could possibly have bought the land for a song when it was incorporated in 1886, grew up about the reserve. The reserve was worth nothing when Vancouver started to grow. The provincial government, which had land in the vicinity, was giving it away. In 60 years, the federal government, which holds title to the reserve, did nothing to make the land more valuable. The people of Vancouver did everything. They settled the area close about it, providing all the amenities of a great city.

They tried at various times to get the reserve for a park, seeing that it had half a mile of beach and would fit in admirably with their park system. But they never had any success. Either the Indian branch would not deal or its prices were absurd. Even when Vancouver wanted a trifle over eight acres for footings for the Burrard Bridge the branch asked $200,000 and carried the matter to two appeals when an arbitration tribunal reduced the price to less than $45,000.

And now the branch announces that it has sold 42 acres of the reserve to the Royal Canadian Air Force for $420,000. That can only mean the 42 acres to the north and west of Burrard Bridge, the part adjoining Kitsilano beach—the choicest part of the reserve and the very part Vancouver must have if its long-term plan of a parkway round English Bay is ever to be implemented.

The Indian branch has known for 30 years that Vancouver wanted this piece of property and why it wanted it. Its quiet sale to the RCAF, therefore, can only be regarded as a callous bit of indifference to the desires of Vancouver people and to the city's welfare.

The RCAF which has already warehouses on the Reserve property, can only want the additional acreage for more storage space—for a dump, in other words. Why an airforce dump should be created on one of the choicest bits of Vancouver's recreational waterfront, when there are hundreds of thousands of other acres in Canada that would serve the purpose just as well is a question Ottawa should be required to answer. And Vancouver's members of Parliament should see that the question is answered.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

28835--3

VANCOUVER DAILY PROVINCE

A SOUTHAM NEWSPAPER

Published every day except Sunday and holidays at the southeast corner of Hastings and Cambie streets, Victory Square, in the City of Vancouver, Province of British Columbia, by the Southam Company Limited.

The Province aims to be an independent, clean newspaper for the home, devoted to public service.

TUESDAY, MAY 27, 1947

The Indian Reserves

THE department of mines and resources, preparing to improve the condition of the Indians on the Mission Reserve, has approached the city of North Vancouver with a view to a better water supply and the city has intimated that it is ready to enter into negotiations.

With all due respect to both parties, there is more than water to discuss. The whole question of Indian reserves on the North Shore of Burrard Inlet might well be raised and Vancouver might be brought in to discuss the Kitsilano Reserve and the Musqueam Reserve, too.

The reserves within the confines of Greater Vancouver are not, at the moment, being administered in the interests of the Indians or of the white population of the community either. They are being allowed to lie fallow—thousands of acres of valuable residential and industrial property and long stretches of waterfront. They need water, they need better housing, they need sanitation facilities.

It may be argued, of course, that the Indian is a child of nature and that it is contrary to policy to try to make a white man of him. But the Indians on the Vancouver reserves are town dwellers and not children of nature any more. But they are decidedly under-privileged town-dwellers, and it is the unprogressive policy of the Indian branch that is keeping them so.

There is no intention here of suggesting anything that would injure the Indians. They are the wards of the government and are entitled to better treatment than they have been getting.

The Greater Vancouver communities are entitled to better treatment, too. Indian reserves in a metropolitan area are an anachronism. The Burrard Inlet communities are entitled to the privilege of planning their development in orderly fashion and they can not plan their development properly while great stretches of undeveloped land is allowed to lie within their borders or just outside.

The problem is one touching all Greater Vancouver and it is time it was brought to a head.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

DEPARTMENT OF MINES AND RESOURCES
OFFICE OF THE DEPUTY MINISTER

OTTAWA 2/11/47

To Mr Jackson · Mr Holly

FOR INFORMATION

ad file.

Mr Hoey

File

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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DIVISION

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 3rd June, 1947.

MEMORANDUM:

Mr. Brown.

The attached blue prints were handed to me by Mr. Jackson yesterday. He had received them from Mr. J. A. Campbell, K.C., of Vancouver. There was no covering letter and it is presumed that possibly Mr. Allan may have requested these to be sent down.

I am, therefore, forwarding them along to you for your files or for whatever action is contemplated.

Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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File: 28835-3 (R.2)

Ottawa, June 10th, 1947.

MEMORANDUM TO:

W. M. Cory, Esq.,
Departmental Solicitor.

You will recall that the writer discussed with you the proposed Order in Council authorizing the transfer of 41.74 acres of the Kitsilano Reserve to the Department of National Defence and that you stated you would supply a draft form of the particular Order in Council required.

Since then two additional points have arisen in connection with this transfer which I feel should be brought to your attention and I am, therefore, enclosing herewith branch files 28835-3, 21167-5-2 and closed Volume 5 of file 28835-3.

You will note that under date of May 31st our Surveys Branch have supplied a description of the parcel to be conveyed and have provided at the end of the description a clause stating that the transfer is subject to the provisions of a lease in favour of the Greater Vancouver Water District for a pipe line. On Branch file 21167-5-2 you will note the correspondence leading up to the issue of this pipe line easement and I have attached to the file the original copy of the easement itself. I would be pleased to have you comment as to whether the phraseology as used by Surveys in the description is sufficient and if not what additions you would suggest.

You will also note that in his memorandum of May 31st, 1947, Mr. Peters mentions the 6.25 acres of artificially built up land and in this connection refers to his memorandum of December 6th, 1946, regarding the status of this area. The memorandum of December 6th, 1946, will be found on closed Volume 5 of our file 28835-3 and you will note that with reference to Mr. Peters' comments, you

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

suggested that we endeavour to secure a release of interest in the accretion from the Province which was done. However, in the third paragraph of your memorandum you mentioned the possibility that the Harbour Board might lay claim to this accretion and I would be pleased if you would give this point full consideration for as you are aware, we are under obligation to sell this surrendered Reserve for at least $60,000.00 and were we to lose the $62,500.00 which the Department of National Defence is paying for this accretion, it might seriously upset our sale plans for we are running fairly close to the line in selling at $10,000.00 an acre.

for D.J. Allan,
Superintendent,
Rexerves and Trusts.

LB/EPB

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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RECORDS - NOTE:

Files hereunder to
be forwarded to:

W. M. Cory, Esq.,
Departmental Solicitor.

E.P.B.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

IN REPLY PLEASE QUOTE
No. H.Q. 101-V4 Vol.2 (JAG/N)

CANADA

DEPARTMENT OF NATIONAL DEFENCE
ARMY

Department of Mines & Resources
OTTAWA
JUN 12 1947
DEPUTY MINISTER

OTTAWA, Ontario, June 6th, 1947.

The Deputy Minister,
Department of Mines and Resources,
O T T A W A , Ontario.

Re: No. 2 Equipment Depot, Vancouver, B.C.
Purchase of Part of Kitsilano Indian
Reserve, Squamish Band of Indians.

With reference to Order in Council P.C. 1683 dated 29th April, 1947, whereby authority was granted to acquire 41.74 acres of the Kitsilano Indian Reserve No.6 at a price of $10,000.00 an acre, cheque in your favour in the sum of $417,400.00 has been delivered to you. It is noted, however, that by P.C. 1707 of 29th April, 1947, authority was granted to your Minister to sell "approximately 41.387 acres" of this land to His Majesty the King.

There is no indication on our files as to how or where the discrepancy in the amount of land arose but I would indicate that this Department considered that they were purchasing all the area of land which is bounded as follows: on the south by the north boundary of the Canadian Pacific Railway right of way and the north boundary of Parcel "C" of the Burrard Bridge right of way; on the west and east by the Line of Mean High Water of English Bay and False Creek as determined in 1928 by instrumental levelling at elevation of 96.52 feet, City datum; all of which is shown edged in red on compiled plan of the Kitsilano Indian Reserve No. 6 of record number B.C. 900 in the Indian Affairs Survey Records, Department of Mines and Resources, Ottawa, which land was the subject of a memorandum of agreement made on the 16th November 1942, between the Superintendent General of Indian Affairs and the Minister of National Defence for Air. It was our understanding that this parcel of land contained 41.74 acres.

In view of the discrepancy as indicated, it is requested that you obtain an exact survey of the area in question in order to ascertain the exact number of acres involved. As a result of that survey it may be necessary for this Department to seek a rebate from your Department in view of the fact that the sale was at the price of $10,000.00 per acre on the understanding that there were 41.74 acres involved. It would not appear necessary to take any action to amend Order in Council P.C. 1707 of 29th April, 1947, if the land in question contains 41.74 acres observing that the land was described in that Order as comprising "approximately 41.387 acres".

It is further requested that you indicate to this Department as to whether or not there are any building restrictions affecting the lands in question, and that you deliver to this Department evidence of good title

.. 2.

M.F.B. 239
1000M—4-41(125)
H.Q. 1772-39-194

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

showing the grants, easements, etc., to which it is subject, and the transfer of them to this Department.

Notification has been received from the Indian Affairs Branch of your Department under date of 25th March, 1947, that the payment in advance in connection with our lease on this property was due 8th April, 1947, and presumably you will wish to adjust this rental to the date of delivery of the purchase monies to you. I should be pleased to receive your comments in this respect indicating what amount you consider should be taken into account in this respect so that it may be adjusted in the final closing of the purchase.

I would be pleased to have your comments and observations with respect to the above at your convenience.

Yours very truly,

Deputy Minister
Department of National Defence.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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DRAFT.

Ottawa, 12th June, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of Your Excellency in Council, P.C. 1707, dated the 29th day of April, 1947, authority was granted the Minister of Mines and Resources, on behalf of His Majesty to accept an offer to purchase made by His Majesty the King, as represented by the Minister of National Defence, under authority of Order in Council P.C. 1683, dated the 29th day of April, 1947, of an area of approximately 41.387 acres of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia;

THAT the actual area to be acquired as aforesaid is 41.74 acres and the purchase price is $10,000.00 per acre;

THAT His Majesty the King, as represented by the Minister of National Defence, has delivered to His Majesty the King, as represented by the Minister of Mines and Resources, the full purchase price of $417,400.00 which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band, dated the 17th day of April 1946.

The undersigned, therefore, recommends that the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to His Majesty the King, as represented by the Minister of National Defence, subject to the unexpired terms of an existing license of occupation dated the 1st day of March, 1938, in favour of the Greater Vancouver Water District, for the purpose of laying and maintaining a water pipe line across the said lands.

DESCRIPTION:

All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District, in the Province of British Columbia, comprising by admeasurement forty-one acres and seventy-four hundredths of an acre, more or less, and which is bounded as follows:

On the south by the north boundary of the Canadian Pacific Railway right of way and the north boundary of Parcel C of the Burrard Inlet Bridge right of way; on the west by the eastern boundary of Chestnut Street; on the north and east by the line of mean high water as determined in December in the year nineteen hundred and twenty-eight by Instrumental Levelling at elevation 96.52 feet, City datum; and as the aforesaid boundaries are shown upon a plan of Parcels "A", "B" and "C" of said Indian reserve signed by G. F. Fontaine, British Columbia Land Surveyor, on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry Office at Vancouver in said Province, and whereof a copy is of record numbered two thousand six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa.

Respectfully submitted,

Acting Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

28835-3

LEGAL DIVISION

CANADA
DEPARTMENT OF JUN 18 1947
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES
REGISTERED

OTTAWA 18th June, 1947.

MEMORANDUM:

Mr. Allan.

I wish to acknowledge receipt of your memorandum of the 10th instant together with Branch files 28835-3, 21167-5-2 and closed volume 5 of file 28835-3, in connection with the transfer to the Department of National Defence of 41.74 acres of the Kitsilano Indian Reserve, Province of British Columbia, referred to in P.C. 1707 dated the 29th day of April, 1947.

As requested, I am forwarding herewith a draft Report to Council for our Acting Minister's signature which, when submitted to Council and passed, will transfer the lands in question to the Department of National Defence subject to the existing license of occupation in favour of the Greater Vancouver Water District. The description contained in my proposed draft Report to Council is that supplied by the Surveyor General in his memorandum to you of the 31st May last. It will also be noted that I suggest a plan be attached to this Report to Council wherein the parcel in question is outlined in red.

With regard to the 6.25 acres of land artificially built up and which is included in the area to be transferred as aforesaid, I may say that we are clear as a release of this area has been obtained from the Province which said release is dated the 4th day of March, A.D. 1947, and is Provincial Executive Order No. 374. This is marked hereunder for ready reference.

With regard to my prior memorandum, referred to in your said memorandum herein, I mentioned the possibility that the Harbours Board might lay claim to this accretion. I wish to advise that this possibility has been further considered and after consultation with the National Harbours Board it is found that an agreement was entered into as between the Dominion and the Province of British Columbia by concurrent Orders in Council which agreement briefly provided that the National Harbours Board released to the Province in 1924 any interest that it might have to the bed or foreshores of English Bay and False Creek. The Dominion Order in Council is numbered P.C. 941 and is dated the 7th day of June, 1924. The Provincial Executive Order is dated the 6th day of May, 1924. The further effect of this

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

agreement was to abolish what has been formerly known as the Vancouver Harbour and has re-established this harbour as Burrard Inlet.

I would direct your attention particularly to the letter received by the Deputy Minister yesterday from the Department of National Defence on this question. This letter is dated the 6th instant and is attached to the file immediately hereunder. It will be noted that one of the points raised therein is the question of indicating to the Department of National Defence any building restrictions affecting the lands in question together with any grants, easements, etc., to which they are subject, with the further request that they be transferred to the Department of National Defence.

I have discussed this matter with Mr. Jackson and he is of the view that the license of occupation dated the 1st day of March, 1938, granted to the Greater Vancouver Water District for the purpose of laying and maintaining over the lands its water pipe line should be transferred to the Department of National Defence as requested. The adjustment of rental date of course will be the date upon which the purchase monies were paid by the Department of National Defence. It is also brought to your attention that an adjustment of rental for lease to the Department of National Defence which was due the 8th April, 1947, should also be taken into account in the final closing of purchase.

Files returned herewith.

Departmental Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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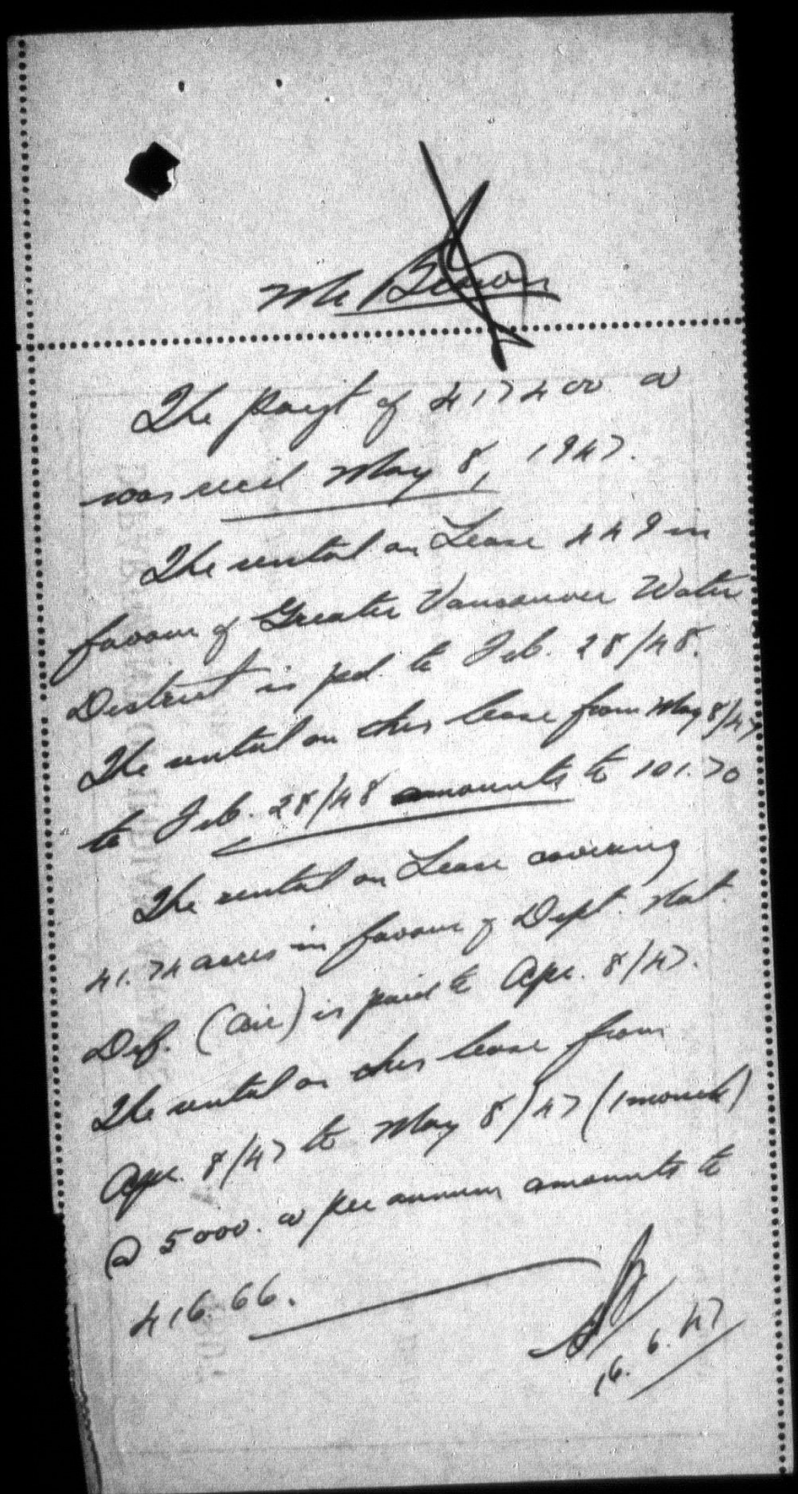

Mr Brown

The payt of 417400 w
was recd May 8, 1947.

The rental on Lease 449 in
favour of Greater Vancouver Water
District is pd. to Feb. 28/48.
The rental on this lease from May 8/47
to Feb. 28/48 amounts to 101.70

The rental on Lease covering
41.74 acres in favour of Dept. Nat.
Def. (Air) is paid to Apr. 8/47.
The rental on this lease from
Apr. 8/47 to May 8/47 (1 month)
@ 5000. w per annum amounts to
416.66.

16.6.47

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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ME[redacted]ORANDUM

Cory going to speak to Jackson about this matter and re calling a meeting to settle the future steps to be taken on this matter

30/6/47 [illegible]

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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Kitsilano Indian Reserve No 6
Squamish Band
NORTH WESTERLY PORTION
35.49 Acres
6.25 Acres
HARBOUR
HEADLINE
False
Creek
Bute St.
Beach Ave
Thurlow St.
Pacific St.
Burrard St.
Hornby St.
Howe St.
Granville St.
BRIDGE
BURRARD
BRIDGE
0.26 Acres
Chestnut St.
C.P.R. Rly.
B
2.33 Acres
Railway
2.1 Ac.
SOUTH WESTERLY PORTION
7.96 Acres
SOUTH EASTERLY PORTION
9.1 Acres
GRANVILLE
Duranleau
Johns
N

1 of

Kitsilano Indian Reserve No 6
Squamish Band

NORTH WESTERLY PORTION
35.49 Acres

SOUTH WESTERLY PORTION
7.96 Acres

SOUTH EASTERLY PORTION
9.1 Acres

B
2.33 Acres

0.26 Acres

2.186

CITY OF VANCOUVER C
1.833 Acres

ARMOURY
4.29 Acres

Chestnut St

BURRARD BRIDGE

Burrard St

Hornby St.

Howe St.

Granville St.

BRIDGE

C.P.R. Rly

1ST Ave

2ND Ave

3RD Ave.

Burrard St.

GRANVILLE

Johnston St.

Anderson St.

GRANVILLE ISLAND

Cartwright St

2 of 2

Scale 1" = 200'

Attorney-General of Canada vs Higbee et al

1941 57 B.C. Reports, Page 274

Attorney-General Can vs Higbee et al.

1941 57 B.C. Reports.
pag 274

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

OFFICE OF THE
DEPUTY MINISTER

CANADA
DEPARTMENT OF MINES AND RESOURCES

Department of Mines & Resources
Indian Affairs Branch
OCT 3 1947
REGISTERED

Ottawa, May 15, 1947.

Dear Dave,-

Referring to our telephone conversation yesterday, I thought I should send you a copy of the freezing order passed by the Housing Organization. I am taking it for granted they have the powers to do what is contemplated by the order. We will have to assume this in the meantime.

I am also sending you a copy of a letter received from the Deputy Minister of National Defence. You will notice they are prepared to vacate the land on July 1st; consequently the permits which we granted to that Department to occupy the land will not enter into the picture of your negotiations.

Our position would seem to be that we have entered into an agreement to sell the eight odd acres to the Royal Trust Company and naturally it is our duty to give them possession, and, as you know, they are anxious to secure it at once. The order that has been passed legally prohibits us from giving possession and I do not imagine that the purchaser would have any recourse against the Crown for damages. However, both the Government as vendor and the Royal Trust Company as purchasers are anxious to complete this sale. I am sure after you have discussed the matter with Mr. Campbell, between the two of you, you will be able to explore all possible avenues of escape from the present impasse. Without knowing the local situation, it was our feeling here that it might be possible to make an arrangement with the Housing Authorities to move the huts that are going to be turned into living accommodation either on to the Air Force property or on to the other parcels which have not yet been sold. I

D.J. Allan, Esq.,
C/o Major D.M. MacKay,
Indian Commissioner for B.C.,
P.O. Box 70,
VANCOUVER, B.C.

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

refer to the eleven odd acres on False Creek and the two and a half acres and the other small parcel which lie to the East of the Bridge. It is possible that Mr. Campbell's clients may not need possession of all of the land immediately in connection with their proposed plans and they would be willing to allow the huts which are going to be used for living accommodation to remain on the part of the property we are purchasing, if arrangements can be made to remove the other huts which are not fit for habitation. Campbell, I know, is anxious to complete the purchase of the property and I am sure his clients will be willing to consider an arrangement of this kind.

In connection with the sale to the Royal Trust Company and the covenant we have to put in the Letters Patent in reference to the zoning conditions, I understand that Major MacKay was quite satisfied that these conditions did not affect the value of the other parcels we have to sell. The conditions are, of course, satisfactory to Mr. Campbell's clients but we must realize that they also affect the other parcels. Mr. Campbell will have a copy of the proposed conditions and I think it might be well for you to satisfy yourself on this point. Major MacKay wrote us last summer saying that he was quite satisfied to have them apply on all the land we owned East of the Bridge.

With kind regards,

Yours sincerely,

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

COPY H.Q.54-27-76-9-15

DEPARTMENT OF NATIONAL DEFENCE

OFFICE OF THE DEPUTY MINISTER

Ottawa, May 13, 1947.

The Deputy Minister,
Department of Mines and Resources,
Ottawa.

Dear Sir:

This Department occupies under lease from the Indian Affairs Branch of your Department certain portions of the Kitsilano Indian Reserve at Vancouver, B.C., as follows:

(a) 3.35 acres, at a rental of $650 per annum, until June 1st, next;
(b) 5 acres, at a rental of $1500 per annum, until October 15th next.

On the five acre block are situated some forty-six buildings which originally formed part of this Department's Seaforth Camp and which this Department was asked, through the office of the Minister of Veterans Affairs, to move onto adjacent Crown owned lands. The adjacent lands consist of four acres, over one-third of which is occupied by the permanent Seaforth Armoury Building, and the removal of such buildings would not be practicable for several reasons:

(a) the area of land available is not nearly large enough to accommodate even those buildings which could be moved;

(b) the condition of many of the buildings would not permit them to be moved;

(c) the cost of moving the remaining buildings would not be justified, particularly in view of the limited requirement this Department would have;

(d) the occupation of the land in question by the buildings would eliminate the parade ground which is required in connection with the Seaforth Armoury building.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

My Minister has today advised the Minister of Veterans Affairs to the foregoing effect.

The circumstances referred to in the preceding paragraph are aside from the point, however, in view of the orders to both the Department of Mines and Resources and the Department of National Defence, dated May 12th and issued by Central Mortgage and Housing Corporation under the Emergency Shelter Regulations, which require that the premises be delivered by this Department to Central Mortgage and Housing Corporation on July 1st next and "that the terms and conditions of any covenent, agreement for sale or other agreement affecting the said land, huts and other buildings are hereby suspended".

This Department proposes to vacate the premises as soon as possible and will pay the rent provided in the leases referred to in the first paragraph above up to July 1st, 1947, or until such date as the premises are delivered to Central Mortgage and Housing Corporation.

Yours very truly,

(Sgd.) W.G. Mills,
Deputy Minister.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

COPY.

ORDER MADE UNDER

THE EMERGENCY SHELTER REGULATIONS

To Mr. H. L. Keenleyside, Deputy Minister of Mines and Resources:

WHEREAS certain Army huts and buildings erected on land adjacent to the Seaforth Armouries, in Vancouver, are presently occupied by the Department of National Defence under license from the Department of Mines and Resources;

AND WHEREAS the said huts and buildings and land will in the near future be released by the Department of National Defence;

AND WHEREAS the said land is land referred to in Order in Council P.C. 1707, dated 29th April, 1947, comprising approximately 8.067 acres of land;

AND WHEREAS the said land, huts and buildings erected thereon are urgently needed for emergency shelter purposes for veterans and their families;

IT IS THEREFORE ORDERED pursuant to Order in Council P.C. 9459 of December 19th, 1944, as amended and Order in Council P.C. 7582 of December 28th, 1945, that possession of the said land and huts and other buildings be delivered to Central Mortgage and Housing Corporation for emergency Shelter purposes, subject to the use by the Department of National Defence of the said land and huts and buildings;

AND IT IS FURTHER ORDERED that the terms and conditions of any covenant, agreement for sale or other agreement affecting the said land, huts and other buildings are hereby suspended.

CENTRAL MORTGAGE AND HOUSING CORPORATION.

Dated at Ottawa this
12th day of May,
1947. (SEAL)

(sgd) D.B.Mansur,
President.

(sgd) Eric R. Gibbd,
Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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COPY.

ORDER MADE UNDER

THE EMERGENCY SHELTER REGULATIONS

To Mr. W. G. Mills, Deputy Minister of National Defence.

Pursuant to The Emergency Shelter Regulations established by Order in Council P.C. 9459 of December 19th, 1944, as amended and Order in Council P.C. 7502 of December 28th, 1945, you are hereby required to deliver to Central Mortgage and Housing Corporation on July 1st, 1947, or on such date as may be agreed upon between your Department and this Corporation, possession of the Army huts and buildings and the land upon which they are erected adjacent to the Seaforth Armouries, in Vancouver, for emergency shelter purposes.

CENTRAL MORTGAGE AND HOUSING CORPORATION.

.....
President

.....
Secretary

Dated at Ottawa this
12th day of May, 1947.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

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ORDER MADE UNDER

THE EMERGENCY SHELTER REGULATIONS

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AND WHEREAS the said huts and buildings and land will in the near future be released by the Department of National Defence;

AND WHEREAS the said land is land referred to in Order in Council P.C. 1707, dated 29th April, 1947, comprising approximately 8.067 acres of land;

AND WHEREAS the said land, huts and buildings erected thereon are urgently needed for emergency shelter purposes for veterans and their families;

IT IS THEREFORE ORDERED pursuant to Order in Council P.C. 9439 of December 19th, 1944, as amended and Order in Council P.C. 7502 of December 28th, 1945, that possession of the said land and huts and other buildings be delivered to Central Mortgage and Housing Corporation for emergency Shelter purposes, subject to the use by the Department of National Defence of the said land and huts and buildings;

AND IT IS FURTHER ORDERED that the terms and conditions of any covenant, agreement for sale or other agreement affecting the said land, huts and other buildings are hereby suspended.

CENTRAL MORTGAGE AND HOUSING CORPORATION.

Dated at Ottawa this
12th day of May,
1947. (SEAL)

(sgd) D.B.Mansur,
President.

(sgd) Eric R. Gold,
Secretary.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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ORDER MADE UNDER

THE EMERGENCY SHELTER REGULATIONS

To Mr. W. G. Mills, Deputy Minister of National Defence.

Pursuant to The Emergency Shelter Regulations established by Order in Council P.C. 9439 of December 19th, 1944, as amended and Order in Council P.C. 7502 of December 28th, 1945, you are hereby required to deliver to Central Mortgage and Housing Corporation on July 1st, 1947, or on such date as may be agreed upon between your Department and this Corporation, possession of the Army huts and buildings and the land upon which they are erected adjacent to the Seaforth Armouries, in Vancouver, for emergency shelter purposes.

CENTRAL MORTGAGE AND HOUSING CORPORATION.

.....
President

.....
Secretary

Dated at Ottawa this
12th day of May, 1947.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

Air Mail

May 17, 1947.

Dear Mr. Jackson:

I acknowledge your note of May 15th with enclosures and Major MacKay and I both appreciate the information contained in the material forwarded as it somewhat clarifies the picture in our minds.

Since my arrival here Commissioner MacKay and I have looked over the ground and have interviewed such of the interested people as we could contact which due to the week end and the absence of certain people for the week end whom it appears necessary that we should see has not been to satisfactory. We did, however, attend on the ground with Mr. J. A. Campbell yesterday and got the picture on the ground clear in our minds. This morning we interviewed the D.A.Q.M.G., Major J. E. Brawn, who furnished us with a ground plan of the hutment layout and explained to us the character and the services laid on in the various units.

Mr. MacKay and I have considered the alternative sites suggested in your letter and telephone conversation and I will attempt to report in order on each of them. First with reference to the suggestion that the triangular parcel which we own (2.233 acres), this does not appear to us to be either suitable or practical as a site onto which to move the hutments. It is much too small and it is very rough and uneven in character and covered with brush and sizeable old stumps. Before it could be used at all the surface would have to be bulldozed off at prohibitive cost. Further the buildings are not of such construction that they would stand the move across the Burrard Bridge approach to get to the area in question. I would also anticipate strenuous opposition from the City as they would be an eyesore and most detrimental to the City's plan.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

As to the second alternative you suggest - that the buildings might be moved to the 11-acre False Creek parcel, this does not appear to be practical as that site is covered with from four to fifteen feet of sawdust and mill debris which would have to be moved at heavy cost, probably by barge or by the construction of an incinerator on the site to burn it up and such an arrangement would not likely be permitted by the City authorities and is really not a practical suggestion. Further the railway tracks which lie between the 11-acre parcel and the buildings would constitute a further physical obstacle to the movement of these buildings and neither of us believe that it could be done save at prohibitive cost and the destruction of the buildings in the process.

The third alternative that you suggested as having been discussed was to move the buildings over onto the 40-acre parcel sold to National Defence on the opposite side of the Burrard Street approach and the Canadian Pacific Railway. We are assured that this also is impractical and in any event the R.C.A.F. have a large built-up area on the portion of the property nearest to the present Seaforth Camp.

There remains in our opinion only one other alternative and that is to move some of the buildings onto the Parade ground which takes up approximately three acres at the rear of the Seaforth Armoury. This plot of ground is completely covered with concrete pavement. Many of the buildings available for emergency housing could be moved onto the Parade ground without difficulty and this is the only location where sewer and water facilities could be made available to them. City sewer and water facilities are available only from the First Avenue boundary of the property. If National Defence were prepared to give up the east end of their Parade ground room could be made to accommodate possibly ten to sixteen of the smaller hutments.

Our purchasers, through Mr. J. A. Campbell, have suggested that they would be content to leave the group of housing units which lie immediately east of the Parade ground where they are for say eighteen months subject to the provision that they would be removed at the end of that time. At the time of writing the hutments on the enclosed plan numbered 29, 30, 31, and 32 to 37, would appear the most suitable for emergency housing and they would not need to be disturbed for say eighteen months.

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Our purchasers, however, would consent to the use of the property only on the condition that they be given say fifty feet right of way across the Parade ground to enable them to reach the site of their building from First Avenue. This right of way would be of a temporary nature as they would later on have their own property available as a right of way immediately to the east of the Parade ground where buildings 29, 30 and 31 now stand. I have marked on the plan the various units that have already been dismantled with the letter 'D' and cross-hatched. I have marked the ones that might be moved onto the Parade ground if that suggestion could be worked out with the letter 'M.'

Huts 1, 2, 3, 45 and 46, are at present occupied by the Seaforth Cadets. Units 27 and 44 are very large, fairly well constructed buildings, served with sewer and water and have heating plants in them, and do not appear to be removable at all although they are suitable for emergency housing and will no doubt be the units most desired by the emergency housing people. I have marked in red the limits of the property which Mr. Campbell intimated might be temporarily left in possession of emergency shelter without unduly embarrassing the purchasers. The balance of the Camp will, I think, by some means or other have to be made available to the purchasers or the deal will fall through, and in addition a right of way over the Parade ground, 50 feet wide, will have to be obtained from National Defence for our purchasers on some temporary arrangement.

We may have to revise this report after we have been successful in getting in contact with the emergency housing people but as this is impossible before Monday at the earliest our information from that source is very incomplete.

Yours faithfully,

ew

D. J. Allan,
Superintendent,
Reserves and Trusts.

C. W. Jackson, Esq.,
Chief Executive Assistant,
Dept. of Mines and Resources,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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May 15th, 1947

The only suggestion I can make is that Mr. Glen offer everything we have left to the Department of National Defense for the difference between what we got for the airforce block and the $600,000 we have to make up to meet the terms of the surrender. Were Defense to do this, they could take all the time they need to clear up the camp and at the same time save their parade ground and provide for expansion of the Armoury's grounds to meet any imminent or future requirements of the various militia, reserve or permanent army units.

I would expect a storm to break in the local press as soon as the news of the use of this central property for a brewery breaks on the public consciousness.

Yours truly,

D. J. Allan
Supt. Reserves and Trusts
Indian Affairs

DJA:hhg

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My conclusions are:

1. That the veterans must be prevented from going into possession if at all possible as if they move in we lose our sale.

2. It is impractical and virtually impossible to move the better units to any other available site.

3. If any of the units are moved on to any of our other properties, we would defer any possibility of sale of properties so occupied for years.

4. If the movable units, and there are 10 or 15 of them, were moved on to the Seaforth parade ground, the use of the parade ground, which I believe is required for militia and cadets, would be lost to the Defense Department for so long as the huts remain there.

5. We can sell under the present surrender but we cannot give a lease or a permit of occupation, even if Defense or Reconstruction were willing to pay a rental high enough to compensate the Indians for the capital loss.

6. If any of the buildings are to be moved, the best site is the little City park reservation of 1.888 acres across the Burrard Bridge approach to the West and in front of the Coca Cola building. Were you to suggest that move to the City, I am sure you could expect a vigorous protest but it is an infinitely better site than any of those propsed except the parade ground as it is level and adjacent to city sewer and water facilities.

The Commissioner and myself will be unable to get an appointment with the Emergency Housing people (Cowley) until tomorrow and I will keep you posted as to what we learn when we do see them. They must be desperate if this camp is the best solution they can find for their problem.

As I see it, the Federal Government will have to compensate the Indians and the measure of compensation is the sale value of the land. Would it not therefore be as well for the Defense to add the balance of our lands to the 5 acres they already own and pay the Indians for it - rather than vote a general sum and get nothing for it but a settlement of the Indian claim.

an equal

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If Veterans' families ever move in or are permitted to move in, we not only risk the loss of the sale but we can say goodbye to any future sale until after they are gotten out again and the site cleared of the buildings.

The Squamish Indians are entitled to the sale price of the property from some source, or in the alternative, to of the rental value, While the property is occupied by whatever government body have the use of it. Our surrender from the Band authorizes the sale but does not authorize ? the renting of it.

I suggest that either Reconstruction or Defense buy what remains of the Indian lands and let the veterans move in. Once the veterans move in I would be afraid that the camp would be a first class slum for years and the City will then have a real problem on its hands.

The camp is not at present properly or adequately served with either sewer or water facilities though both presumably could be supplied by agreement with the City.

Were it not for the time element, Reconstruction might be well advised to consider building temporary or semi-permanent apartment blocks on our 2.235 acres fronting on the Burrard Bridge approach where proper sewer, water and heating arrangements could be supplied. I assume that we would be willing to sell the block of land at its valuation which should be somewhere in the vicinity of $25,000. I believe the City's Town Planning regulations permit the erection of multiple housing units in that area. It appears to me that to take over the Seaforth hutments would be only a very temporary solution to the difficulty of housing the veterans and it would do us a great deal of damage without contributing much, if anything, toward the solution of the housing problem. While in Calgary I saw one example of veterans in possession of an army camp and it was a pretty grim show and a pretty bleak outlook for the families of the veterans if they have to remain for any length of time in such quarters.

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PUBLIC ARCHIVES
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CANADA

Sunday
May 18th, 1947

Mr. C. W. Jackson, Chief Executive Assistant
Department of Mines and Natural Resources
Ottawa, Ontario

Dear Mr. Jackson:

I have just read over my airmail letter to you yesterday from the Commissioner's Office and I am afraid it isn't a very good effort. Your personal help will lie in a study of a plan of the camp which I enclose and on which I indicated the units which our purchaser's would or could permit to remain temporarily in occupation by veterans if need be. It could, however, be only for a very limited period of time, say eighteen months at most. This area I bounded in red on the plan.

Unless we can get rid of the ~~sale~~ rest of the camp at once, I would be afraid that the Trust Company would refuse to go ahead with the purchase. Commissioner MacKay and I were very careful not to mention either Sicks or a brewery. It appears however to be well known as Major Brawn, the ADQMS, spoke of certain local resentment against refusing veterans possession of the property to make way for a brewery. He got the information locally and not from us.

As to removal, there is in my judgement no place on to which the buildings can be moved unless the Dept. of Defence is willing to permit them to be removed on to its parade ground at the Seaforth Armouries. Only the smaller ones could be moved at all without racking the dickens out of them. The larger units toward the Burrard approach have water installations and heating equipment in them and our advices, from sources believed to be competent, is that they could not be moved without cutting them into sections in which case they could not be reassembled and new water, sewer and heating facilities supplied and installed on any new site that could be found for them save at prohibitive cost.

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PUBLIC ARCHIVES
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CANADA

Sunday
May 18th, 1947

Mr. R. A. Hoey
Director Indian Affairs
Booth Building
O t t a w a, Ont.

Dear Bob:

Thank you for your very kind letter of May 13th. I am pleased that you are gratified with the report I sent you from Calgary.

I have been extremely busy ever since I left and have been able to put in four or five hours a day without damage to my precious health. The errand that Clarence sent me on out here is difficult and if the three Ministers concerned, Mr. Glen, Mr. McKenzie and Mr. Howe, cant resolve the difficulty, then there is little hope that Commissioner MacKay and I can do much about it save to place the facts before the Ministers before them.

I have today reported at length to Mr. Jackson but I am not at all confident that there is much in it that will be acceptable. I do not want to stay here for too long for two reasons. One is that I find the climate at Calgary much better as this wet weather gets me down as you remember. I hope to be able to return to Calgary within a week if possible, unless there are matters with which I can help the Commissioner by staying a few extra days.

Kindest regards to yourself and all the staff.

Yours truly,

DJA:hhg

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Indian Affairs

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The camp is not at present properly or adequately served with either sewer or water facilities though both presumably could be supplied by agreement with the City.

Were it not for the time element, Reconstruction might be well advised to consider building temporary or semi-permanent apartment blocks on our 2.233 acres fronting on the Burrard Bridge approach where proper sewer, water and heating arrangements could be supplied. I assume that we would be willing to sell the block of land at its valuation which should be somewhere in the vicinity of $25,000. I believe the City's Town Planning regulations permit the erection of multiple housing units in that area. It appears to me that to take over the Seaforth hutments would be only a very temporary solution to the difficulty of housing the veterans and it would do us a great deal of damage without contributing much, if anything, toward the solution of the housing problem. While in Calgary I saw one example of veterans in possession of an army camp and it was a pretty grim show and a pretty black outlook for the families of the veterans if they have to remain for any length of time in such quarters.

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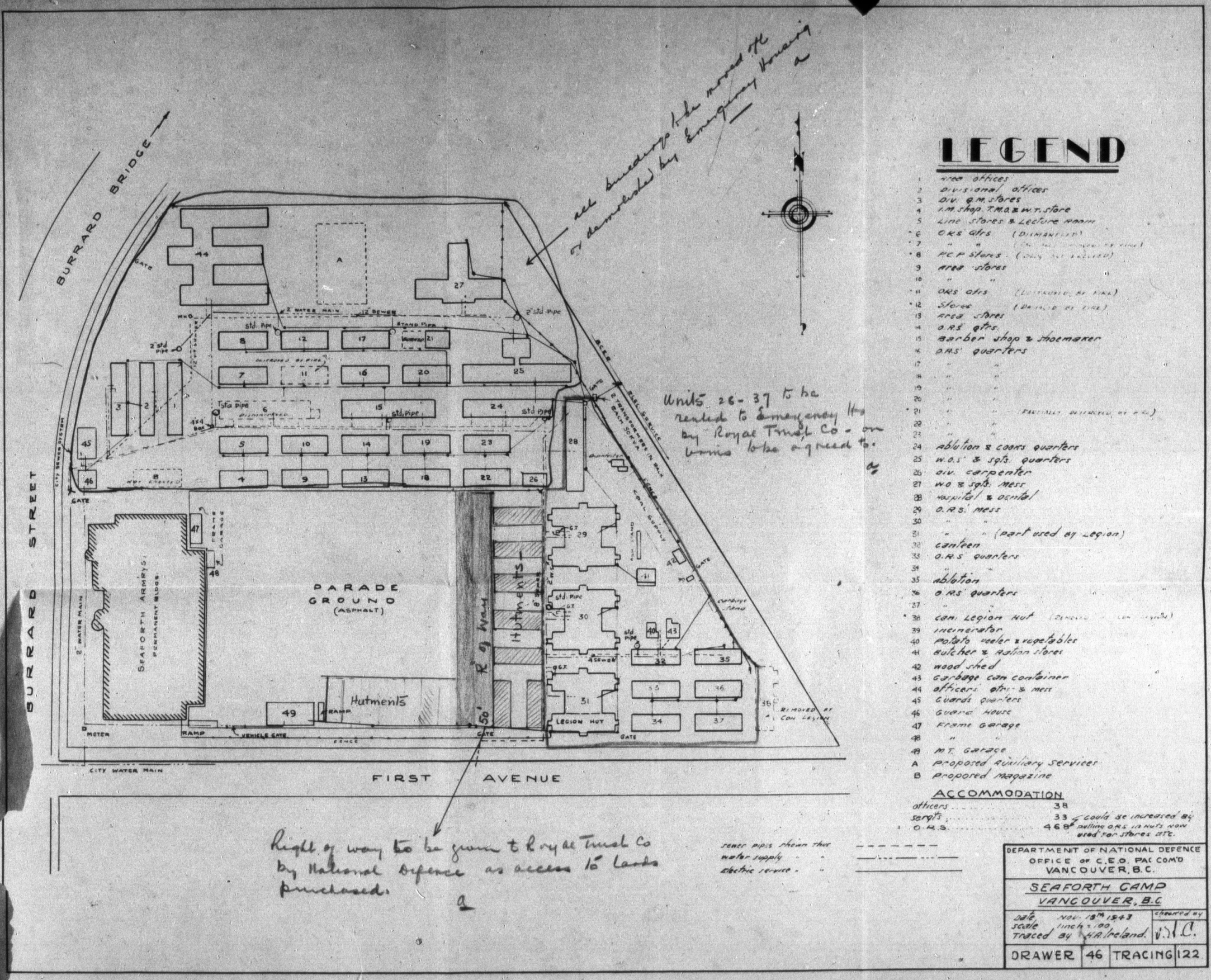

LEGEND

1 Area offices
2 Divisional offices
3 Div. Q.M. stores
4 I.M. shop T.M.O. & W.T. store
5 Line stores & Lecture Room
6 O.R.S. Qtrs. (DISMANTLED)
7 " " (DESTROYED BY FIRE)
8 P.C.P. Stores (BLDG. NOT ERECTED)
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10 " "
11 O.R.S. Qtrs (DESTROYED BY FIRE)
12 Stores (DAMAGED BY FIRE)
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14 O.R.S. qtrs.
15 Barber shop & shoemaker
16 O.R.S. quarters
17 " "
18 " "
19 " "
20 " "
21 " " (PARTIALLY DESTROYED BY FIRE)
22 " "
23 " "
24 Ablution & cooks quarters
25 W.O.S. & sgts. quarters
26 Div. carpenter
27 W.O. & sgts. mess
28 Hospital & dental
29 O.R.S. mess
30 " "
31 " " (part used by Legion)
32 canteen
33 O.R.S. quarters
34 " "
35 Ablution
36 O.R.S. quarters
37 " "
38 Can. Legion Hut (REMOVED BY CON. LEGION)
39 Incinerator
40 Potato peeler & vegetables
41 Butcher & Ration stores
42 wood shed
43 Garbage can container
44 officers qtrs. & mess
45 Guards quarters
46 Guard House
47 Frame Garage
48 " "
49 M.T. Garage
A Proposed Auxiliary services
B Proposed magazine

ACCOMMODATION

officers	38
sergts	33
O.R.S.	468

could be increased by pulling O.R.S. in huts now used for stores etc.

sewer pipes shewn thus
water supply " "
electric service " "

DEPARTMENT OF NATIONAL DEFENCE
OFFICE OF C.E.O. PAC COM'D
VANCOUVER, B.C.

SEAFORTH CAMP
VANCOUVER, B.C.

Date Nov. 18th 1943
Scale 1 inch = 100
Traced by H.A. Ireland.
Checked by V.J.C.

DRAWER 46 TRACING 122

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D. J. Allan
Supt. Reserves and Trusts
Indian Affairs

DJA:hhg

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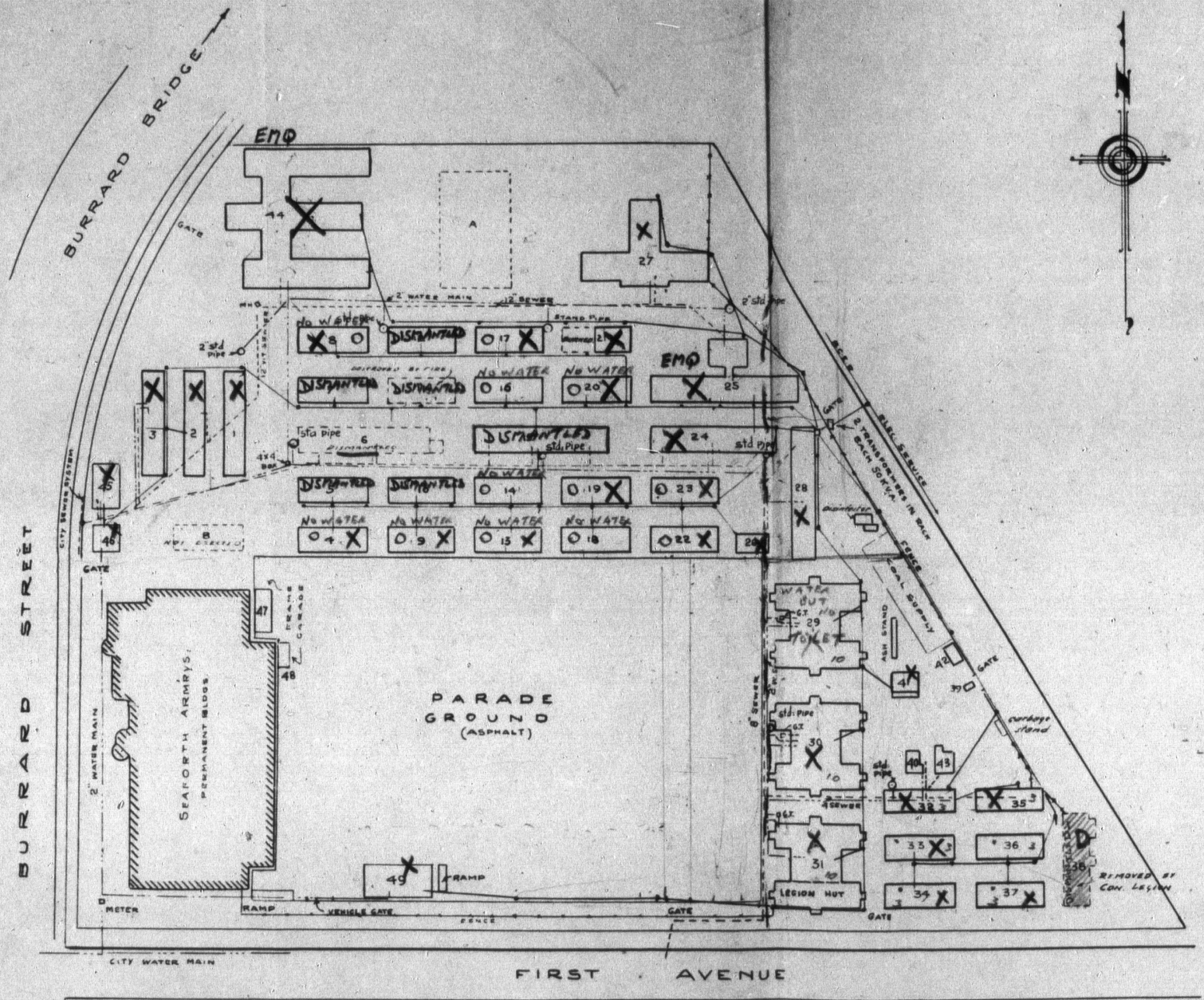

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33 O.R.S' quarters
34 " "
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37 " "
*38 Can. Legion Hut (REMOVED BY CON. LEGION)
39 incinerator
40 Potato peeler & vegetables
41 Butcher & Ration stores
42 wood shed
43 Garbage can container
44 officers' qtrs & mess
45 Guards quarters
46 Guard House
47 Frame Garage
48 " "
49 M.T. Garage
A Proposed Auxiliary services
B Proposed magazine

ACCOMMODATION

officers 38
sergts ..... 33 } could be increased by pulling O.R.S. in huts now used for stores etc.
O.R.S. 468

sewer pipes shewn thus
water supply " "
electric service " "

DEPARTMENT OF NATIONAL DEFENCE
OFFICE OF C.E.O. PAC COM'D
VANCOUVER, B.C.

SEAFORTH CAMP
VANCOUVER, B.C.

Date Nov. 18th 1943
Scale 1 inch = 100'
Traced by H.A. Ireland.
Checked by J.S.L.C.

DRAWER 46 TRACING 122

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

Poor Copy

PUBLIC ARCHIVES
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CANADA

Air Mail May 20, 1947.

Dear Mr. Jackson:

Re: Kitsilano Reserve

The phase of the problem that is presently engaging our attention is how we are to save our sale to the Royal Trust Company.

It appears to the writer that to do so we have to have a great deal of assistance from National Defence. The Emergency Housing people, represented by Mr. J. G. Walker and Mr. Alan Jones, have been most co-operative as also has Mr. J. A. Campbell, representing the Trust Company.

If you consult the plan that I sent you - the Trust Company have agreed to leave as is the units 28 to 57 inclusive in the possession of the Central Mortgage and Housing Corporation temporarily (that is for eighteen months or so) and to permit their immediate use by Emergency Housing. This is subject, of course, to payment of a reasonable rental for the period of occupation. It is also contingent upon National Defence giving the Trust Company a temporary 50' right of way across the Seaforth Armoury parade ground and to the further understanding that all buildings on the balance of the purchased property are removed or demolished without delay.

As to how to facilitate the removal of these remaining buildings and the clearance of the site, we would again have to go to Defence for permission to remove not less than twelve of the smaller housing units onto the parade ground east of the Seaforth Armoury building. Six of these units would be placed facing east and fronting on the sewer and water installations presently serving units 29, 30 and 31. Another six units could be placed facing on First Avenue where sewer and water facilities are available.

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If this arrangement could be made it would provide sites for units numbered 8, 16, 17, 20, 4, 9, 13, 14, 18, 19, 22 and 23, and make their removal possible. It would, however, reduce the Seaforth parade ground to an area of approximately 250 x 350 feet. All other remaining units would be disposed of as follows:

(a) Either dismantled by Emergency Housing to furnish materials to make the others liveable, or
(b) Would be removed and rebuilt on a University Campus site by arrangement already agreed to by the Emergency Housing and the University authorities, or
(c) Such as are suitable to be removed by the Department of Defence to its permanent camp at Jericho Beach.

If, therefore, Defence will give up the portion of its parade ground as above indicated, then the site can be cleared sufficiently to satisfy our purchasers and the sale can be completed.

Commissioner MacKay, the Emergency Housing officials and the writer will see Brig. Gen. Plow tomorrow and get his reaction. It is anticipated that he may not like the proposal and may not be disposed to support the proposal to his Minister. General Plow is at Chilliwack today so we cannot arrange to meet him until tomorrow. The Emergency Housing officials and Mr. Campbell have expressed the opinion that the above is the best possible solution, and to Commissioner MacKay and myself it appears to be the only solution that will save our sale of the property.

I feel that after tomorrow's interview we will have done everything that it is possible for us to do from this end and I propose then to make my plans for an immediate return to Calgary as I should like to get there not later than Sunday next if at all possible.

Yours faithfully,

EW

D. J. Allan,
Superintendent
Reserves and Trusts

C. W. Jackson, Esq.,
Chief Executive Assistant,
Dept. of Mines and Resources,
Ottawa, Ont.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

May 21st, 1947.

Dear Mr. Jackson:

Re: Kitsilano Reserve

Further to my letter of May 20th, Brig. General Plow has been most co-operative. He has agreed to recommend to his Department:

(1) That a temporary right-of-way across the Seaforth parade ground be given to the Royal Trust Company as a means of approach to the purchased property.

(2) That permission be given to Emergency Housing to use the suggested portions of the said parade ground for accommodation of housing units to be moved thereon. This is subject, however, to an undertaking for full restoration of the grounds on expiry of the permits.

Negotiation of an agreement with our purchasers, The Royal Trust Company, for the use of housing units 28 to 37 which lie east of the parade ground, and the fixing of compensation for the use thereof is to be conducted by Emergency Housing who must also accept responsibility for moving units to the new site and for the moving off or demolition of the balance of the hutments to clear the land for the use of our purchasers.

The writer considers that the Central Mortgage and Housing Corporation should now withdraw its order dated May 12th and permit us to convey the Indian land to the Royal Trust Company as arranged.

I propose to return to Calgary Monday night, May 26th, unless otherwise instructed by wire to the Vancouver Hotel.

Yours faithfully,

C. W. Jackson, Esq.,
Chief Executive Assistant,
Dept. Mines and Resources,
Ottawa.

D.J.Allen,
Reserves and Trusts

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FORM 6102

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Send the following message, subject to the terms on back hereof, which are hereby agreed to

C. W. JACKSON
CHIEF EXECUTIVE ASSISTANT
DEPT. MINES AND RESOURCES
OTTAWA ONT.

MAY 26th, 1947.

EMERGENCY HOUSING MR. WALKER HAS A WIRE FROM CENTRAL MORTGAGE MR. RITCHIE STATING THAT VENDOR OR PURCHASER HAVE TO BEAR COST OF MOVING BUILDINGS RECONNECTING WITH SEWER AND WATER AND ERECTION OF ANY FENCES REQUIRED BY NATIONAL DEFENCE STOP COMMISSIONER AND WRITER TAKE THE POSITION THAT THERE IS NO RESPONSIBILITY ON EITHER VENDOR OR PURCHASER TO BEAR ANY COSTS STOP RESPONSIBILITY LIES WITH NATIONAL DEFENCE WHO HAVE TO VACATE OR WITH EMERGENCY HOUSING WHO REQUIRE THE BUILDINGS STOP WE HAVE WORKED OUT A PRACTICAL PLAN BUT HAVE NO RESPONSIBILITY FOR MOVING OR DEMOLITION OR THE COSTS OF SAME STOP FURTHER NEGOTIATIONS AT YOUR LEVEL.

D. J. ALLAN

Charge to:
D.M. MacKay, 818 Federal Bldg.
Vancouver.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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Air Mail

May 26th, 1947.

Dear Mr. Jackson:

In my telegram of May 26th I said we had a practical plan which has previously been outlined to you. It is:

(1) Hutments 28 to 37 are to be rehabilitated and made ready for occupancy where they are under an agreement to be reached between Emergency Housing and the Royal Trust Company, representing our purchaser. Such agreement is to be negotiated by the parties concerned, that is Central Mortgage and the Royal Trust Company, represented here by Mr. J. A. Campbell.

(2) Other hutments are to be moved onto the parade ground at Seaforth Armoury by arrangements to be concluded between Central Mortgage and National Defence who presumably will share the costs involved.

(3) All remaining hutments are to be demolished and/or removed by Emergency Housing and the site cleared.

The writer feels that we are now in a position, if the above arrangement is accepted and ratified, to ask Central Mortgage to withdraw their order of May 12th in order that we may issue a patent to the Royal Trust Company subject to the restrictive covenants drafted by the City Solicitor and which are before you for approval.

One important detail not above mentioned is that National Defence give the Royal Trust Company a 50' right of way over the parade ground and that an agreement covering the arrangement be negotiated between the Royal Trust Company, represented by Mr. J. A. Campbell, and National Defence.

It is the writer's understanding that Brig. Gen.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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Plow, O.C.,M.D. 11, has recommended the above arrangement to the Ottawa headquarters of National Defence.

I am returning to Calgary tomorrow night, May 27th.

Yours faithfully,

D. J. Allan,
Superintendent,
Reserves and Trusts

EW

C. W. Jackson, Esq.,
Chief Executive Assistant,
Dept. of Mines and Resources,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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D. J. Allan,
Superintendent,
Reserves and Trusts

KW

C. W. Jackson, Esq.,
Chief Executive Assistant,
Dept. of Mines and Resources,
Ottawa, Ont.

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Send the following message, subject to the terms on the back hereof, which are hereby agreed to

MAY 26th, 1947.

C.W. JACKSON
CHIEF EXECUTIVE ASSISTANT
DEPT. MINES AND RESOURCES
OTTAWA ONT.

EMERGENCY HOUSING MR. WALKER HAS A WIRE FROM CENTRAL MORTGAGE MR. RITCHIE STATING THAT VENDOR OR PURCHASER HAVE TO BEAR COSTS OF MOVING BUILDINGS RECONNECTING WITH SEWER AND WATER AND ERECTION OF ANY FENCES REQUIRED BY NATIONAL DEFENCE STOP COMMISSIONER AND WRITER TAKE THE POSITION THAT THERE IS NO RESPONSIBILITY ON EITHER VENDOR OR PURCHASER TO BEAR ANY COSTS STOP RESPONSIBILITY LIES WITH NATIONAL DEFENCE WHO HAVE TO VACATE OR WITH EMERGENCY HOUSING WHO REQUIRE THE BUILDINGS STOP WE HAVE WORKED OUT A PRACTICAL PLAN BUT HAVE NO RESPONSIBILITY FOR MOVING OR DEMOLITION OR THE COSTS OF SAME STOP FURTHER NEGOTIATIONS AT YOUR LEVEL.

D.J. ALLAN

Charge to:
D.M. MacKay, 418 Federal Bldg.
Vancouver

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

May 27th, 1947

Department of Mines & Resources
Indian Affairs Branch
JUN 20 1947
REGISTERED

D.J. Allan, Esq.
Superintendent of Reserves & Trusts
c/o G.H. Goodrehan, Esq.
Inspector of Indian Affairs
Post Office Building
CALGARY, Alberta

Dear Mr. Allan:

The citations of the various judgments in the Attorney-General of Canada versus Higbie which we discussed today are as follows:

1. 1945 Supreme Court Reports 385.

2. Court of Appeal of British Columbia 1944
Western Weekly Reports 615.

3. Supreme Court of British Columbia 1941-42
57 B.C.R. 274.

Our searches so far have shown no leases having been granted to the foreshore or water lots within the harbour headline opposite the 11.2 acres of the Kitsilano reserve yet to be sold. If I get further information in this regard I shall write you.

Needless to say, it was a great pleasure to have seen you on your visit to Vancouver. I regret that you were unable to remain longer. I hope, however, that you formed a sufficiently favourable impression of Vancouver to justify an early return, if not on business, for a holiday.

With kindest regards, and best wishes, I am,

Yours very truly,

J.A. Campbell, K.C.

JAC/LP

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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In view of the Press reports in Vancouver last evening and this morning of the possible sale of 5.2 acres to a Brewery there might be some opposition in the City Hall to the passing of the Zoning By-Law which was completed last July with the exception of filing the covenant of the Minister as requested by the Town Planning Commission. I hope this covenant can now be approved.

I am sending you under separate cover, at the request of Mr. Allan, three blue prints of the guide sketch plan that has to be filed in the Land Registry Office when we receive the Letters Patent to the 5.2 acres. Mr. Allan thought a copy of this might be required to be attached to the Letters Patent.

Thanking you in advance, and with kind regards,

I am,

Yours very truly,

J.A. Campbell.

JAC:MO'L

COPY

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

Air Mail.

May 26th,
1947.

G.W. Jackson, Esq.,
Chief Executive Assistant,
Department of Mines & Resources,
OTTAWA, Ont.

PERSONAL

Dear Mr. Jackson:

RE: KITSILANO INDIAN RESERVE.

Mr. D.J. Allan left Vancouver last night for Calgary, after making arrangements for the removal of the huts from the Shaforth Camp according to terms set out in his various letters to you.

I would be pleased if you would forward to me a copy of the Order-in-Council under which the Dominion paid $350,000.00 to the Province of British Columbia for a release of its interest in the Kitsilano Reserve. I am anxious to know on what lands the Provincial Government granted a release and in particular to know if any arrangement was made with the Provincial Government for a release of its interest in the water lots on False Creek bordering the 11 acres of the Kitsilano Reserve, or whether an understanding was entered into with the Province whereby long-term leases at nominal rentals would be granted to any purchaser of the 11.2 acres.

I would like the above to satisfy enquiries of prospective purchasers of the 11.2 acres. I think you will agree that any party or parties wishing to purchase the 11.2 acres would wish to know in advance as to what, if any, rentals would be required to be paid for any leases on the foreshore and water lots adjoining. I would be glad to receive from you further a copy of any other Order-in-Council as passed authorizing the sale of the 8.2 acres to the Royal Trust Company. If you have not the Orders-in-Council available it may be that you could give the reference in the Canada Gazette and the B.C.Gazette to the same.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

Air Mail

May 26th,
1947.

C.N. Senior, Esq.,
Executive Assistant to the Right
Honourable Ian Mackenzie,
Department of Veterans Affairs,
OTTAWA, Ont.

Dear Norman:

PERSONAL

RE: KITSILANO INDIAN RESERVE.

I enclose herewith clipping of press report appearing in this morning's News Herald, from which you will note that some person at the City Hall anticipates opposing the completion of the Zoning By-Law which I hoped would be passed in July last but which was delayed on account of the Minister not signing the covenant required by the Town Planning Commission. Needless to say no person will purchase the property East of the Bridge for industrial purposes unless it is zoned for heavy industry. I hope, as requested in numerous letters, that the covenant as forwarded last July will be approved and notification thereof given to the City Clerk so that the Zoning By-Law might be completed.

I would be pleased if you would forward to me a copy of the Order-in-Council under and by which the Dominion Government paid the $350,000.00 to the Provincial Government in obtaining title. I am anxious to know on what lands the Provincial Government gave a release to the Dominion in consideration of $350,000.00. It would appear to me that the Dominion ought to have obtained from the Province a release of all its rights to the water lots on the north side of the Reserve between the high water mark and the harbour headline, or in the alternative to have had an understanding with the Province as to what rentals would be charged by the Province for these water lots to any purchaser of the 11.2 acres of the Kitsilano Reserve adjoining the water lots.

I attach herewith a copy of a letter I have written on this date to Mr. Jackson.

Yours very truly,

J.A.Campbell.

JAC:MO'L

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28835-3

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KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

P.a

Air Mail

May 28th,
1947.

Department of Mines & Resources
Indian Affairs Branch.
JUN 20 1947
REGISTERED

D.J. Allan, Esq.,
Superintendent of Reserves
& Trusts,
c/o G.H. Gooderham,
Inspector of Indian Affairs,
Post Office Building,
CALGARY, Alberta.

Dear Mr. Allan: RE: KITSILANO INDIAN RESERVE.

For your information I enclose herewith copies of letters I wrote on this date to Mr. Senior, and also to Mr. Jackson, which are self-explanatory. You will note I am forwarding copies of the Blue Prints to Mr. Jackson as requested.

of the 8.2 acre parcel - related properties

The sale of the 11.2 acres appears to me to depend to a very great extent upon the availability of the foreshore and the water lots as far as the harbour headline. It appears to me that before the Dominion Government paid the $350,000.00 to the Province for a release the Dominion ought to have insisted upon the Province releasing its interest in the water lots on the foreshore or in the alternative had some understanding with the Province whereby long term leases at nominal rentals for the foreshore and water lots might be given to any purchaser of the 11.2 acres.

I think you will agree that a purchaser of the 11.2 acres would hesitate to spend $100,000.00 for the same in anticipation of spending large sums of money for industrial development without knowing whether the foreshore and water lots were to be

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CANADA

included in such purchase or that long term leases might be arranged at nominal rentals. I think that now is a good time to work out an understanding between the Province and the Dominion in regard to the above.

Yours very truly,

J.A. Campbell.

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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Department of Mines and Resources

MINISTER'S OFFICE

MEMORANDUM

June 19th, 1947.

To the - Deputy Minister

RUSH

Attention Director of Indian Affairs

Attached please find letter to the Rt. Hon. C. D. Howe, Acting Minister, dated June 17, 1947, from the Hon. Brooke Claxton, K.C., D.C.M., Minister of National Defence, with regard to a visit from Senator G. G. McGeer to discuss the future of the Kitsilano Indian Reserve in so far as the Dept. of Nat. Def. is concerned, when he was assured that subject to service requirements, that Dept. would carry out any undertaking that had been made. The Hon. Mr. Claxton asks whether or not there is any agreement or understanding with the city and if there is could it be considered so that any misunderstanding in the future might be avoided.

Please have a letter prepared for the signature of the Acting Minister, Rt. Hon. C. D. Howe to the Hon. Mr. Claxton.

Department of Mines & Resources
Indian Affairs Branch.
JUN 23 1947
REGISTERED

W. J. F. Pratt,
Private Secretary.

Mr. Hoey:
For draft reply as requested.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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Vancouver Province
8 June 1947

28835-3

Vancouver Province
3 June 1947

Reserve Property Still Available

City in Position to Buy Kitsilano Indian Land

Worried Park Board Commissioners Monday night agreed to ask City Council for full information on present status of Kitsilano Indian Reserve, 42 acres of which have been purchased by the RCAF.

Board chairman, R. Rowe Holland, declared the city still is in position to acquire this land for a park.

"I feel Vancouver is in as good a position to obtain the reserve now as it was when the offer was made to us," he declared.

CITY OFFERED $400,000

(The city was offered the land for $400,000 in January. In May the RCAF purchased it for $420,000. The land was held in trust by the Department of Indian Affairs.)

Mr. Holland explained the city had delayed action, but he understood Mayor McGeer was discussing the purchase in Ottawa.

Commissioner Arnold Webster and Tom Alsbury were less confident.

"If there have been dilatory proceedings," Mr. Alsbury said, "either Council or Park Board is to blame."

"It looks as though the air force, having spent $1,500,000 on buildings, will place a high value on the property," said Commissioner Bert Emery. "And I think the air force has it in its hands and they plan to stay where they are."

At the meeting, Eric Cameron, Vancouver Gyro Club president, presented the Park Board with a gift of funds "not to exceed $7000." The money will be used to provide playground facilities in the east end.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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(C o p y)

Norman Baker
Deputy Provincial Secretary.

CERTIFIED COPY OF A MINUTE of the Honourable the Executive Council, approved by His Honour the Lieutenant-Governor on the 4th day of March, A.D. 1947.

374.

To His Honour
The Lieutenant-Governor in Council:

The undersigned has the honour to report:

THAT Order-in-Council No. 91, approved January 31st, 1928, authorized the conveyance of all the right, title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in Kitsilano Indian Reserve No. 6, New Westminster Agency, to His Majesty the King in the Right of the Dominion of Canada, upon payment of the sum of Three Hundred and Fifty Thousand Dollars ($350,000.00);

THAT the said sum of Three Hundred and Fifty Thousand Dollars ($350,000.00) has now been paid:

AND TO RECOMMEND that under authority of Subsection 2 of Section 93, Chapter 144, Revised Statutes of British Columbia 1936, all the right, title and interest of the Crown in the Right of the Province of British Columbia, reversionary or otherwise, in Kitsilano Indian Reserve No. 6, New Westminster Agency, more particularly described as Lot 3610, Group 1, New Westminster District, comprising 80 acres more or less, together with all accretions thereto, natural or otherwise, which have accrued to the said Lot at the date of the approval of this Minute of Council, be conveyed to His Majesty the King in the Right of the Dominion of Canada, as represented by the Minister of Mines and Resources;

AND TO FURTHER RECOMMEND that a certified copy of this Minute, if approved, be transmitted to the Registrar, Land Registry Office, Vancouver, British Columbia, to the intent that such certified copy be accepted by him as a conveyance of the said land to His Majesty the King in the Right of the Dominion of Canada, as represented by the Minister of Mines and Resources, without further formal instrument of transfer;

AND TO FURTHER RECOMMEND that a certified copy of this Minute, if approved, be forwarded to the Indian Affairs Branch, Department of Mines and Resources, Ottawa.

DATED this 4th day of March, A.D. 1947.

"E.T. Kenney".

Minister of Lands and Forests.

APPROVED this 4th day of March, A.D. 1947.

"John Hart".

Presiding Member of the Executive Council.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

File - 28835-3 (R.2)

Ottawa, July 2nd, 1947.

The Deputy Minister, Department of National Defence, Ottawa, Ont.

I have for acknowledgment your letter of June 6th with reference to the purchase by your Department of part of the Kitsilano Indian Reserve, Province of British Columbia, and note that you require additional information on certain points.

The exact area of the portion of the Reserve being purchased by your Department is 41.74 acres and is all that part of the said Reserve lying to the North of the Canadian Pacific Railway right of way and the Burrard Bridge right of way as shown bordered in red on Plan M.2600, a copy of which I am enclosing herewith. I am advised that the area of 41.387 acres, as mentioned in Order in Council P.C.1707, of 29th April, 1947, was incorrect. However, as stated in your letter, it would appear unnecessary to amend the said Order in Council in view of the fact that the land was described therein as "approximately 41.387 acres".

As to building restrictions, it is my understanding that the Reserve lies within an area which has been zoned by the City of Vancouver as a "Two Family Dwelling area" but we do not recognize the right of the City to restrict the Crown in the use of property, title to which is, and has at all times been, in the Crown.

You enquire with regard to our title to the land and I would advise that the original Reserve, comprising approximately 37.45 acres, was set aside by Governor Douglas of the British Columbia Crown Colony prior to Confederation. The Joint Reserves Commission on Indian Affairs in British Columbia, in 1877, reviewed the claims of the Indians on this Reserve and increased its area by an addition of 42.35 acres, thus establishing its status as an Indian Reserve in accordance with the terms of Union. In 1913 the Province of British Columbia attempted to acquire the interest of the Indians, for whom the Reserve was set aside, in a manner directly contrary to the

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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requirements of the Indian Act, and, without going into the details, it is sufficient to say that the Province paid the sum of $350,000.00 directly to the Indians without extinguishing the Indians' interest in the Reserve. As a result the Province forthwith claimed a lien or mortgage on the property in that amount, which action was concurred in by the Governor General in Council, by P.C. 518 of 27th February, 1923, copy of which is herewith.

In 1947 the said sum of $350,000.00 was paid to the Province of British Columbia and I am enclosing herewith a copy of Executive Order No. 374, dated the 4th March, 1947, wherein all the right, title and interest of the Province reversionary, or otherwise, in Kitsilano Indian Reserve was transferred to His Majesty the King in the right of the Dominion of Canada. Prior to the payment of the $350,000.00 and in anticipation thereof the Squamish Band of Indians, on April 17th, 1946, surrendered the Reserve for sale in accordance with the requirements of the Indian Act and I am enclosing a copy of Order in Council P.C. 1706, wherein His Excellency the Governor General in Council accepted the said surrender as is required by Section 51 (4) of the Indian Act and authorized the sale of the said land. We are therefore authorized to convey title and hold full title by virtue of the Executive Order of the Province of British Columbia above mentioned.

The portion of the Reserve which you propose to purchase is subject to only one easement, namely, an easement of right of way granted to the Greater Vancouver Water District on March 1st, 1938, a copy of which is enclosed herewith. As you will note the easement agreement provides for an annual rental of $125.00 and it is understood that the interest of this Department, in the said easement agreement, will be assigned to your Department following the sale and an adjustment made as to the portion of the rental to be received by each of our Departments. The rent has been paid to February 28th, 1948, and adjusting the rental as of May 8th, the date of the payment of the purchase moneys by you, would call for your Department receiving $101.70 of the 1947-48 term rental.

The area being purchased is presently covered by a lease in favour of the Department of National Defence (Air) and the rental is paid to April 8th, 1947. Under the terms of the lease, the yearly rental is $5,000.00 and adjusting the 1947-8 rental as of May 8th, would call for payment by your Department of the sum of $416.66. As against this sum there would, of course, be a set-off in the amount of $101.70, as above mentioned.

.....

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It is anticipated that within a few days we will submit to the Governor General in Council the recommendation for the formal transfer of the lands in question to your Department.

Deputy Minister.

Encls.

LB/EPS

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Deputy Minister.

Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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To be returned to Indian Affairs Branch
when signed.

File - 28835-3 (R.2)

Mr Voey

DEPARTMENT OF MINES AND RESOURCES
REGISTERED
JUL 7 1947

Ottawa, July 2nd, 1947.

The Deputy Minister, Department of National Defence, Ottawa, Ont.

I have for acknowledgment your letter of June 6th with reference to the purchase by your Department of part of the Kitsilano Indian Reserve, Province of British Columbia, and note that you require additional information on certain points.

The exact area of the portion of the Reserve being purchased by your Department is 41.74 acres and is all that part of the said Reserve lying to the North of the Canadian Pacific Railway right of way and the Burrard Bridge right of way as shown bordered in red on Plan M.2600, a copy of which I am enclosing herewith. I am advised that the area of 41.387 acres, as mentioned in Order in Council P.C.1707, of 29th April, 1947, was incorrect. However, as stated in your letter, it would appear unnecessary to amend the said Order in Council in view of the fact that the land was described therein as "approximately 41.387 acres".

As to building restrictions, it is my understanding that the Reserve lies within an area which has been zoned by the City of Vancouver as a "Two Family Dwelling area" but we do not recognize the right of the City to restrict the Crown in the use of property, title to which is, and has at all times been, in the Crown.

You enquire with regard to our title to the land and I would advise that the original Reserve, comprising approximately 37.45 acres, was set aside by Governor Douglas of the British Columbia Crown Colony prior to Confederation. The Joint Reserves Commission on Indian Affairs in British Columbia, in 1877, reviewed the claims of the Indians on this Reserve and increased its area by an addition of 42.55 acres, thus establishing its status as an Indian Reserve in accordance with the terms of Union. In 1913 the Province of British Columbia attempted to acquire the interest of the Indians, for whom the Reserve was set aside, in a manner directly contrary to the

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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requirements of the Indian Act, and, without going into the details, it is sufficient to say that the Province paid the sum of $350,000.00 directly to the Indians without extinguishing the Indians' interest in the Reserve. As a result the Province forthwith claimed a lien or mortgage on the property in that amount, which action was concurred in by the Governor General in Council, by P.C. 318 of 27th February, 1928, copy of which is herewith.

In 1947 the said sum of $350,000.00 was paid to the Province of British Columbia and I am enclosing herewith a copy of Executive Order No. 374, dated the 4th March, 1947, wherein all the right, title and interest of the Province reversionary, or otherwise, in Kitsilano Indian Reserve was transferred to His Majesty the King in the right of the Dominion of Canada. Prior to the payment of the $350,000.00 and in anticipation thereof the Squamish Band of Indians, on April 17th, 1946, surrendered the Reserve for sale in accordance with the requirements of the Indian Act and I am enclosing a copy of Order in Council P.C. 1706, wherein His Excellency the Governor General in Council accepted the said surrender as is required by Section 51 (4) of the Indian Act and authorized the sale of the said land. We are therefore authorized to convey title and hold full title by virtue of the Executive Order of the Province of British Columbia above mentioned.

The portion of the Reserve which you propose to purchase is subject to only one easement, namely, an easement of right of way granted to the Greater Vancouver Water District on March 1st, 1938, a copy of which is enclosed herewith. As you will note the easement agreement provides for an annual rental of $125.00 and it is understood that the interest of this Department, in the said easement agreement, will be assigned to your Department following the sale and an adjustment made as to the portion of the rental to be received by each of our Departments. The rent has been paid to February 28th, 1948, and adjusting the rental as of May 8th, the date of the payment of the purchase money by you, would call for your Department receiving $101.70 of the 1947-48 term rental.

The area being purchased is presently covered by a lease in favour of the Department of National Defence (Air) and the rental is paid to April 6th, 1947. Under the terms of the lease, the yearly rental is $5,000.00 and adjusting the 1947-8 rental as of May 8th, would call for payment by your Department of the sum of $416.66. As against this sum there would, of course, be a set-off in the amount of $101.70, as above mentioned.

416 66
101 70
314 96

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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It is anticipated that within a few days we will submit to the Governor General in Council the recommendation for the formal transfer of the lands in question to your Department.

H. L. KEENLEYSIDE

Deputy Minister.

Encls.

LB/EPB

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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- C o p y -

Minister of National Defence

Ottawa, June 17, 1947.

Rt. Hon. C. D. Howe, P.C., M.P.,
Acting Minister of Mines and Resources,
Ottawa, Ontario.

My dear Colleague,

I recently had a visit from Senator G.G. McGeer of Vancouver who discussed with me the future of the Kitsilano Indian Reserve in so far as this Department is concerned.

Senator McGeer wanted assurance that this Department would respect any understanding made with the city in regard to disposition of this property.

I made it quite clear to him that the Air Force might need the property for a number of years as the buildings were full of stores and there is no alternative place to put them. Further the government had invested some two million dollars in this storage space and it would cost more than that to secure equivalent accommodation.

I added, however, that subject to service requirements, the Department would of course carry out any undertaking that had been made.

In this connection I would be glad indeed if you would let me know whether there is any agreement or understanding with the city and if there is could it be considered so that any misunderstanding in the future might be avoided.

I am also taking this up with the Rt. Hon. Ian MacKenzie, Minister of Veterans Affairs, to ascertain whether there is any understanding between him and the city.

Yours sincerely,

Sgd. Brooke Claxton.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

File - 28835-3 (R.2)

Ottawa, July 15th, 1947.

My Dear Colleague:

I have for acknowledgment your letter of June 17th with reference to that portion of Kitsilano Indian Reserve, Province of British Columbia, which your Department is purchasing and I note that you are concerned as to whether any agreement or understanding has been reached with the City of Vancouver as to the future of the said property.

I have pleasure in assuring you that, in so far as this Department is concerned, there has been no agreement or understanding made with the City of Vancouver.

Yours sincerely,

The Honourable Brooke Claxton, K.C.,
Minister of National Defence,
Ottawa, Ontario.

LB/EB

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

28835-3

Vancouver Sun

27 May 1947

Brewery Buys Indian Land

Eight acres of Kitsilano Indian Reserve east of Burrard bridge have been reported purchased by Sick's Capilano Brewery Ltd. for $80,000, and approximately 25 acres on the west side have been bought by the RCAF for $470,000, according to a dispatch from Ottawa today.

It is believed the brewery company will build a modern brewery on this site.

Rowe Holland, chairman of Park Board, however, expressed belief the city will still be in a position to get the westerly 25 acres of the reserve, for park purposes.

Mr. Holland said he believes Mayor McGeer is currently discussing the matter in Ottawa.

Vancouver Sun 27 May 1947

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28835-3

Montreal Gazette

28 May 1947

R.C.A.F. Buying Land On Indian Reservation

Ottawa, May 27.—(CP)—The Royal Canadian Air Force is purchasing 42 acres of the 62-acre Kitsilano Indian reservation at Vancouver from the Indian Affairs Department for $420,000 and plans a permanent establishment on the site which it has occupied since early in the Second World War.

An Indian Affairs Branch spokesman said tonight that the deal now is in the final stages of completion and the purchase price is $10,000 an acre.

It was also disclosed that the Indian Affairs Department is considering an offer by a Vancouver real estate firm, acting for a brewery interest, for the purchase of a plot of about eight acres on the eastern edge of the reservation. Amount of the offer was not disclosed but the spokesman said a governmental decision would be forthcoming shortly.

The 62-acre plot occupied and now being purchased by the R.C.A.F. is on the west side of the Kitsilano bridge which runs across the reservation.

The reserve is the property of the amalgamated band of Squamish Indians but has not been occupied by them since 1913 and now is being disposed of through the Indian Department "at the best price we can get for them."

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28835-3.

Vancouver Sun

28 May 1947.

Reserve May Yet Be Park—McGeer

Vancouver Sun 28 May 1947

In his traditional role of stormy petrel of the Canadian political scene Mayor G. G. McGeer in Ottawa today is fighting for a new deal to meet Vancouver's desperate housing shortage.

The mayor won his first round Tuesday with Reconstruction Minister C. D. Howe when he secured a 30-day extension of the deadline for application for federal aid in building wartime houses.

Vancouver has been granted "special dispensation" until July 1, when all other cities must have their bills in by this Saturday.

KITSILANO RESERVE SALE

"But they have no policy on housing down here," His Worship said over long-distance telephone. "Things are popping right and left and no one seems to know the score."

He would not admit that sale of the western 42 acres of the Kitsilano Indian reserve to the RCAF closed out all possibility of securing this area as a city park.

"If that had been the case you would have heard a loud noise from me," the mayor said.

Other developments from Ottawa affecting Vancouver directly were:

1—Reported sale of eight acres of the Kitsilano Reserve east of Burrard Bridge, to the Sick's Capilano Brewery for $80,000.

2—Possible retention of Vancouver airport by the national government.

3—Hopes for 1600 wartime emergency houses from Bremerton, Washington, faded as promoters of the scheme struck financial snags.

WANT FURTHER AID

Favoring nationalization of major Canadian airports, Mayor McGeer has sent out questionnaires seeking data on all larger airports before presenting Vancouver's case to the government.

G. K. Gosling and E. J. Barry, promoters of the Bremerton deal, will try to get further aid from the Reconstruction Minister. Possibility of this, however, appears remote, as Mr. Howe has stated that his department will grant $500 a unit only on condition of a "firm offer" being put up for the balance by a recognized non-profit organization.

Mayor McGeer will leave his Chateau Laurier headquarters late next week and arrive in Vancouver June 7, he informed Acting Mayor George Miller on Tuesday.

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28835-3

Vancouver Sun 11 June 1947

Park Board Will Continue Fight for Indian Reserve

Commissioners Suggest 'Double-Cross' and 'Misunderstanding'

Vancouver Park Board is seeking to reopen the plan to buy 41 acres of Kitsilano Indian Reserve west of Burrard Bridge for park purposes.

Charges of "double-cross" that resulted in the unexpected sale of the Indian land to the Airforce while the city was supposed to have been negotiating for it, were hurled at the Tuesday night meeting of the board.

Negotiations by the board to buy the land for $400,000 began following the receipt of a letter from Veterans' Affairs Minister Ian Mackenzie to Park Board Chairman R. Rowe Holland, January 25.

A committee headed by Park Commissioner C. B. K. Van Norman met with a city hall committee to discuss the issue.

It was decided the city would pay for the land by taking out debentures.

"But there was some lack of follow-through," said Mr. Van Norman.

"When I read that the Airforce got the land, I felt there was a doublecross somewhere along the line."

Commissioner Tom Alsbury, while denying any attempt to "assess blame," stated that there was certainly "evidence of misunderstanding."

He pointed out that Resources Minister J. A. Glen, who authorized Hon. Ian MacKenzie to write a letter offering the land for sale to the Park Board, denied any knowledge that the letter had been written.

"Here are responsible ministers of the Crown involved in an unfortunate misunderstanding that has unfortunate results for the city of Vancouver."

"Mayor McGeer is not the kind of a man to sit idly back while there might be any chance of redeeming this property for the city," said Chairman Rowe Holland.

It was decided that Mr. Holland will meet with Mayor McGeer today and make some attempt to reopen negotiations.

Following the conference today, His Worship would make no formal statement, but said that every effort would be made in an attempt to salvage Vancouver's interests in the area.

"I have been assured by the Department of National Defense for Air that any rights the city had in the old Indian Reserve will be respected by the depart-[illegible]" the Mayor said.

Vancouver Sun

11 June 1947

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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July 12th, 1947.

PRECIS FOR CLERK OF THE PRIVY COUNCIL

Authority to transfer to His Majesty the King, as represented by the Minister of National Defence, 41.74 acres of the surrendered Kitsilano Indian Reserve, Province of British Columbia.

The number of copies of Order in Council required is five, of which two should be signed and three may be stamped.

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(Indian Affairs, Ottawa, Vol. [illegible])

PUBLIC ARCHIVES
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CANADA

July 12th, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of Your Excellency in Council, P.C. 1707, dated the 29th day of April, 1947, authority was granted the Minister of Mines and Resources, on behalf of His Majesty to accept an offer to purchase made by His Majesty the King, as represented by the Minister of National Defence, under authority of Order in Council P.C. 1683, dated the 29th day of April, 1947, of an area of approximately 41.367 acres of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia;

THAT the actual area to be acquired as aforesaid is 41.74 acres and the purchase price is $10,000.00 per acre;

THAT His Majesty the King, as represented by the Minister of National Defence, has delivered to His Majesty the King, as represented by the Minister of Mines and Resources, the full purchase price of $417,400.00 which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said Band, dated the 17th day of April, 1946.

The undersigned, therefore, recommends that the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to His Majesty the King, as represented by the Minister of National Defence, subject to the unexpired terms of an existing license of occupation dated the 1st day of March, 1938, in favour of the Greater Vancouver Water District, for the purpose of laying and maintaining a water pipe line across the said lands.

DESCRIPTION:

All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District, in the Province of British Columbia, comprising by admeasurement forty-one acres and seventy-four hundredths of an acre, more or less, and which is bounded as follows:

On the south by the north boundary of the Canadian Pacific Railway right of way and the north boundary of Parcel C of the Burrard Inlet Bridge right of way; on the west by the eastern boundary of Chestnut Street; on the north and east by the line of mean high water as determined in December in the year nineteen hundred and twenty-eight by Instrumental Levelling at elevation 96.88 feet, City datum; and as the

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aforesaid boundaries are shown upon a plan of Parcels "A", "B" and "C" of said Indian reserve signed by G. F. Fontaine, British Columbia Land Surveyor, on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry Office at Vancouver in said Province, and thereof a copy is of record number N two thousand six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa.

Respectfully submitted,

Acting Minister of Mines and Resources.

APPROVED
LEGAL DIVISION

Order in Council passed July 31st, 1947.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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(COPY)

SICK'S CAPILANO BREWERY LTD.
1445 Powell Street,
VANCOUVER, B.C.

June 26th, 1947.

J. A. Campbell, Esq., K.C.,
Messrs. Campbell, Meredith, & Beckett,
Hall Building,
Vancouver, B.C.

Dear Mr. Campbell: Re: Kitsilano Indian Reserve

I am in receipt of yours of the 18th instant advising me of your communication dated 16th instant from Senator McKeen in Ottawa.

On May 29th last I called on Mr. Norman Senior, partly as a matter of courtesy during my brief visit to Ottawa, and also to get some advice, if possible, as to the latest stage of the negotiations. At that time I had been away from here for about three weeks, and although I had received one or two communications direct from you on the matter, I had seen a press dispatch in the Ottawa newpaper of the day before reporting on the negotiations being carried on by my Company, and I wished to discuss that item with Mr. Senior. The matter of emergency housing on the property had developed since I left home, and Mr. Senior suggested that I call on Mr. C.W. Jackson, Deputy Minister of Mines and Resources, for further information and arranged an appointment with Mr. Jackson accordingly.

Mr. Jackson showed me a detailed plan of the various buildings on the property, and from him I got a general impression of what it was proposed should be done as to moving some and leaving others. From this it appeared to me that we would be severely handicapped in putting into effect our construction plan. I was very frank with Mr. Jackson, and tried to convey to him exactly what I had in mind. I was naturally anxious to be co-operative as regards the emergency housing situation, and particularly sensitive as to the desirability of avoiding the development of any ill-will in the public mind towards us in this connection. I told him that I figured it would be about eighteen months before we could have all our plans and specifications completed and be in a position to go ahead with construction, and by that time too I hoped that the material and labour situation would be much easier and that any presently existing building restraints would be removed.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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As an alternative to buying the property now, putting up the full sum of money required and assuming the municipal taxes, I asked Mr. Jackson if he thought the Department would give us an option for the next eighteen months, so that in the meantime, whilst the Housing Administration was handling its problem, we would not be involved in any respect either as to revenues for ownership or as to taxes. In reply he expressed the off-hand opinion that the Department could not legally, in view of the trusteeship involved, give an option, but that he would enquire into the matter; I felt that it was only a question that I had put up and one that would not involve the ultimate outcome.

After my call on Mr. Jackson I called on General Young who handed me over to his assistant, Mr. Ritchie, with whom I again had a very frank discussion, so far as I was concerned, on the housing problem involved in this property, and I assured him too of our utmost wish to co-operate in the meantime with the hope that as soon as possible we would be able to acquire full possession and proceed with our plans.

I would like to emplasize at this time our anxiety to complete the purchase so that we may then be justified in developing plans that will be suitable for this particular site, and by the end of a period of fifteen to eighteen months or so it would certainly be my hope that the way would be clear to start construction. So far I have withheld giving any instructions to our architects and engineers to proceed with plans, and I will feel bound to continue to do so until such time as we know definitely we are going to be able to acquire the property with a reasonable expectation of being able to proceed with construction by the end of the following fifteen to eighteen months at latest.

I deeply regret if my two or three calls on officials in Ottawa last month have been responsible for creating a misunderstanding in their minds and with the Minister, the Right Honourable C. D. Howe. I trust that you will have this impression corrected at an early date, and that failing the Company being able to purchase now the property applied for with vacant possession of that portion of the property north of the Seaforth Armouries and the immediate release of the Wartime Housing Order of the 12th of May, last, that the Company will be granted an option for a period of eighteen months from the first instant to purchase the property at $10,000.00 an acre and receive vacant possession of the entire property at the termination of the option; it being understood that in the event of an option being granted that the $10,000.00 already paid will apply on the purchase price.

Yours very truly,

(Sgd) R. H. B. Ker,
President.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

MINISTER OF VETERANS AFFAIRS

Ottawa, July 1, 1947.

My dear Colleague,-

This refers to your letter of June 10th referring to the proposed sale of a certain portion of the Indian Kitsilano Reserve to Sicks' Capilano Brewery Limited.

On receipt of this letter, I was under the impression that you had been incorrectly informed as to the desire of this Company to take an option rather than purchase outright.

I have communicated with Vancouver and am informed very definitely that the Company is most desirous of completing the purchase at the earliest possible time upon carrying out the proposals made by Mr. D.J. Allan, of the Indian Affairs Branch, after consultation with the local officers of the Department of National Defence and the Department of Reconstruction and Supply.

As the misunderstanding appears to have arisen through a conversation between Mr. R.H.B. Ker, President of the Company and Mr. C.W. Jackson, Executive Assistant to the Minister of Mines and Resources, I enclose herewith copy of a letter addressed by Mr. Ker to Mr. James A. Campbell, K.C., who has been acting for the Company in these negotiations.

Up to the present moment, I have never been given any indication as to why the so-called Allan proposals have not been acted upon. As I said in my letter of June 2nd, if there be some details in connection with them which are not entirely acceptable, I shall be glad to assist in facilitating an understanding.

The Right Honourable C.D. Howe, ...
Acting Minister of Mines and Resources,
SCM Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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I may mention that I have had personal advice from Vancouver that the veterans are not pleased with the idea of their families being housed in the huts on this property, either from the standpoint of the condition of the buildings, or of the environment.

In these circumstances, a definite limitation upon the time that the huts are to be occupied would seem to be desirable, thus removing at least one possible objection to the purchase proposal.

I should appreciate this matter being reconsidered in the most favourable possible light.

Yours sincerely,

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CENTRAL MORTGAGE AND HOUSING CORPORATION

OTTAWA, CANADA

No. 4 Temporary Building,
Wellington Street,
July 11th, 1947.

R. W. MacLean, Esq.,
Chief Executive Assistant to the Minister,
Department of Reconstruction and Supply,
OTTAWA, Ontario.

Dear Mr. MacLean:

I must offer sincere apologies for not communicating with you earlier respecting the attached letter.

I think it should be referred to the Department of Mines and Resources. We really have no interest in the ownership of the property, provided, of course, that its use for emergency shelter purposes is preserved.

Yours very truly,

Eric R. Gold,
Secretary.

Att:

Indian Affairs. (RG.10, Volume 7798, File 29167-5-3 Pt.6)

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DEPARTMENT OF RECONSTRUCTION
AND SUPPLY

CANADA

July 15th, 1947.

Forwarded from the office of the Minister.

To Mr. J.W.F. Pratt, Private Secretary to the Minister of Mines and Resources, Ottawa.

Please prepare a draft reply for Mr. Howe's signature. As Central Mortgage and Housing Corp. have been interested in this, it was referred to them in the first instance.

R. W. MacLean
Chief Executive Assistant to the Minister

R. & S. 158

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

28835-3

Department of Mines and Resources

MINISTER'S OFFICE

MEMORANDUM

July 16th, 1947.

To the - Deputy Minister

Attention Director of Indian Affairs

Attached please find letter to R. W. MacLean, Chief Executive Assistant to the Minister of Reconstruction and Supply, from Eric R. Gold, Secretary, Central Mortgage and Housing Corporation, No. 4 Temporary Bldg., Wellington St., Ottawa, dated July 11, 1947, returning a letter from the Rt. Hon. Ian Mackenzie, K.C., Minister of Veterans Affairs, to the Rt. Hon. C. D. Howe, Acting Minister of Mines and Resources, which was referred to Central Mortgage and Housing Corp. for attention but which comes under our Dept. Enclosed with the Rt. Hon. Mr. Mackenzie's letter is a copy of a letter received by ~~him from~~ Mr. James A. Campbell, K.C., acting for Sicks' Capilano Brewery Limited, from Mr. R. H. B. Ker, Pres. of the Co., Vanc. B.C., concerning the proposed sale of a certain portion of the Kitsilano Indian Reserve to that Company.

Please have a letter prepared for the signature of the Rt. Hon. C. D. Howe, Acting Minister, to the Rt. Hon. Ian Mackenzie, Minister of Veterans Affairs.

Department of Mines & Resources
Indian Affairs
JUL 21 1947
REGISTERED

W. J. F. Pratt,
Private Secretary.

Mr Hoey:

For draft reply as requested.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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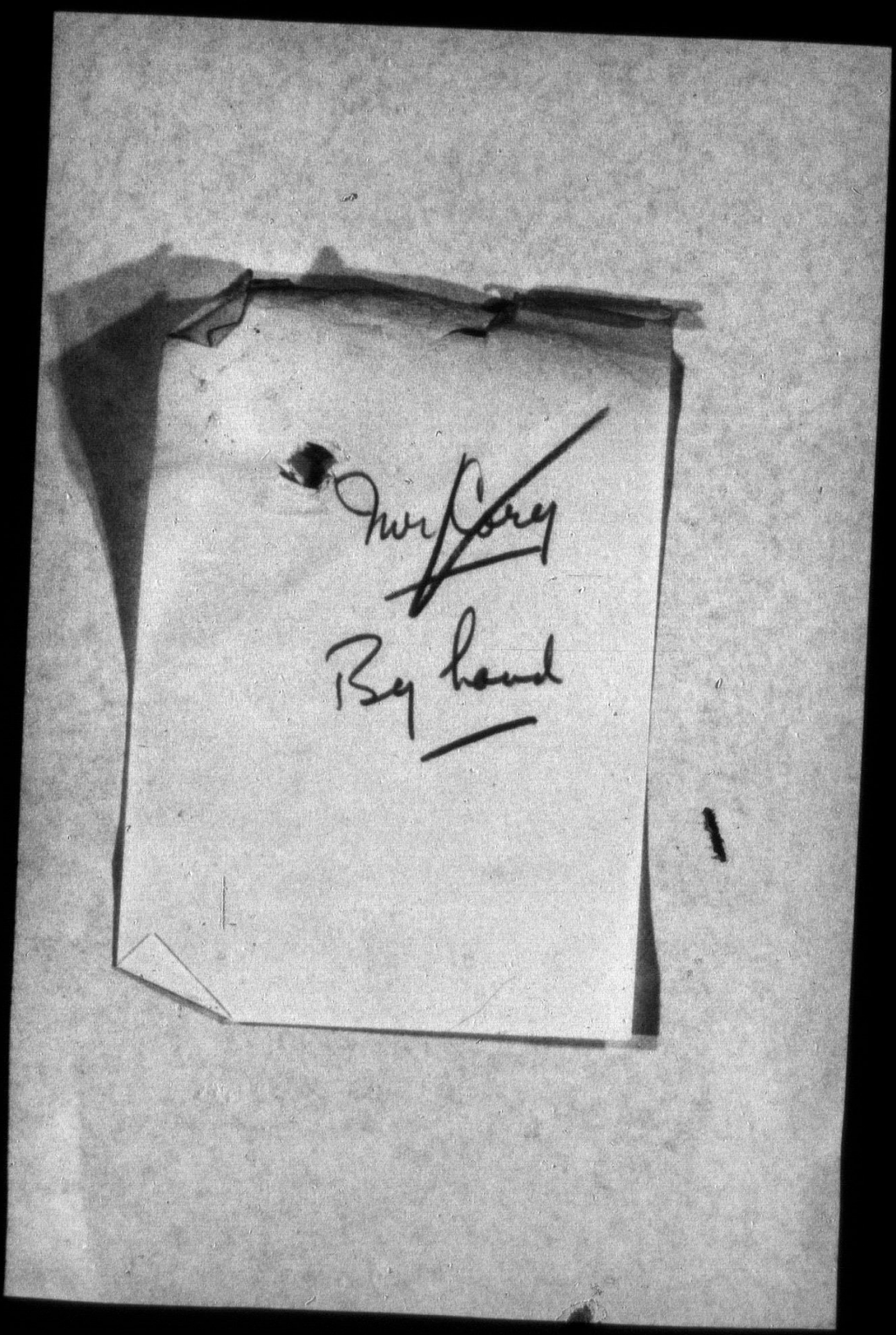

Indian Affairs. (RG 10; Volume 7798, File 29167-5-3 Pt.6)

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CANADA

To be returned to Indian Affairs Branch
when signed.

File - 28835-3 (R.2)

Ottawa, July 15th, 1947.

My Dear Colleague:

I have for acknowledgment your letter of June 17th with reference to that portion of Kitsilano Indian Reserve, Province of British Columbia, which your Department is purchasing and I note that you are concerned as to whether any agreement or understanding has been reached with the City of Vancouver as to the future of the said property.

I have pleasure in assuring you that, in so far as this Department is concerned, there has been no agreement or understanding made with the City of Vancouver.

Yours sincerely,

C Ottawa 7/17
Acting Minister.

The Honourable Brooke Claxton, K.C.,
Minister of National Defence,
Ottawa, Ontario.

LB/EB

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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P/12 P.C. 2949 28835-3

PRIVY COUNCIL CANADA
REGISTERED AUG 7 1947 Department of Mines & Resources Indian Affairs Branch
Mines & Resources AUG 1947

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 31st day of JULY, 1947.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

WHEREAS by Order in Council, P.C. 1707, dated the 29th day of April, 1947, authority was granted the Minister of Mines and Resources, on behalf of His Majesty to accept an offer to purchase made by His Majesty the King, as represented by the Minister of National Defence, under authority of Order in Council P.C. 1683, dated the 29th day of April, 1947, of an area of approximately 41.387 acres of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia;

AND WHEREAS the actual area to be acquired as aforesaid is 41.74 acres and the purchase price is $10,000 per acre;

AND WHEREAS His Majesty the King, as represented by the Minister of National Defence, has delivered to His Majesty the King, as represented by the Minister of Mines and Resources, the full purchase price of $417,400 which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said Band, dated the 17th day of April, 1946;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Mines and Resources, is pleased to order that the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to His Majesty the King, as represented by the Minister of National Defence, subject to the unexpired terms of an existing license of occupation dated the 1st day of March, 1938, in favour of the Greater Vancouver Water District, for the purpose of laying and maintaining a water pipe line across the said lands.

DESCRIPTION:

All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District, in the Province of British Columbia, comprising by admeasurement forty-one acres and seventy-four hundredths of an acre, more or less, and which is bounded as follows:

...

The Honourable
the Minister of Mines and Resources

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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On the south by the north boundary of the Canadian Pacific Railway right of way and the north boundary of Parcel C of the Burrard Inlet Bridge right of way; on the west by the eastern boundary of Chestnut Street; on the north and east by the line of mean high water as determined in December in the year nineteen hundred and twenty-eight by Instrumental Levelling at elevation 96.52 feet, City datum; and as the aforesaid boundaries are shown upon a plan of Parcels "A", "B" and "C" of said Indian reserve signed by G.F. Fontaine, British Columbia Land Surveyor, on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry Office at Vancouver in said Province, and whereof a copy is of record number M two thousand six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa.

for Pierre Beffetier
Clerk of the Privy Council

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

Poor Copy

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for Pierre Beffetier
Clerk of the Privy Council

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

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File - 28835-3 (R.2)

...VES AND TRUSTS

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

August 21st, 1947.

MEMORANDUM FOR FILE:

The entire problem of the sale on the Kitsilano Indian Reserve was discussed with Mr. Jackson and Mr. Cory on August 21st and the following is our position at the present time:

(1) The Central Mortgage and Housing Corporation apparently have no intention of vacating the Seaforth Armouries premises which they took under an emergency shelter regulation and until they do or until the Sick's Brewery or some other purchaser is prepared to purchase, subject to occupation by the Housing Corporation, matters are at a standstill. We have never formally agreed to sell to the Brewery and are, therefore, not bound to sell to them in preference to any other purchaser and should a satisfactory offer be received from any other purchaser at any time it has been suggested that we are perfectly free to consider such offer provided the Brewery is first given reasonable notice that unless they are prepared to go ahead and purchase, despite the occupation by the Housing Corporation, the property will be sold to someone else. We are holding $10,000.00 as received from the Brewery with their application to purchase and Mr. Jackson has suggested that we retain it until the Brewery requests its return or is prepared to go ahead.with the purchase.

We may proceed to consider the disposal of the other unsold portions of the Reserve but as regards the 11.2 acre parcel, it would be advisable to ascertain from the Province of British Columbia whether it is willing to lease the foreshore rights to a purchaser from this Department. It is thought that foreshore rights would be of prime importance to any purchaser and therefore that it is advisable to clarify the point before we open any negotiations for sale.

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

It should also be determined whether the Department of National Defence have actually gone into possession of their leased area, that is, the area it is proposed to sell to the Brewery. If so, and there is no apparent reason why, on application, cancellation of their leases should not be granted and we would then be free to bill the Housing Corporation for their occupation of the property. Mr. Jackson has suggested that a fair rental would be yearly rental paid under the National Defence leases plus interest at 5% on the price we would have received from the Brewery if the sale could have been effective. Mr. Cory is to examine the housing regulations with a view to ascertaining whether there is any reference therein to what rental the Corporation may pay for properties taken under the Emergency Shelter Regulations.

Yours,

LB/eb

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

D 2883J-3

QUOTE NO. H.Q. 101-V4 Vol.2 (JAG/O)

Department of Mines & Resources OTTAWA DEPUTY MINISTER

CANADA

DEPARTMENT OF NATIONAL DEFENCE
ARMY

Indian Affairs

OTTAWA, CANADA, August 22nd, 1947.

Department of Mines & Resources Indian Affairs Branch SEP 4 1947 REGISTERED

The Deputy Minister,
Department of Mines & Resources,
OTTAWA, Ontario.

Re: No. 2 Equipment Depot, Vancouver, B.C.
Purchase of Kitsilano Indian Reserve
Squamish Band of Indians

Thank you for your letter of 2nd July, 1947, and for the completeness of the report on title therein.

I have now received a copy of Order in Council P.C. 2949 of 31st July, 1947, authorizing the transfer of the 41.74 acres of this site to His Majesty the King as represented by the Minister of National Defence, and from this Department's standpoint only one or two matters appear to require consideration before this can be regarded as concluded.

It is noted from the copy of the Minute of the Executive Council of British Columbia dated 4th March, 1947, and numbered 374 that a copy of such minute was to be forwarded to the Land Registry Office, Vancouver, B.C. as a conveyance of this land to His Majesty the King in the Right of the Dominion of Canada without further formal instrument of transfer. Will you kindly advise me if this minute was so registered.

In connection with the easement of right of way granted to the Greater Vancouver Water District on 1st March 1938 I would be pleased if you would advise this District that the control of this property has now been transferred to this Department and that future rents should be paid to it. I would also appreciate an appropriate assignment of ownership form for completion of our records.

The adjustments which you have indicated in your letter will be satisfactory from this Department's standpoint.

Deputy Minister
Department of National Defence.

NAT. DEF. A-168-A
500M—4-46 (9044)
H.Q. 1772—39—376

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28836-3 (R.2)

Ottawa, September 22nd, 1947.

Dear Sir:

I wish to refer to your letter of March 5th last with which you enclosed certified copy of the Minute of the Executive Council of British Columbia dated 4th March, 1947, No.374, being a conveyance of the interest of the Crown in the right of the Province of British Columbia in Kitsilano Indian Reserve No.6 to His Majesty the King in the right of the Dominion of Canada.

The said Minute set out that a certified copy would be transmitted to the registrar, Land Registration Office, Vancouver, British Columbia, to the intent that such certified copy would be accepted as a conveyance of the said land without further formal instrument of transfer and in order that our records may be complete on this matter I would be pleased to have you advise that the said Minute was duly registered and have the particulars of the registration.

Yours very truly,

Director.

The Provincial Secretary,
Province of British Columbia,
VICTORIA, B. C.

LB/eb

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, September 22nd, 1947.

The Deputy Minister, Department of National Defence, Ottawa.

Re: Kitsilano Indian Reserve

Further to previous correspondence in the above matter I now have pleasure in enclosing herewith in duplicate a copy of Order in Council P.C. 2949 of July 31st, 1947, transferring 41.74 acres of the former Kitsilano Indian Reserve to His Majesty the King as represented by the Minister of National Defence. As will be noted, the transfer is subject to the unexpired terms of the existing license of occupation in favour of the Greater Vancouver Water District and I am also enclosing herewith the original copy of such license of occupation together with an assignment of our interest therein to the Minister of National Defence.

As we advised you previously on July 2nd, the area transferred to you by Order in Council above mentioned has been under lease to the Department of National Defence (Air) under a lease calling for a yearly rental of $5,000.00 and adjusting the 1947-48 rental as of May 8th would call for payment by your Department of the sum of $416.16. On the other hand we have received from the Greater Vancouver Water District the 1947-48 term rental of $125.00 and again adjusting the rental as of May 8th your Department would be entitled to receive $101.70 of the said rental. Setting off the moneys due to you as against the rental payable under your lease would leave a balance in our favour of $314.96 and I would be pleased to receive such sum at your convenience in final adjustment of the transaction.

In your letter of August 22nd you point out that the Minute of the Executive Council of British Columbia, dated 4th March, 1947, stated that a copy of such Minute was to be forwarded to the Land Registry Office, Vancouver, British Columbia, as a conveyance of the land to His Majesty the King in the right of

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

the Dominion of Canada without further formal instrument of transfer and enquire whether such Minute was so registered. I regret to advise you that we have no record on file as to whether a registration was actually carried out but will make enquiry with a view to securing further information on this point.

Yours sincerely,

Deputy Minister.

Ejels.
LB/eb

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

To be returned to Indian Affairs Branch when signed. 28835-3 (R.2)

EX'D.

Ottawa, September 22nd, 1947.

The Deputy Minister, Department of National Defence, Ottawa.

Re: Kitsilano Indian Reserve

Further to previous correspondence in the above matter I now have pleasure in enclosing herewith in duplicate a copy of Order in Council P.C. 2949 of July 31st, 1947, transferring 41.74 acres of the former Kitsilano Indian Reserve to His Majesty the King as represented by the Minister of National Defence. As will be noted, the transfer is subject to the unexpired terms of the existing license of occupation in favour of the Greater Vancouver Water District and I am also enclosing herewith the original copy of such license of occupation together with an assignment of our interest therein to the Minister of National Defence.

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Department of Mines & Resources Indian Affairs Branch. SEP 26 1947 REGISTERED

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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Yours sincerely,

H. L. KEENLEYSIDE

Deputy Minister.

Encls.
LB/eb

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

28835 - 3

3595/47

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

LAND REGISTRY OFFICE
VANCOUVER, B.C.
October 3rd, 1947.

Your File - 28835-3 (R.2)

Director,
Indian Affairs Branch,
Department of Mines and Resources,
OTTAWA, ONTARIO.

Dear Sir:

Re: Indian Reserve No. 6.

I am in receipt of your letter dated September 22nd, addressed to the Honourable The Provincial Secretary, Victoria, and forwarded to this office for attention.

Certified Copy of the Order-in-Council conveying the above reserve to His Majesty in the right of the Dominion was received, in this office in March this year. If Title is desired in the name of the Dominion it will be necessary to make application for same on the application form which I enclose herewith.

Yours truly,

H.L.ROBINSON
REGISTRAR

per AK

AK/BN

Department of Mines & Resources
Indian Affairs Branch.
7 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

28835-2

ADDRESS OFFICIAL COMMUNICATIONS TO
THE HON. THE PROVINCIAL SECRETARY
OR TO
THE DEPUTY PROVINCIAL SECRETARY

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA

OFFICE OF
PROVINCIAL SECRETARY
VICTORIA

October 1st, 1947.

Your File - 28835-3

Department of Mines & Resources
Indian Affairs Branch.
OCT 6 1947
REGISTERED

Dear Sir:

With reference to your letter of the 22nd ultimo, I have referred this communication to the Registrar, Land Registry Office, Vancouver, for attention and reply direct.

I would inform you that a certified copy of Order-in-Council No. 374, approved by His Honour the Lieutenant-Governor in Council on the 4th of March, was sent to the Registrar, Land Registration Office, Vancouver, on the 5th day of March, and was acknowledged by them as having been received.

Yours faithfully,

N. Hurley
Administrative Assistant.

Director,
Department of Mines and Resources,
Indian Affairs Branch,
Ottawa, Canada.

EP/BK

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

MEMORANDUM

Wilf.

I cannot find anything on file that would indicate we are committed in any way to sell to the Brewery.

However my perusal was rather hasty and a more exact check would appear advisable.

See particularly Dan Ker's letter of June 26/47 addressed to J.A. Campbell attached to Hon. I. Mackenzie's letter of July 1/47

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

COPY 28835-3

CENTRAL MORTGAGE AND HOUSING CORPORATION

4th Floor,
No. 4 Temporary Building,
November 4, 1947.

Dr. H.L. Keenleyside,
Deputy Minister,
Department of Mines and Resources,
Ottawa.

Dear Dr. Keenleyside,-

I would like to confirm the conversation which took place in my office this morning with Mr. Cory and Mr. Brown of your Department during which I offered to purchase from the Indian Affairs Branch of the Department of Mines and Resources some 8.067 acres of land at the Kitsilano Indian Reserve in Vancouver at a price of $10,000.00 per acre or a total of $80,670.00.

If this offer is accepted by the Department of Mines and Resources, I would suggest that it should be transferred by Order-in-Council to the Department of Reconstruction and Supply for the use of the Emergency Shelter Administration.

Yours very truly,

(Sgd.) D.B. Mansur.
President.

Department of Mines & Resources
Indian Affairs Branch
NOV 8 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

DEPARTMENT OF MINES AND RESOURCES
OFFICE OF THE DEPUTY MINISTER

OTTAWA 7/11/47

To Mr Hoey

For your attention and necessary action	
For preparation of reply	
For suggested reply	
For your comments	X
For noting and return	

Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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ARCHIVES PUBLIQUES
CANADA

28835-3

Mr. Kelly

File: 101-V4 Vol. 2 (DCE/CE4)

CANADA

DEPARTMENT OF NATIONAL DEFENCE
OFFICE OF THE DEPUTY MINISTER

Department of Mines & Resources
OTTAWA
NOV 8 1947
DEPUTY MINISTER

OTTAWA, 6th November, 1947.

Dear Sir:

Re: No. 2 Equipment Depot, Vancouver, B.C.
Kitsilano Indian Reserve

Referring to the 3rd paragraph of your letter of the 22nd September, 1947, in connection with the above matter, will you please advise if the Minute of the Executive Council of British Columbia dated 4th March, 1947, has now been registered in the Land Registry Office, Vancouver, B.C.

Yours very truly,

Deputy Minister

Deputy Minister,
Department of Mines and Resources,
Ottawa, Ontario.

Department of Mines & Resources
Indian Affairs Branch.
NOV 12 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

October 8th,
1 9 4 7.

Right Honourable C.D. Howe,
Minister of Reconstruction,
Hotel Vancouver,
Vancouver, B.C.

Dear Mr. Howe:

Re: Kitsilano Indian Reserve Property

Since receipt of your letter of the 11th ultimo I have had numerous conferences with the Hon. H.H. Stevens, Chairman of the Citizens' Rehabilitation Council of Greater Vancouver, and with the Mayor and other officials of the City of Vancouver, and with Mr. J.G. Walker, Emergency Shelter Officer of the Vancouver area.

It is a pleasure to inform you that the Rehabilitation Council has worked out a plan which is acceptable to themselves and agreeable to the officials of the City of Vancouver, whereby a number of huts from the area north of the Seaforth Armories, as indicated on the enclosed plan, might be removed and located on new sites to enable my clients to proceed with their proposed development of the lands they wish to purchase. It is suggested that eight of the huts be located on the Eastern end of the Seaforth Armory Parade grounds. We are informed that this is agreeable to the Officer Commanding in this area but is subject to the approval of the Minister of National Defence in Ottawa.

The above appears to answer requirement number one of your above letter of the 11th ultimo.

Regarding requirement number two of your letter, in which you state that my clients must be prepared to assume full responsibility for the cost of moving and relocating the building, and providing services at the new site to the same extent as exists at the site of the buildings at the time of moving, I beg to inform you that my clients agree to assume this responsibility.

It might be said that both Mr. Stevens, Chairman of the Rehabilitation Council, and Mr. F.C. Pauline, General Manager of the Citizens' Rehabilitation Hostels, assure us that the total cost to my clients in meeting this requirement will not exceed $7,500.00

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

Regarding condition number three of your letter, we are informed that there are no families occupying the huts to be moved. There are four families in the huts that are not required. These families, we are told by Mr. J.G. Walker, are Army personnel and will be moved to houses being provided at the Jericho army site.

As discussed with you when in Ottawa my client agrees to assume the aforesaid liability for moving the buildings in the manner outlined by the Rehabilitation Council, provided:

1. That my client be given an option for two years to purchase the property mentioned in my letter to the Honourable J.A. Glen, Minister of Mines and Resources, dated May 11th, 1946, for the price of $10,000.00 an acre, and that the sum of $10,000.00 paid at that time will apply on account of the purchase price, as well as the further amount that will be advanced by my client to cover the expense of moving the huts as contemplated.

2. That a reasonable time limit be placed by you on the length of occupancy of the huts that have been and are being conditioned, and that are to remain on the approximate eight acres of the Kitsilano Reserve my client is desirous of purchasing. I would suggest that the maximum time for such huts to remain on this property be three years, and at that time, in the event of the option to purchase being exercised, title to the buildings pass to my client so that the huts might be removed or demolished.

3. That the huts shown on the plan of F.C. Pauline as being not required be now released by the War Assets Corporation if they have any claim against the same, and permission be granted to have these huts removed or demolished.

4. That you give to the Corporation Counsel of the City of Vancouver written approval of the enclosed covenant which he requires to be included in any conveyance of lands of the Kitsilano Indian Reserve belonging to the Crown East of Burrard Bridge, to meet the requirements of the Town Planning Commission and to enable the passing of the By-Law permitting the lands East of Burrard Bridge to be used for heavy industry.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

5. That on the exercising of the Option aforesaid and the payment of the purchase price the Department will deliver to the Royal Trust Company in Vancouver, without further charge, a registerable Deed conveying to it clear title to the lands referred to in my aforesaid letter to the Honourable J.A. Glen dated May 11th, 1946.

Yours very truly,

J.A. Campbell.

JAC:MC'L

COPY

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Office of

The Minister of Reconstruction and Supply

Ottawa, Canada

September 11, 1947

Dear Mr. Campbell:

Re: Kitsilano Indian Reserve Property

With reference to our discussions of September 2nd, with respect to the above property, I would like to confirm the remarks I made with regard to the possibility of removing the emergency shelter project from this property. As I intimated the other day, the emergency shelter situation in Vancouver is extremely critical. While I and the officials of the Emergency Shelter Administration are anxious to co-operate to the greatest possible extent with you and your principals, it is imperative that every available building be used for emergency shelter purposes. It will be impossible for the emergency shelter authorities to remove their project or even a portion of it from the present site if by doing so, the shelter project is in any way delayed or reduced.

However, as I suggested to you the other day, I am certain that the Emergency Shelter Administration will give favourable consideration to any proposal your clients may offer which fulfills the following conditions:-

1. The proposal must have the approval of the City of Vancouver and of the Citizens' Rehabilitation Council of Greater Vancouver as the City's Administration Agent of the Seaforth Armouries Project.
2. If any or all of the buildings are to be moved from their present site, your clients must agree to assume full responsibility for the cost of moving and re-locating the buildings and providing services at the new site to the same extent as exists at the Kitsilano site at the time of moving. It will, of course, be necessary that the proposed site be approved for use for the emergency shelter project by the City of Vancouver and that the site be guaranteed to be available without cost to the Citizens' Rehabilitation Council for whatever term the emergency shelter project may be required to continue.
3. If any of the buildings to be moved are occupied by familities at the time of moving, it will be the responsibility of your clients to provide accommodation for these families during the period such buildings are not available by reason of the re-location.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

-1-

It is, of course, to be understood that the Citizens' Rehabilitation Council of Greater Vancouver shall have the right to determine which buildings at the Seaforth Armouries Camp are suitable for emergency shelter purposes and should continue to be available for conversion. If any of the converted huts, or huts which may later be converted, remain on property purchased by your clients they must continue to be available for emergency shelter purposes on the same terms and conditions as at present for so long as they may be required for emergency shelter purposes.

I think the foregoing paragraphs outline the form which any proposal made on behalf of your clients should take. In the meantime, the Citizens' Rehabilitation Council of Greater Vancouver in co-operation with the City of Vancouver and the emergency shelter Administration is proceeding with the conversion of the remaining suitable buildings at Seaforth Armouries and it must be understood that the conditions prescribed above with regard to moving of buildings, provision of services, responsibility for families during the moving, etc., are intended to apply to the project as it exists at the time of moving rather than at the present.

I would like to assure you that any proposal which you might make on behalf of your clients and which conforms with the conditions set forth in this letter will receive immediate consideration by the Emergency Shelter Administration. Mr. John Allen Jones, the British Columbia Regional Supervisor of Central Mortgage and Housing Corporation and Mr. J.G. Walker, Emergency Shelter Officer for the Vancouver Area, are aware of the contents of this letter and will be pleased to discuss any matters pertaining to this campsite with you.

Yours very truly,

(Sgd.) "C.D. Howe"

Minister.

Mr. J.A. Campbell,
Campbell, Meredith & Beckett,
Hall Building,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

You will note from the enclosed letter to Mr. Howe dated the 8th instant that my client is agreeable to making this expenditure on the terms set out in the enclosed letter.

We cannot very well make a formal commitment to Mr. Howe unless we know that we are to receive from the Department of Mines and Resources an Option to purchase the property on the basis set out in the enclosed letter to Mr. Howe dated the 8th instant, and further unless we know that this property is to be re-zoned for heavy industry. The Counsel for the City of Vancouver and Mayor Jones have repeatedly asked us since last July for your approval of the enclosed covenant to be contained in any Deed that is to be given by the Crown to the Royal Trust Company conveying the property to my client in the event of and as soon as the Option will be exercised.

Mr. Howe is seeing the Honourable Mr. Claxton, Minister of National Defence, for his approval to having the six Army huts located on the Eastern end of the Parade Ground, and also to having declared as surplusage certain huts that are not required by the Citizens' Rehabilitation Council so that the same might be removed or destroyed, to enable most of the area North of the Parade Ground to be clear for my client to proceed with its proposed construction. I would accordingly be pleased if you would forward to me your approval of the covenant to be contained in the Deed and which was sent to you some time ago, duplicate copies of which were left with the Right Honourable C.D. Howe this morning, and also your approval of the Option and conditions of purchase contained in the enclosed letter of the 8th instant to Mr. Howe.

As the Rehabilitation Council is now engaged in reconditioning the huts on the property East of the Seaforth Armories and will be soon ready to commence moving the huts North of the Parade Ground, I would be pleased to receive a letter from you on the above matters as soon as possible so that my client will know in advancing the monies required by the Citizens' Rehabilitation Council that eventually they will be able to purchase the entire property from your Department and that the same can be used for heavy industry as contemplated by the proposed By-Law.

Yours very truly,

J.A. Campbell

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

Minister of
OCT 11 1947
Mines & Resources

October 9th,
1947.

Honourable J.A. Glen,
Minister of Mines & Resources,
OTTAWA, Ont.

Dear Mr. Glen: RE: KITSILANO INDIAN RESERVE PROPERTY

I was pleased to learn from the Right Honourable C.D. Howe this morning at the Hotel Vancouver when I left with him the letter dated the 8th instant, a copy of which I enclose herewith, that you have recovered your health and have again returned to your office as Minister of Mines and Resources.

Since the issue of the Emergency Shelter Order on the 12th of May last against the Army huts that are on the property, as you are probably aware, lengthy negotiations have taken place with the Right Honourable C.D. Howe, with the City of Vancouver, the Citizens' Rehabilitation Council of this City, and with the Central Mortgage Corporation regarding moving of certain huts from the area north of the Seaforth Armories Parade Ground to other locations selected by the Citizens' Rehabilitation Committee. A detailed plan of the huts to be removed to the new locations was left with the Right Honourable C.D. Howe this morning, and a further copy was given to J.G. Walker, Emergency Shelter officer of this City by the Rehabilitation Council.

It is proposed as part of the plan in removing the huts that part of them be located on the Eastern end of the Seaforth Armories Parade Ground . You will recall that Mr. D.J.Allen of your Department, when in Vancouver last May, made a recommendation something along this line.

For your information I enclose herewith a copy of a letter written to me dated the 11th ultimo by the Right Honourable C.D. Howe, following my interview with him in Ottawa during the first week of September last. From this letter you will note that he suggests that my client advance monies covering the cost of removing the huts.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

notes of [illegible] with Mr Hawk

Removal expenses - should be borne by purchaser & not be a deduction from Indian interest.

Interest on option from its date - 5%

No guarantee as to length of occupancy by Housing - suggested three years

[illegible]

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

29835-3

CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

Air Mail

Department of Mines & Resources
Indian Affairs Branch
NOV 18 1947
REGISTERED

November 12th,
1947.

Minister of
NOV 15 1947
Mines & Resources

Honourable J. A. Glen,
Minister of Mines & Resources,
OTTAWA, Ont.

Dear Mr. Glen: RE: KITSILANO INDIAN RESERVE.

I do not appear to have received a reply to my letter to you of the 9th ultimo. It apparently was delayed pending negotiations with the Right Honourable C.D. Howe regarding the removal of certain huts from the above property North of the Seaforth Armouries. Today I am in receipt of a letter from Mr. Howe dated the 5th instant in which he states that the Emergency Shelter Order against these houses must stand. They are accordingly being reconditioned and possibly will remain on the property as long as two years.

Needless to say, the Company regrets the Emergency Housing Order issued and standing as a charge against these houses as and of the 12th of Maylast.

In view of the expense to which the Company has been subject and lengthy negotiations with your Department and with the Minister of Reconstruction and Supply, the Company wishes an Option to purchase this property on the following terms, namely:-

1. That the Royal Trust Company be given an Option for three (3) years to purchase the property mentioned in our letter to yourself dated the 11th of May, 1946, for the price of Ten Thousand ($10,000.00) Dollars an acre, and that the sum of Ten Thousand ($10,000.00) Dollars paid at that time will apply on account of the purchase price, and in the event of the purchase of the property not being made that the above sum of Ten Thousand ($10,000.00) Dollars be returned to my client.

2. That a reasonable time limit be placed by the Right Honourable C.D. Howe, Minister of Reconstruction, on the length of occupancy of the huts that have been or will be reconditioned, and that are to remain on the approximate eight acres of the Kitsilano Reserve my client is desirous of purchasing.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

3. That you give to the Clerk of the City of Vancouver written approval of the covenant required by the Corporation Counsel to be included in any conveyance of all or any portion of the lands in the Kitsilano Indian Reserve belonging to the Crown East of Burrard Bridge, in order to meet the requirements of the Town Planning Commission and to enable the passing of the By-Law permitting the land East of Burrard Bridge to be used for heavy industry.

It is to be especially noted that unless this property is now zoned for heavy industry that my client could not exercise any Option to purchase such lands not zoned for heavy industry.

4. That on the exercising of the Option aforesaid and upon payment of the purchase price your Department will deliver to the Royal Trust Company in Vancouver a registerable Deed conveying to it clear title to the lands referred to in the aforesaid letter to yourself dated the 11th of May, 1946.

Regarding the limitation of time for use of the huts for Emergency Shelter referred to in paragraphs 1 and 2 above, Mr. Howe wrote me on the 17th ultimo stating - " I fully believe that the need for continued occupancy of this Emergency Shelter will not go beyond three years. On the other hand, it is very difficult to give a firm commitment in this respect." It is urged that Mr. Howe give some commitment if possible on the length of Emergency Shelter use of these huts, so thatthe Company might make its plans accordingly.

We are anxious to hear from you regarding the above.

Thanking you in advance, and with kind regards,

I am,

Yours very truly,

J.A. Campbell.

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

DEPARTMENT OF MINES AND RESOURCES
OFFICE OF THE DEPUTY MINISTER

OTTAWA, 15/11/47

To M. Hoey

For your attention and necessary action	
For preparation of reply	
For suggested reply	
For your comments	
For noting and return	

Please note the attached two letters from Mr Campbell. We should [illegible] a discussion at once as to offer [illegible] by Housing organization and [illegible] Mr Campbell. [illegible]

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

DEPARTMENT OF MINES AND RESOURCES
OFFICE OF THE DEPUTY MINISTER

OTTAWA, 15/11/47

TO Mr. Haey

For your attention and necessary action	
For preparation of reply	
For suggested reply	
For your comments	
For noting and return	

Please note the attached two letters from Mr Campbell. We should reach a decision at once as to offer made by Hunting organization and then advise Mr Campbell. [illegible]

Poor COPY

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

DRAFT.

Ottawa, 19th November, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of Your Excellency in Council P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.067 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorizing possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT an offer has been made to purchase this said ~~area~~ at the price of Ten Thousand Dollars ($10,000.00) per acre by His Majesty the King, as represented by the Minister of Reconstruction and Supply;

THAT His Majesty the King, as represented by the Minister of Reconstruction and Supply, has delivered to His Majesty the King, as represented by the Minister of Mines and Resources, the full purchase price of Eighty Thousand, Six Hundred and Seventy Dollars ($80,670.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946.

The undersigned, therefore, recommends that the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to His Majesty the King as represented by the Minister of Reconstruction and Supply.

DESCRIPTION:

Respectfully submitted,

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

The sand land, which has
no been ascertained to
comprise 8·066 acres at --

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

COPY.

CAMPBELL, MEREDITH & BECKETT.

Campbell, Murray & Co.,

Barristers & Solicitors.

Hall Bldg.,
Vancouver, B.C.,
November 8th, 1947.

Right Honourable Ian Mackenzie,
Minister of Veterans Affairs,
Ottawa, Ont.

PERSONAL

Re - Kitsilano Indian Reserve.

Dear Ian:

I today acknowledge receipt of Norman's telegram reading as follows:-

AM VERY SORRY WORD HAS JUST BEEN RECEIVED THAT MR HOWES REPLY TO MR STEVENS AND YOUR OWN LATEST PROPOSAL DEFINITELY NEGATIVE INSOFAR AS YOUR INTERESTS ARE CONCERNED.

In view of this my client wishes an Option to purchase this property as mentioned in my letter to the Right Honourable C. D. Howe dated the 8th of October, a copy of which was sent to the Honourable J. A. Glen on the 9th ultimo and to yourself in a letter to you of the same date.

In view of the expense incurred by my client in work done making arrangements with the City of Vancouver regarding re-zoning, with the Indians, and otherwise, my client wishes an Option according to the following terms, namely,-

1. That my client be given an Option for three (3) years to purchase the property mentioned in my letter to the Honourable J. A. Glen, Minister of Mines and Resources, dated the 11th of May, 1946, for the price of $10,000.00 an acre, and that the sum of $10,000.00 paid at that time will apply on account of the purchase price and in the event of the purchase not being completed at the end of three years that the sum of $10,000.00 paid to the Honourable J. A. Glen be returned.

2. That a reasonable time limit be placed by the Right Honourable E. D. Howe, Minister of Reconstruction, on the length of occupancy of the huts that have been or will be reconditioned, and that are to remain on the approximate eight acres of the Kitsilano Reserve my client is desirous of purchasing.

. I would suggest that the maximum time for the huts other than those North of the Seaforth Armouries be three years and that the maximum time for the huts on the area North of the Seaforth Parade Ground to remain be not more than two years in the event of the Option to purchase being exercised, so that in the event of the property being purchased the huts might be removed or

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

demolished and construction of the proposed plant proceed.

3. That the Minister of Mines and Resources give to the Corporation Counsel of the City of Vancouver written approval of the covenant which he requires to be included in any conveyance of lands of the Kitsilano Indian Reserve belonging to the Crown East of Burrard Bridge to meet the requirements of the Town Planning Commission, and to enable the passing of the By-law permitting the land East of Burrard Bridge to be used for heavy industry.

4. That on the exercising of the Option aforesaid and the payment of the purchase price the Department will deliver to the Royal Trust Company in Vancouver, without further charge, a registerable Deed conveying to it clear title to the lands referred to in my aforesaid letter to the Honourable J. A. Glen dated May 11th, 1946.

In the letter to myself from the Right Honourable C. D. Howe dated the 17th ultimo he states that he fully believes that "the need for continued occupancy of this Emergency Shelter will not be beyond three years. On the other hand it is very difficult to give a firm commitment in this respect". I strongly urge that he give a commitment if possible in order to give some assurance to my client regarding possession in the event of my client deciding to wait and abide by the terms of an Option.

I would be glad to receive a reply to my letter to the Honourable J. A. Glen dated the 8th ultimo, particularly in regard to the Option and the other matters as requested above.

I am most anxious to hear from Mr. Glen regarding the above as to his willingness to grant the Option and the covenant requested by the Corporation Counsel so that in the event of my client deciding to purchase the property during the life of the Option that they will know that they will acquire title and that the area will be re-zoned for heavy industry as contemplated by the proposed by-law.

Thanking you for the consideration that is being given in this matter, I am,

Yours very truly,

(sgd) J. A. Campbell.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

COPY

Minister of Veterans Affairs

Ex Toronto November 12th, 1947.

My dear Colleague -

Re -Kitsilano Indian Reserve.

I enclose herewith copy of a letter from Mr. J. A. Campbell, K.C., which was received in Ottawa following my departure and forwarded to me en route.

The introductory paragraph thereof refers to the fact that it has not been possible to find a formula for removing certain army huts from the tract which Mr. Campbell's clients have offered to buy.

The request for an option is, therefore, made with full knowledge that the Emergency Shelter programme has priority.

As the long range policy is to obtain for the Indians a proper payment for their land in order to permit the normal development of the City of Vancouver, I should like to recommend that Mr. Campbell's proposal be met to the fullest possible extent.

With regard to the undertaking asked by the Vancouver City Council, I remember that you were reluctant to give this assurance. I am informed, however, that such registerable covenants have been frequently given in the past in order to protect the public interest. As there is no possibility of the Indians receiving a fair value for the property so long as it is zoned for residential purposes, and the city is unwilling to amend its zoning by-law unless this undertaking is given, I feel it would be in the interest of all concerned for the undertaking to be given. The restrictions desired by the City are certainly in the interest of municipal improvement, and I am sure they will be insisted upon no matter who purchases this property.

I should be glad to have word from you at Vancouver where I shall be at least until November 25th.

Very sincerely yours,

(sgd) Ian Mackenzie.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

LEGAL DIVISION

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 19th November, 1947.

MEMORANDUM:

Mr. Allan.

I have examined the attached files re Kitsilano Reserve and am of opinion that there is no binding commitment on the part of the Crown to sell to Royal Trust Company an area of approximately 8.067 acres.

You will recall that authority to sell these lands was obtained by special Order in Council P.C. No. 1707 dated the 29th April, 1947.

I have attached to your file copy of a recent letter from the Honourable Ian Mackenzie to Mr. Glen to which is attached copy of a letter to Mr. Mackenzie from J. A. Campbell, K.C. Mr. Jackson has suggested that a letter be prepared for the Minister's signature replying to both Mr. Mackenzie and Mr. Campbell refusing the recent offer and returning to Mr. Campbell the cheque for $10,000.00 deposited with the Department sometime ago. Mr. Jackson also suggests that the reasons for refusing the present offer be clearly set out in the proposed replies. Mr. Brown and I discussed this on the telephone this morning. It is also suggested that we go to Council with a further Report which is herewith for your consideration and approval.

I am returning herewith Indian Affairs Branch files 28835-3 vol. 6 and 28835-3 vol. 5.

Departmental Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3, Pt.6)

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CANADA

File - 29167-3 (R.2)

Ottawa, November 21st, 1947.

MEMORANDUM TO:

F. H. Peters, Esq.,
Surveyor General.

May this Branch please be supplied at the earliest possible date with five copies of your plan N. 2600 being a plan of the Kitsilano Indian Reserve prepared by G. F. Fontaine.

D. J. Allan,
Superintendent,
Reserves and Trusts.

DJA/eb

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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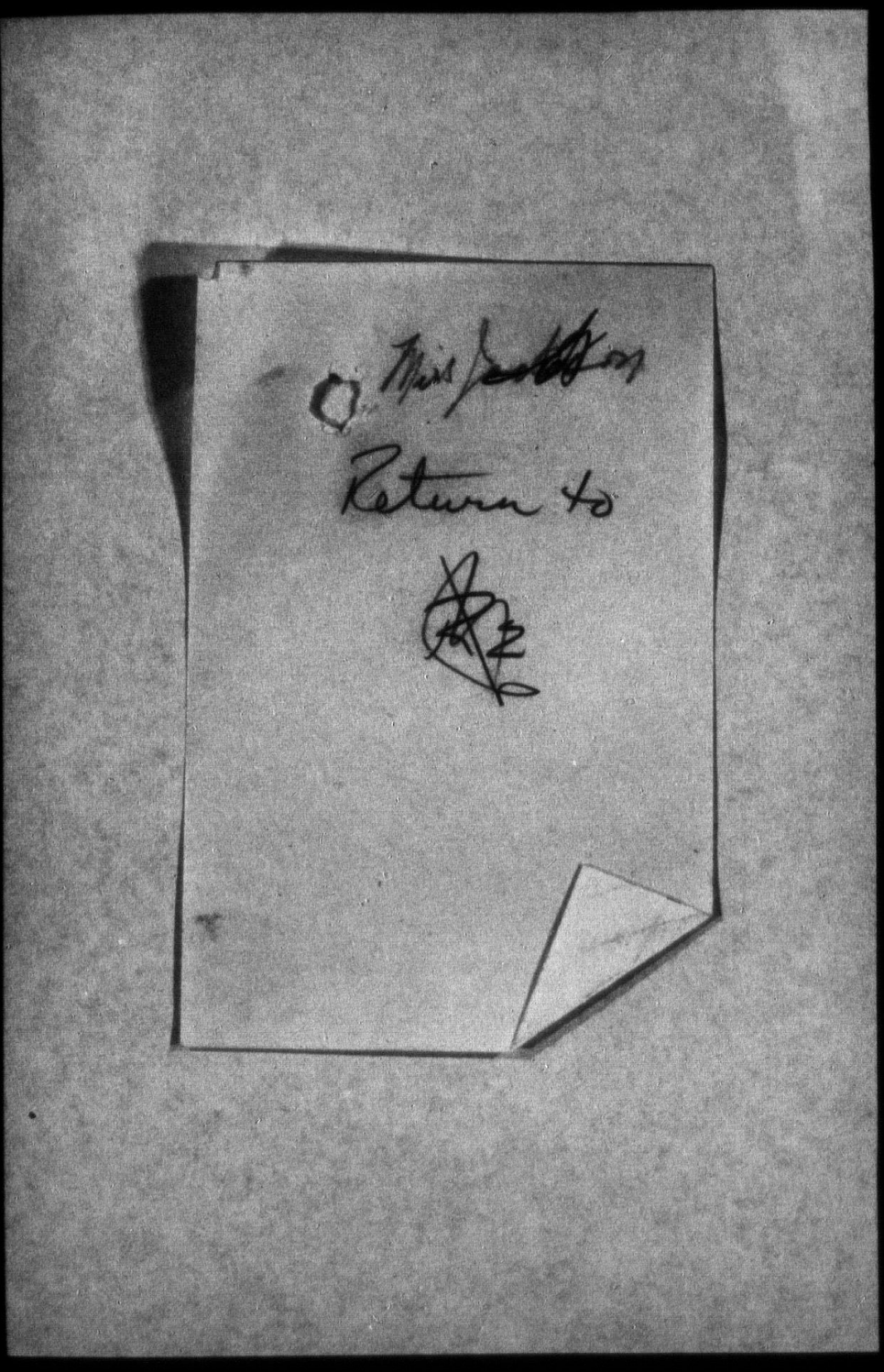
CANADA



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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

2-11

O. H. M. S.

From the

GEOGRAPHIC BOARD OF CANADA

Ottawa, Canada

To

Mr. F. H. Peters,
Chairman,
Geographic Board of Canada,
Chief, Survey & Mapping Bureau,
Labelle Building,
O T T A W A .

PRINTED MATTER ONLY

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

LE 166

M. 2600

Approved.
Donald Robertson
Chief Surveyor
Dept. of Indian Affairs

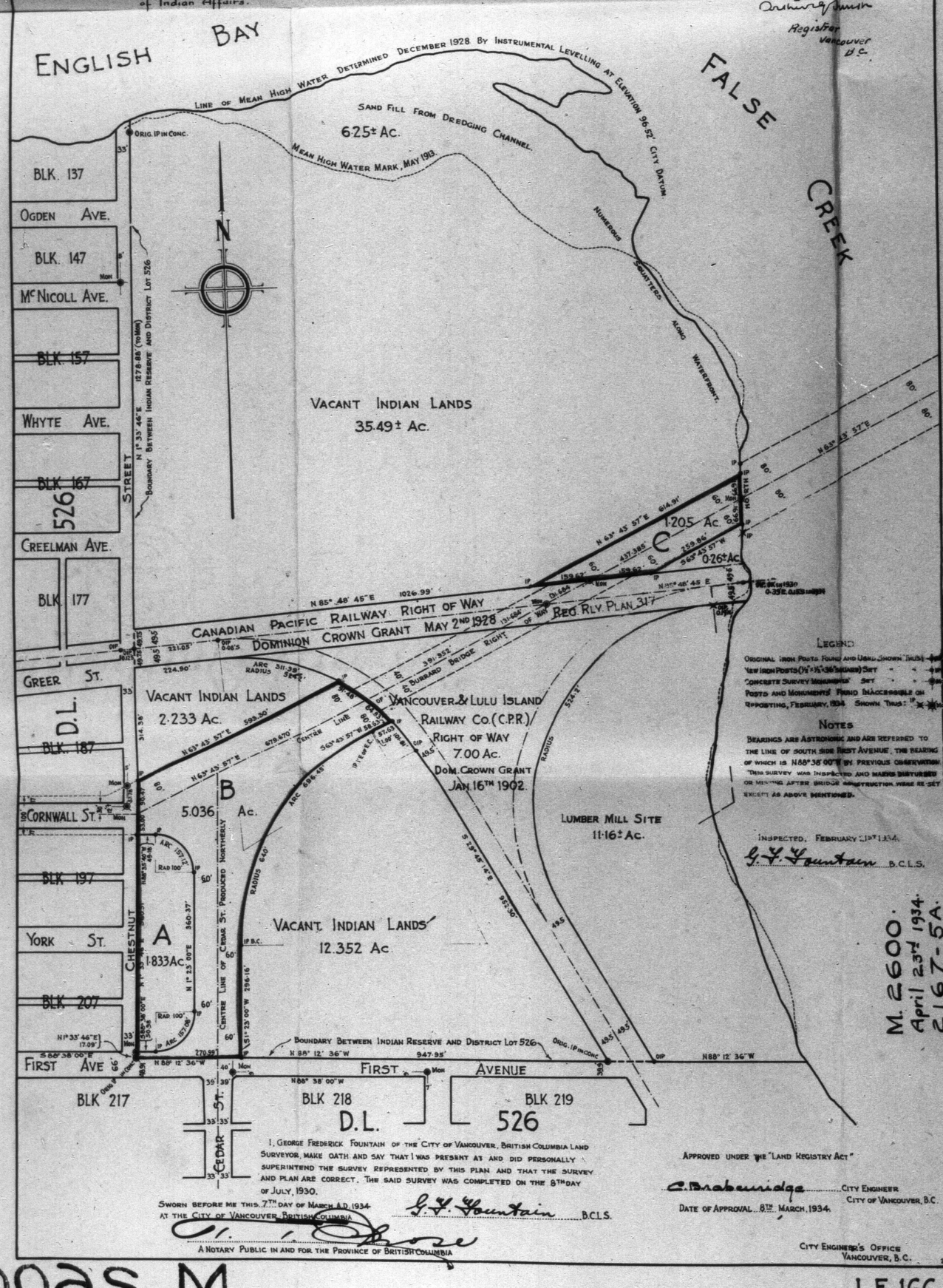
Harold W. McGill
Deputy Superintent. General
of Indian Affairs.

PLAN SHOWING PARCELS 'A', 'B' & 'C'
KITSILANO INDIAN RESERVE No 6 OF THE SQUAMISH BAND, VANCOUVER, B.C.

SCALE 1 IN. TO 200 FT.

I hereby certify this Plan to be a true copy of Plan filed in the Land Registry Office at Vancouver B.C. by the City of Vancouver on the 17th April 1934 under No 23279 and for which Ref. Plan No 2534 has been reserved for registration purposes.

Arthur G. Smith
Registrar
Vancouver
B.C.



I, GEORGE FREDERICK FOUNTAIN OF THE CITY OF VANCOUVER, 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 8TH DAY OF JULY, 1930.

SWORN BEFORE ME THIS 7TH DAY OF MARCH A.D. 1934 AT THE CITY OF VANCOUVER, BRITISH COLUMBIA

G. F. Fountain B.C.L.S.

A NOTARY PUBLIC IN AND FOR THE PROVINCE OF BRITISH COLUMBIA

APPROVED UNDER THE "LAND REGISTRY ACT"

C. Brabeuridge CITY ENGINEER
CITY OF VANCOUVER, B.C.

DATE OF APPROVAL 8TH MARCH, 1934.

CITY ENGINEER'S OFFICE
VANCOUVER, B.C.

M. 2600

LE 166

LE 166

W. 5600'

Approved.
Donald Robertson
Chief Surveyor
Dept. of Indian Affairs

PLAN SHOWING PARCELS 'A', 'B' & 'C' KITSILANO INDIAN RESERVE N°6 OF THE SQUAMISH BAND, VANCOUVER, B.C.

SCALE 1 IN. TO 200 FT.

Harold Wynne Gill
Deputy Superintendent General
of Indian Affairs.

I hereby certify this Plan to be a true copy of Plan filed in the Land Registry Office at Vancouver B.C. by the City of Vancouver on the 17th April 1934 under N° 23279 and for which Ref. Plan N° 2634 has been reserved for registration purposes.

Arthur G. Smith
Registrar
Vancouver B.C.

ENGLISH BAY

FALSE CREEK

LINE OF MEAN HIGH WATER DETERMINED DECEMBER 1928 BY INSTRUMENTAL LEVELLING AT ELEVATION 96.52' CITY DATUM

SAND FILL FROM DREDGING CHANNEL. 6.25± Ac.

MEAN HIGH WATER MARK, MAY 1913.

NUMEROUS SCUNTERED ALONG WATERFRONT.

ORIG. IP IN CONC.

BLK. 137

OGDEN AVE.

BLK. 147

McNICOLL AVE.

BLK. 157

WHYTE AVE.

BLK. 167

526

CREELMAN AVE.

BLK. 177

GREER ST.

D.L.

BLK. 187

CORNWALL ST.

BLK. 197

YORK ST.

BLK. 207

FIRST AVE

BLK 217

BLK 218

BLK 219

D.L. 526

CEDAR ST.

STREET

N 1° 33' 46" E 1276.88 (To Mon)

BOUNDARY BETWEEN INDIAN RESERVE AND DISTRICT LOT 526

VACANT INDIAN LANDS 35.49± Ac.

VACANT INDIAN LANDS 2.233 Ac.

VACANT INDIAN LANDS 12.352 Ac.

A 1.833 Ac.

B 5.036 Ac.

C 1.205 Ac.

0.26± Ac.

CANADIAN PACIFIC RAILWAY RIGHT OF WAY
DOMINION CROWN GRANT MAY 2ND 1928
REG. PLY. PLAN 317

N 85° 48' 45" E 1026.99'

N 63° 43' 57" E 614.91'

N 63° 43' 57" E 678.670'

S 63° 43' 57" W 284.83'

S.P. BURRARD BRIDGE RIGHT OF WAY

VANCOUVER & LULU ISLAND RAILWAY CO. (C.P.R.) RIGHT OF WAY 7.00 Ac. DOM. CROWN GRANT JAN. 16TH 1902.

LUMBER MILL SITE 11.16± Ac.

CENTRE LINE OF CEDAR ST. PRODUCED NORTHERLY

CENTRE LINE OF CHESTNUT ST. PRODUCED NORTHERLY

BOUNDARY BETWEEN INDIAN RESERVE AND DISTRICT LOT 526

N 88° 12' 36" W 947.95'

N 88° 38' 00" W

FIRST AVENUE

LEGEND

ORIGINAL IRON POSTS FOUND AND USED SHOWN THUS: ⊕
NEW IRON POSTS (½" × ½" × 36" SQUARE) SET ⊕
CONCRETE SURVEY MONUMENTS SET ⊕
POSTS AND MONUMENTS FOUND INACCESSIBLE OR DISPOSITION, FEBRUARY, 1934. SHOWN THUS: IP ⊕ MON

NOTES

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE LINE OF SOUTH SIDE FIRST AVENUE, THE BEARING OF WHICH IS N 88° 38' 00" W BY PREVIOUS OBSERVATION. THIS SURVEY WAS INSPECTED AND MARKS DISTURBED OR MISSING AFTER BRIDGE CONSTRUCTION WERE RE-SET EXCEPT AS ABOVE MENTIONED.

INSPECTED, FEBRUARY 21ST 1934.
G. F. Fountain B.C.L.S.

I, GEORGE FREDERICK FOUNTAIN OF THE CITY OF VANCOUVER, 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 8TH DAY OF JULY, 1930.

SWORN BEFORE ME THIS 7TH DAY OF MARCH A.D. 1934 AT THE CITY OF VANCOUVER, BRITISH COLUMBIA

G. F. Fountain B.C.L.S.

A NOTARY PUBLIC IN AND FOR THE PROVINCE OF BRITISH COLUMBIA

APPROVED UNDER THE "LAND REGISTRY ACT"

C. Brakenridge CITY ENGINEER
CITY OF VANCOUVER, B.C.

DATE OF APPROVAL 8TH MARCH, 1934.

CITY ENGINEER'S OFFICE
VANCOUVER, B.C.

M. 2600
April 23rd 1934.
2167-5A.
25th April 1934.

M. 2600

LE 166

LE 166

W. 5600

Approved.
Donald Robertson
Chief Surveyor
Dept. of Indian Affairs

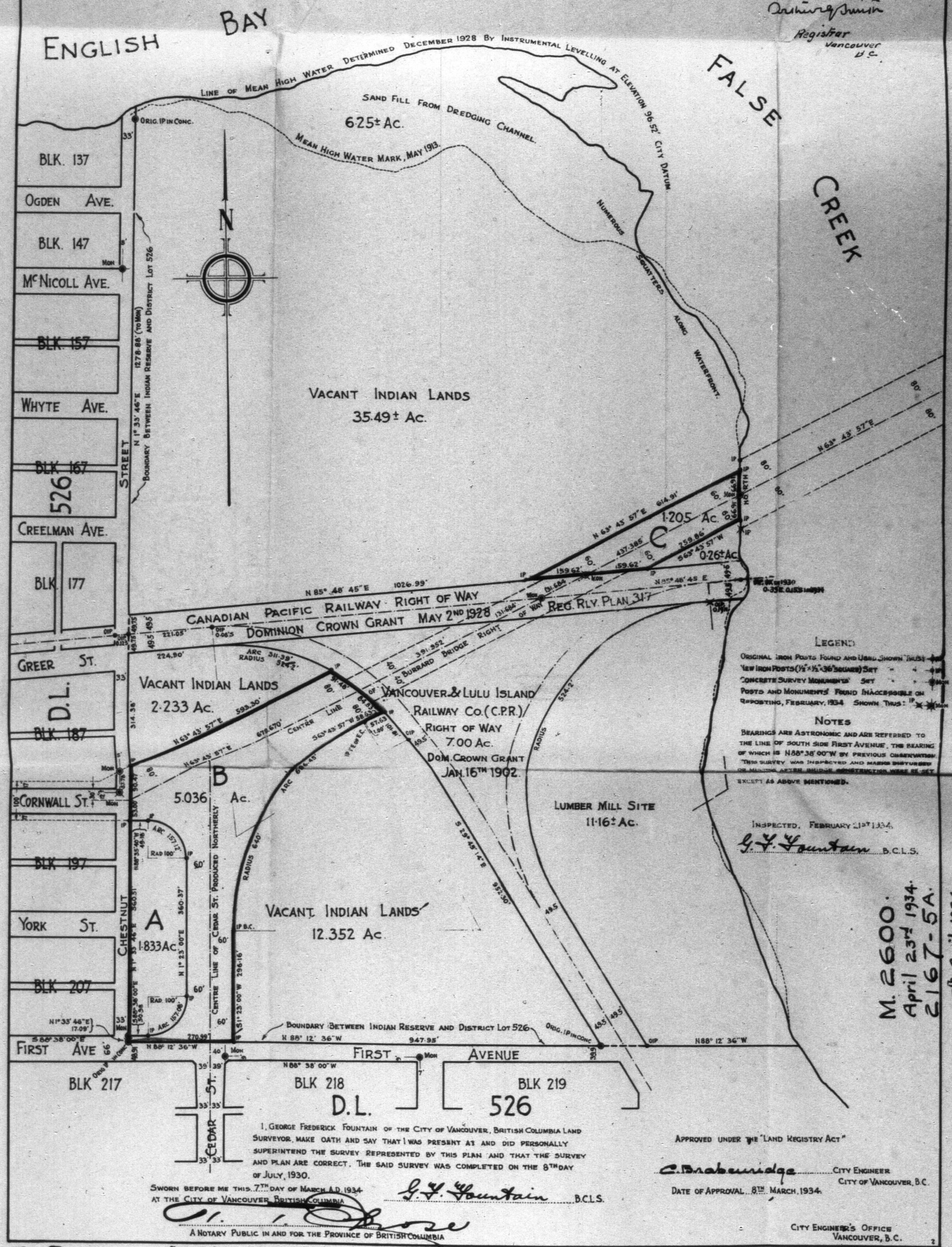
PLAN SHOWING PARCELS 'A', 'B' & 'C' KITSILANO INDIAN RESERVE Nº6 OF THE SQUAMISH BAND, VANCOUVER, B.C.

SCALE 1 IN. TO 200 FT.

Harold W. McGill
Deputy Superintendent General
of Indian Affairs.

I hereby certify this Plan to be a true copy of Plan filed in the Land Registry Office at Vancouver B.C. by the City of Vancouver on the 17th April 1934 under Nº 23279 and for which Ref. Plan Nº 2534 has been reserved for registration purposes.

Registrar
Vancouver B.C.


ENGLISH BAY
FALSE CREEK
LINE OF MEAN HIGH WATER DETERMINED DECEMBER 1928 BY INSTRUMENTAL LEVELLING AT ELEVATION 96.52' CITY DATUM
SAND FILL FROM DREDGING CHANNEL
6.25± Ac.
MEAN HIGH WATER MARK, MAY 1913.
NUMEROUS SOUNDINGS ALONG WATERFRONT.
ORIG. IP IN CONC.
BLK. 137
OGDEN AVE.
BLK. 147
McNICOLL AVE.
BLK. 157
WHYTE AVE.
BLK. 167
CREELMAN AVE.
BLK. 177
GREER ST.
BLK. 187
CORNWALL ST.
BLK. 197
YORK ST.
BLK. 207
FIRST AVE
BLK 217
BLK 218
BLK 219
D.L. 526
CHESTNUT ST.
CEDAR ST.
STREET
BOUNDARY BETWEEN INDIAN RESERVE AND DISTRICT LOT 526
VACANT INDIAN LANDS
35.49± Ac.
VACANT INDIAN LANDS
2.233 Ac.
VACANT INDIAN LANDS
12.352 Ac.
1.205 Ac.
0.26± Ac.
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BURRARD BRIDGE
LUMBER MILL SITE
11.16± Ac.
A 1.833 Ac.
B 5.036 Ac.
C
FIRST AVENUE
BOUNDARY BETWEEN INDIAN RESERVE AND DISTRICT LOT 526
N 88° 12' 36" W 947.98'
N 88° 38' 00" W
N 85° 48' 45" E 1026.99'
N 63° 43' 57" E
N 63° 45' 57" E 614.91'
N 63° 45' 57" W 259.86'
N 63° 43' 57" E 593.30'
N 1° 33' 46" E 1278.65' (TO BM)
BOUNDARY BETWEEN INDIAN RESERVE AND DISTRICT LOT 526
S 1° 23' 00" E 296.16'
N 1° 23' 00" W 296.16'
S 1° 23' 00" E 360.37'
S 1° 23' 00" E 822.50'
N 1° 35' 46" E 17.09'
S 88° 38' 00" E 66'
N 88° 12' 36" W 770.59'
RADIUS 640'
RADIUS 524.2'
RAD 100'
ARC 157.08'
ARC 314.38'
ARC RADIUS 341.39' 524.2'
CENTRE LINE OF CEDAR ST. PRODUCED NORTHERLY
CENTRE LINE 80' R/W
IP B.C.
IP CONC.
MON
DIP
OIP
BM 15.65
BM 15.82
BM 15.83
BM 15.84
BM 15.85
BM 15.86
BM 15.87
BM 15.88
BM 15.89
BM 15.90
BM 15.91
BM 15.92
BM 15.93
BM 15.94
BM 15.95
BM 15.96
BM 15.97
BM 15.98
BM 15.99
BM 16.00
BM 16.01
BM

LE 166

W. 5600

Approved.
Donald Robertson
Chief Surveyor
Dept. of Indian Affairs

PLAN SHOWING PARCELS 'A', 'B' & 'C' KITSILANO INDIAN RESERVE Nº6 OF THE SQUAMISH BAND, VANCOUVER, B.C.

SCALE 1 IN. TO 200 FT.

Harold W. W. Gill
Deputy Superintendent General
of Indian Affairs.

I hereby certify this Plan to be a true copy of Plan filed in the Land Registry Office of Vancouver B.C. by the City of Vancouver on the 17th April 1934 under Nº E 23279 and for which Ref Plan Nº 2634 has been reserved for registration purposes.

Arthur G. Smith
Registrar
Vancouver B.C.

ENGLISH BAY

FALSE CREEK

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SAND FILL FROM DREDGING CHANNEL
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526

CEDAR ST.

STREET

N 1° 33' 46" E 1278.68 (T'M'M) BOUNDARY BETWEEN INDIAN RESERVE AND DISTRICT LOT 526

VACANT INDIAN LANDS
35.49± Ac.

VACANT INDIAN LANDS
2.233 Ac.

VACANT INDIAN LANDS
12.352 Ac.

A
1.833 Ac.

B
5.036 Ac.

C
1.205 Ac.

0.26± Ac.

CANADIAN PACIFIC RAILWAY RIGHT OF WAY
DOMINION CROWN GRANT MAY 2ND 1928
REG. RLY PLAN 317

VANCOUVER & LULU ISLAND RAILWAY CO. (C.P.R.) RIGHT OF WAY
7.00 Ac.
DOM. CROWN GRANT
JAN. 16TH 1902

LUMBER MILL SITE
11.16± Ac.

BOUNDARY BETWEEN INDIAN RESERVE AND DISTRICT LOT 526

N 85° 48' 45" E 1026.99'

N 85° 46' 42" E

N 63° 43' 57" E 679.670'

S 63° 43' 57" W 88.58'

N 63° 43' 57" E 599.30'

N 63° 43' 57" E 614.91'

N 63° 43' 57" E 437.385'

S 63° 43' 57" W 258.86'

N 63° 43' 57" E

N 85° 38' 00" W 947.95'

N 88° 12' 36" W 270.58'

N 88° 12' 36" W

N 88° 38' 00" W

S 1° 33' 23" 00" W 296.16'

N 1° 33' 23" 00" E 360.37'

S 85° 38' 00" E 17.09'

N 1° 33' 46" E 17.09'

RADIUS 524.2'

ARC RADIUS 511.39'

ARC 678.670'

RAD 100'

ARC 157.08'

S. BURRARD BRIDGE RIGHT OF WAY

CENTRE LINE OF CROSS ST. PRODUCED NORTHERLY

CHESTNUT

LEGEND

ORIGINAL IRON POSTS FOUND AND USED SHOWN THUS: +
"6 x 6" IRON POSTS (1½" x 1½" x 36" SQUARE) SET " " +
CONCRETE SURVEY MONUMENTS SET " "
POSTS AND MONUMENTS FOUND INACCESSIBLE OR DISPOSTING, FEBRUARY, 1934. SHOWN THUS: IP X MON

NOTES

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE LINE OF SOUTH SIDE FIRST AVENUE, THE BEARING OF WHICH IS N 88° 38' 00" W BY PREVIOUS OBSERVATION.
THIS SURVEY WAS INSPECTED AND MARKS DISTURBED OR MISSING AFTER BRIDGE CONSTRUCTION WERE RE-SET EXCEPT AS ABOVE MENTIONED.

INSPECTED, FEBRUARY 21ST 1934.
G. F. Fountain B.C.L.S.

I, GEORGE FREDERICK FOUNTAIN OF THE CITY OF VANCOUVER, 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 8TH DAY OF JULY, 1930.

G. F. Fountain B.C.L.S.

SWORN BEFORE ME THIS 7TH DAY OF MARCH A.D. 1934
AT THE CITY OF VANCOUVER, BRITISH COLUMBIA

A NOTARY PUBLIC IN AND FOR THE PROVINCE OF BRITISH COLUMBIA

APPROVED UNDER THE "LAND REGISTRY ACT"

C. Bradwridge CITY ENGINEER
CITY OF VANCOUVER, B.C.

DATE OF APPROVAL 8TH MARCH, 1934.

CITY ENGINEER'S OFFICE
VANCOUVER, B.C.

M. 2600.
April 23rd 1934.
2167-5A.
25th April 1934.

LE 166

M. 2600

W 5600

LE 166

Approved.
Donald Robertson
Chief Surveyor
Dept. of Indian Affairs

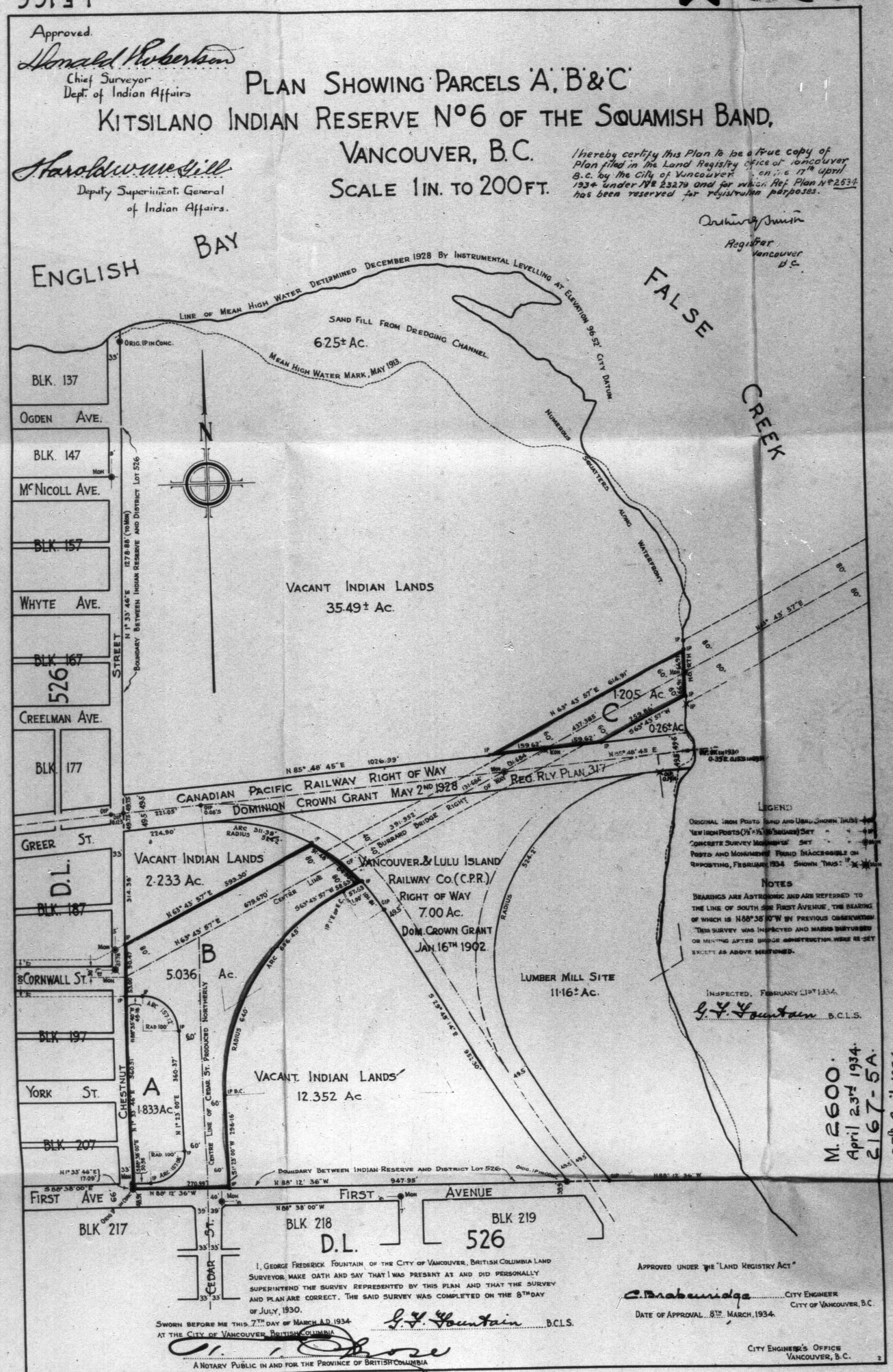
Harold McGill
Deputy Superintendent General
of Indian Affairs.

PLAN SHOWING PARCELS 'A', 'B' & 'C' KITSILANO INDIAN RESERVE Nº6 OF THE SQUAMISH BAND, VANCOUVER, B.C.

SCALE 1 IN. TO 200 FT.

I hereby certify this Plan to be a true copy of Plan filed in the Land Registry Office at Vancouver B.C. by the City of Vancouver on the 17th April 1934 under Nº 23279 and for which Ref. Plan Nº 2634 has been reserved for registration purposes.

Arthur J. Smith
Registrar
Vancouver B.C.



I, GEORGE FREDERICK FOUNTAIN, OF THE CITY OF VANCOUVER, 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 8TH DAY OF JULY, 1930.

G.F. Fountain B.C.L.S.

SWORN BEFORE ME THIS 7TH DAY OF MARCH A.D. 1934 AT THE CITY OF VANCOUVER, BRITISH COLUMBIA

A NOTARY PUBLIC IN AND FOR THE PROVINCE OF BRITISH COLUMBIA

APPROVED UNDER THE "LAND REGISTRY ACT"

C. Brakenridge CITY ENGINEER
CITY OF VANCOUVER, B.C.

DATE OF APPROVAL 8TH MARCH, 1934.

CITY ENGINEER'S OFFICE
VANCOUVER, B.C.

M. 2600
April 23rd 1934
2167-5A.
25th April 1934.

M. 2600

LE 166

ADDRESS REPLY TO:
HYDROGRAPHIC AND MAP SERVICE

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
SURVEYS AND ENGINEERING BRANCH
Labelle Bldg.

OTTAWA November 25, 1947.

Memorandum:

D.J. Allan, Esq.,
Indian Affairs Branch.

Referring to your memorandum of November 21st, your file 28835-3 (R.2), we are enclosing herewith five blue line prints from the negative of our Plan M-2600, showing parcels A, B and C, Kitsilano I.R. No. 6, Vancouver, B.C., by G.F. Fountain, B.C.L.S.

B.W. Waugh,
Surveyor General.

Encls.

Department of Mines & Resources
Indian Affairs Branch
NOV 29 1947
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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ARCHIVES PUBLIQUES
CANADA

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CENTRAL MORTGAGE AND HOUSING CORPORATION

OTTAWA, CANADA

Department of Mines & Resources
OTTAWA
NOV 25 1947
DEPUTY MINISTER

No. 4 Temporary Bldg.,
November 24th, 1947.

Dr. H.L. Keenleyside,
Deputy Minister,
Department of Mines and Resources,
Ottawa, Ontario.

Dear Dr. Keenleyside:

On November 4th I wrote to you offering to purchase 8.067 acres of land owned by the Indians at Kitsilano at a price of $80,670.00. Subsequently some of your officials spoke to me about the technique of the Order in Council and the status of the unpaid rentals due from the Department of National Defence. On November 22nd I had a call from Mr. Jackson telling me that the Royal Trust Company, as represented by Mr. J.A. Campbell, had offered to purchase the land for the same price, and would assume title subject to the extisting Emergency Shelter Order. In light of developments it is quite evident that our cash offer was made known to the Brewery. Mr. Jackson enquired as to our attitude with respect to sale to the Brewery.

The Emergency Shelter Order served upon you was drawn in its present form because the land was owned by the Crown. Were the land to be sold to a private individual, the present Emergency Shelter Order would be cancelled and a new one more appropriate to the situation would be issued.

Sale of the property to the Breweries would be satisfactory to us provided that the deed of sale contained the following provisions:-

(1) That the owners give the Central Mortgage and Housing Corporation quiet and peaceful possession of the land for a continuation of its present use until such a time as Emergency Shelter requirements in this location no longer exist.

(2) The continued need for use of the land for Emergency Shelter shall be in the sole discretion of the Corporation.

. 2

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

The repeal or amendment of the present Emergency Shelter Order shall not give the owner the right to attack the decision of the Corporation in this respect.

(3) The owner will accept in full payment for the use of the land approximately $2,400 a year, being 3% on the purchase price. This Corporation will not make an extra payment to the owner on account of municipal taxes which are not payable at the present time, but failing exemption, will be payable if title should be transferred from the Crown.

If the Brewery will meet these terms, we greatly prefer sale to the Brewery rather than the Corporation purchasing the property. We have a feeling, however, that the willingness of the Brewery, expressed by wire, to buy the property subject to the Emergency Shelter Order, has as its background the hope that the powers of the Emergency Shelter Administrator will be lessened, and shortly the Brewery will be in a better position to force vacation of the premises Furthermore, I would be surprised if the Brewery did not feel that if title to the property were in their name, they would have a good case before the Exchequer Court to claim as rental for the property a fair return on their investment, as well as the municipal taxes involved. It is to be remembered that they still have under neogitation with the City of Vancouver the rezoning of the area so that the Brewery may build.

Sale of the property, except subject to the terms outlined above, would be very much against the interests of Emergency Shelter. To protect these interests, we are prepared to issue an Order prohibiting the sale. We have little hesitation in doing so because the beneficial owners are the Indians, and the Indians are well protected by the firm offer to purchase by the Corporation.

Even if the Brewery were willing to accept the terms as outlined above, ownership by the Brewery and operation by the Corporation for as long as Emergency Shelter is needed is, at the best, an awkward procedure. As an alternative, we would suggest:-

1. The Corporation buy the land as arranged.

2. The Corporation would be willing to give the Brewery the option to purchase the property as if and when Emergency Shelter needs

. 3

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

terminated. The option would contain the following provisions:-

(a) The Brewery may purchase within a period of six months after notice being received from the Corporation that vacant possession will be given.

(b) The Brewery will pay $10,000 for the option which shall not be refundable if the option is not taken up.

(c) The price to be paid for the land is the price which the Corporation has paid for the land.

(d) If the Brewery takes up the option, the agreed sale price shall be payable at the date of transfer of the land. Against such sale price shall be credited the option price of $10,000 plus interest at 3% per annum, compounded semi-annually from the date of the purchase of the option to the date of the transfer of the property from the Corporation to the Brewery.

(e) Should a portion of the property become available the Corporation is prepared to make arrangements with the Brewery to transfer the available portion. Depending upon the size of the portion and its location, such an arrangement would have to ensure that the Brewery would take up the balance of the property when available.

If the offer which you have received by wire from the Brewery is in good faith, this suggestion should be acceptable to them. It gets away from all the difficulty of the Brewery being the owner while the property is used for Emergency Shelter. It avoids all the complications of municipal taxes, and I do not believe that the City of Vancouver has the power to waive the taxes if the land is owned by the Brewery. In view of the fact that Emergency Shelter arrangements are made in conjunction with the City of Vancouver on approximately a 50-50 basis, it is not appropriate for Emergency Shelter to pay the City of Vancouver full taxes on a parcel of land for which Vancouver does not expect taxes.

If the Brewery is unwilling to accept this suggestion, or at least show some reason why it is not acceptable, then I think we can proceed on the assumption that they are not in good faith. In this event, we believe that the land should be sold to this Corporation, and transferred

. 4

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

to His Majesty the King, as represented by the Minister of Reconstruction. At that time we will reluctantly take up the not inconsiderable burden of continuing negotiation with the Brewery.

We take a very poor view of our offer having been disclosed. It is to be remembered that up to the time that your officials came to see us, the position of your Department was that you did not have a firm offer from the Brewers and that you were in a difficult position with the Indians because of our Emergency Shelter Order. It was because of these embarrassments of your Department that our offer was made. We now find that our offer has been used against us.

In the normal course of events this letter would be accompanied by a formal Emergency Shelter Order. We dislike serving an Order upon a Government Department because we feel that the relationship should be such to render an Order unnecessary. We would, however, like your assurance that no steps will be taken to sell this property to the Breweries except subject to the terms outlined above until we receive further notification. At that time we will be issuing a formal Order.

Yours very truly,

D. B. Manour.

President.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

28835-3

CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

HALL BUILDING
VANCOUVER, B.C.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

Department of
NOV 24 1947
Mines & Resources

November 22nd,
1947.

Honourable J.A. Glen,
Minister of Mines & Resources,
OTTAWA, Ont.

Dear Mr.Glen: RE: KITSILANO INDIAN RESERVE.

I beg to confirm my wire to you last evening reading as follows:

> THE ROYAL TRUST COMPANY HEREBY OFFERS TO PURCHASE OUTRIGHT FORTHWITH THE APPROXIMATE EIGHT ACRES OF THE KITSILANO RESERVE AT TEN THOUSAND DOLLARS AN ACRE SUBJECT TO THE EMERGENCY SHELTER ORDER ISSUED ON MAY TWELFTH LAST AS APPLIED FOR IN OUR LETTER TO YOU OF THE ELEVENTH MAY NINETEEN FORTY SIX STOP WOULD APPRECIATE YOUR EARLY ACCEPTANCE.

My client wishes to purchase this property without reservations. Any details regarding survey, the By-Law, etc., can be worked out but we do wish to have a formal sale made now of the property to the Royal Trust Company pursuant to the terms of our offer.

I would be most pleased to hear from you at an early date.

Yours very truly,

Department of Mines & Resources
Indian Affairs Branch
DEC 10 1947
REGISTERED

J. A. Campbell.

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADIAN NATIONAL TELEGRAPHS

1947 NOV 22 PM 12 (238)

MOA161 58/55 DL GET REPLY=FD VANCOUVER BC 22 840A

HONORABLE J A GLEN, MINISTER OF MINES AND RESOURCES

OTTAWA=

THE ROYAL TRUST COMPANY HEREBY OFFERS TO PURCHASE OUTRIGHT FORTHWITH THE APPROXIMATE EIGHT ACRES OF THE KITSILANO RESERVE AT TEN THOUSAND DOLLARS AN ACRE SUBJECT TO THE EMERGENCY SHELTER ORDER ISSUED ON MAY TWELFTH LAST AS APPLIED FOR IN OUR LETTER TO YOU OF THE ELEVENTH MAY 1946 STOP WE WOULD APPRECIATE YOUR EARLY ACCEPTANCE

J A CAMPBELL KC.

Department of Mines & Resources Indian Affairs Branch DEC 10 1947 REGISTERED

Minister of NOV 22 1947 Mines & Resources

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

CWJ/IM.

Copy for the information of
Mr. Hoey.

AIRMAIL

Ottawa, November 25, 1947.

Dear Mr. Campbell,- Re - Kitsilano Indian Reserve

I wish to acknowledge on behalf of the Minister receipt of your letter of the 22nd instant confirming the wire you sent him the previous evening offering on behalf of the Royal Trust Company to purchase outright the eight odd acres of the Kitsilano Reserve at the price of $10,000 per acre, subject to the Emergency Shelter Order.

As I mentioned to you during our telephone conversation to-day, the Central Mortgage and Housing Corporation is a Crown Company and it is, therefore, necessary for our Department to keep in mind the interest of the Crown in this matter. After discussing it with the President of the Corporation, Mr. D.B. Mansur, he has suggested three proposals which might be considered and which would enable your clients to ultimately acquire title to the property. These are as follows:-

1. That the Indian Affairs Branch sell the property to the Royal Trust Company for the price mentioned, the sale to contain the following condition:-

   (a) That the owners give the Central Mortgage and Housing Corporation quiet and peaceful possession of the land for a continuation of its present use until such a time as Emergency Shelter requirements in this location no longer exist.
   (b) The continued need for use of the land for Emergency Shelter shall be in the sole discretion of the Corporation. The repeal or amendment of the present Emergency Shelter Order shall not give the owner the right to attack the decision of the Corporation in this respect.

J.A. Campbell, Esq., K.C.,
Hall Building,
VANCOUVER, B.C.

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(c) The owner will accept in full payment for the use of the land approximately $2,400 a year, being 3% on the purchase price. This Corporation will not make an extra payment to the owner on account of municipal taxes which are not payable at the present time, but failing exemption, will be payable if title should be transferred from the Crown.

2. That the title to the property be conveyed by the Indian Affairs Branch to the Housing Corporation who in turn would sell it to the Royal Trust Company for the price mentioned, subject to the same conditions set out in No. 1.

3. That the Indian Affairs Branch sell the land to the Housing Corporation who should give to the Company the option to purchase as, if and when the emergency needs terminated, the option to contain the following provisions:-

(a) The Company may purchase within a period of six months after notice being received from the Corporation that vacant possession will be given.
(b) The Company will pay $10,000 for the option which shall not be refundable if the option is not taken up.
(c) The price to be paid for the land is the price which the Corporation has paid for the land.
(d) If the Company takes up the option, the agreed sale price shall be payable at the date of transfer of the land. Against such sale price shall be credited the option price of $10,000 plus interest at 3% per annum, compounded semi-annually from the date of the purchase of the option to the date of the transfer of the property from the Corporation to the Company.
(e) Should a portion of the property become available the Corporation is prepared to make arrangements with the brewery to transfer the available portion. Depending upon the size of the portion and its location, such an arrangement would have to ensure that the Company would take up the balance of the property when available.

From the point of view of your clients it would seem that the third proposal would be more attractive in that the interest of the Crown in the property would not be taxed and your clients would thus avoid the yearly payment of taxes during the time that the property was held for emergency shelter purposes. So far as our Department is concerned we would prefer to make a sale direct to the Housing Corporation which would thus enable you to deal direct with the Corporation

.....

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

rather than through our Department.

As I mentioned to you over the telephone, provision is made in the Emergency Shelter Regulations for prohibiting the sale of property required for emergency shelter. I am sure consideration would be given to such an order being passed if it were thought that the interest of the Crown would be prejudiced by such a sale.

I will be glad if you will let me have your views on these proposals.

Yours very truly,

C.W. Jackson,
Director, Administration and Personnel.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

CAMPBELL, MEREDITH & BECKETT

CAMPBELL, MURRAY & CO.

BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH

KENNETH M. BECKETT

G. L. MURRAY, LL.B.

Department of Mines & Resources
OTTAWA
DEC 1 1947
DEPUTY MINISTER

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

November 27th,
1947.

C. W. Jackson, Esq.,
Director, Administration and Personnel,
Department of Mines and Resources,
OTTAWA, Ont.

Dear Mr. Jackson:

RE: KITSILANO INDIAN RESERVE.

I duly received your letter of the 25th instant.

We are giving this matter immediate consideration and expect to communicate with you regarding our client's position in the near future.

Yours very truly,

J.A. Campbell

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

CANADIAN NATIONAL TELEGRAPHS

1947 NOV 29 AM 1 57

28835 3

Department of Mines & Resources
Nov. 29 1947
MINISTER

MOA6 81 NL=X VANCOUVER BC 28

O W JACKSON, DIRECTOR OF ADMINISTRATION AND PERSONNEL=

950 DEPT OF MINS AND RESOURCES OTTAWA=

RE KITSILANO INDIAN RESERVE STOP CONFIRMING MY TELEPHONE CONVERSATION WITH YOU TODAY THE ROYAL TRUST COMPANY ACCEPTS PROPOSAL NUMBER THREE IN YOUR LETTER TWENTY FIFTH INSTANT BUT SUGGESTS THAT AS CONSTRUCTION CANNOT WAIT INDEFINITELY THAT ANY TIME AFTER THREE YEARS BUT PRIOR TO RECEIPT OF THE SIX MONTHS NOTICE THAT VACANT POSSESSION OF LANDS WILL BE GIVEN THAT IT BE ENTITLED TO WITHDRAW FROM THE OPTION AND RECEIVE REPAYMENT OF THE SUM OF TEN THOUSAND DOLLARS TOGETHER WITH INTEREST STOP WRITING=

J A CAMPBELL KC.

Department of Mines & R-Services
Indian Affairs Branch
DEC 10 1947
REGISTERED

FORM 6135

Indian Affairs. (RG 10, Volume 7798; File 29167-5-3 Pt.6)

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CANADA

28835-3

CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
KENNETH M. BECKETT
G. L. MURRAY, LL.B.

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

VANCOUVER, B.C.

5256/6117

Department of Mines & Resources
OTTAWA
DEC 1 1947
DEPUTY MINISTER
HALL BUILDING

November 28th,

Department of Mines & Resources
Indian Affairs Branch.
DEC 10 1947
REGISTERED

C.W. Jackson, Esq.,
Director of Administration and Personnel,
Department of Mines & Resources,
OTTAWA, Ont.

Dear Mr. Jackson: RE: KITSILANO INDIAN RESERVE.

In reply to your letter of the 25th instant and following my telephone conversation with you at Ottawa today and my telegram to you as follows:

> RE KITSILANO INDIAN RESERVE STOP CONFIRMING MY TELEPHONE CONVERSATION WITH YOU TODAY THE ROYAL TRUST COMPANY ACCEPTS PROPOSAL NUMBER THREE IN YOUR LETTER TWENTY FIFTH INSTANT BUT SUGGESTS THAT AS CONSTRUCTION CANNOT WAIT INDEFINITELY THAT ANY TIME AFTER THREE YEARS BUT PRIOR TO RECEIPT OF THE SIX MONTHS NOTICE THAT VACANT POSSESSION OF LANDS WILL BE GIVEN THAT IT BE ENTITLED TO WITHDRAW FROM THE OPTION AND RECEIVE REPAYMENT OF THE SUM OF TEN THOUSAND DOLLARS TOGETHER WITH INTEREST STOP WRITING

I beg to state that my client, the Royal Trust Company, is pleased to and does hereby accept your proposal numbered three as contained in your above letter, with a suggestion as mentioned in my telephone conversation which I understand meets with your approval, namely, that after three years and at any time prior to receipt from the Central Mortgage and Housing Corporation of the notice that vacant possession will be given, that my client may notify the Central Mortgage and Housing Corporation that it wishes to withdraw from the Option and to have the sum of Ten Thousand ($10,000.00) Dollars already paid returned to it together with interest at 3% from the date the said sum was paid to your Department.

We assume that you will have the necessary Option prepared and forwarded to us, together with your letters from the Department of Mines and Resources, as well as from the Central Mortgage and Housing Corporation, setting out fully the understanding between the parties.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

We would be pleased at that time to receive the necessary consent from yourself or the Central Mortgage and Housing Corporation to the covenant requested by the Counsel of the City of Vancouver to be included in any conveyance from the Crown to my client covering the requirements of theTown Planning Commission to enable the By-Law to be finally passed, zoning the property in the Kitsilano Reserve East of Burrard Bridge for heavy industry.

I would like to point out also that in accepting proposal numbered three in your letter of the 25th instant it is assumed that the price that will be paid for the land to the Central Mortgage and Housing Corporation as indicated in paragraph 3(c) will not exceed Ten Thousand ($10,000.00) Dollars an acre, the agreed-upon price per acre between the Company and the Department of Mines and Resources.

Awaiting confirmation of the above,

I am,

Yours very truly,

J.A.Campbell.

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CWJ/IM.

Copy for the information of
Indian Affairs Branch with copy
of letter from Mr. Campbell.

Ottawa, December 3, 1947.

Dear Mr. Mansur,-

Following your letter of the 24th ultimo in reference to the Kitsilano Reserve the three alternative proposals were submitted to Mr. J.A. Campbell, K.C., who acts for the Royal Trust Company. I am now enclosing a copy of his reply dated the 28th ultimo. You will notice that his clients are agreeable to the property being transferred to your Corporation who in turn will give to the Royal Trust Company an option on the terms mentioned in your letter. You will also observe Mr. Campbell suggests that the Trust Company should be permitted to withdraw the option after the end of three years and any time thereafter prior to notice being given that the Corporation is willing to give up possession. This would appear to be a reasonable condition and I hope it will not be objectionable as far as your Corporation is concerned.

If you are prepared to grant the option as amended, please let me know and our Department will immediately arrange to have the property in question transferred.

Yours very truly,

for Deputy Minister.

D.B. Mansur, Esq.,
President,
Central Mortgage and Housing Corporation,
No. 4 Temporary Building,
OTTAWA.

Encl.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

Poor Copy

the understanding between the parties.

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I would like to point out also that in accepting proposal numbered three in your letter of the 25th instant it is assumed that the price that will be paid for the land to the Central Mortgage and Housing Corporation as indicated in paragraph 3 (c) will not exceed Ten Thousand ($10,000.00) Dollars an acre, the agreed-upon price per acre between the Company and the Department of Mines and Resources.

Awaiting confirmation of the above,

I am,

Yours very truly,

(Sgd.) J. A. Campbell

J. A. Campbell

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

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(COPY)

CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CO.
Barristers and Solicitors

Hall Building
VANCOUVER, B. C.
November 28th, 1947.

C. W. Jackson, Esq.,
Director of Administration and Personnel,
Department of Mines & Resources,
OTTAWA, Ont.

Dear Mr. Jackson: RE: KITSILANO INDIAN RESERVE

In reply to your letter of the 25th instant and following my telephone conversation with you at Ottawa today and my telegram to you as follows:

> RE KITSILANO INDIAN RESERVE STOP CONFIRMING MY TELEPHONE CONVERSATION WITH YOU TODAY THE ROYAL TRUST COMPANY ACCEPTS PROPOSAL NUMBER THREE IN YOUR LETTER TWENTY FIFTH INSTANT BUT SUGGESTS THAT AS CONSTRUCTION CANNOT WAIT INDEFINITELY THAT ANY TIME AFTER THREE YEARS BUT PRIOR TO RECEIPT OF THE SIX MONTHS NOTICE THAT VACANT POSSESSION OF LANDS WILL BE GIVEN THAT IT BE ENTITLED TO WITHDRAW FROM THE OPTION AND RECEIVE REPAYMENT OF THE SUM OF TEN THOUSAND DOLLARS TOGETHER WITH INTEREST STOP WRITING

I beg to state that my client, the Royal Trust Company, is pleased to and does hereby accept your proposal numbered three as contained in your above letter, with a suggestion as mentioned in my telephone conversation which I understand meets with your approval, namely, that after three years and at any time prior to receipt from the Central Mortgage and Housing Corporation of the notice that vacant possession will be given, that my client may notify the Central Mortgage and Housing Corporation that it wishes to withdraw from the Option and to have the sum of Ten Thousand ($10,000.00) Dollars already paid returned to it together with interest at 3% from the date the said sum was paid to your Department.

We assume that you will have the necessary Option prepared and forwarded to us, together with your letters from the Department of Mines and Resources, as well as from the Central Mortgage and Housing Corporation, setting out fully

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(COPY)

CENTRAL MORTGAGE AND HOUSING CORPORATION
OTTAWA, CANADA

No. 4 Temporary Bldg.,
December 6th, 1947.

C. W. Jackson, Esq.,
Chief Executive Assistant,
Deputy Minister,
Department of Mines and Resources,
Ottawa, Ontario.

Dear Mr. Jackson:

I have your letter of December 3rd together with the copy of the letter from Mr. J.A. Campbell dated November 28th. His amendment, "that after three years and at any time prior to receipt from the Central Mortgage and Housing Corporation of the notice that vacant possession will be given, that my client may notify the Central Mortgage and Housing Corporation that it wishes to withdraw from the Option and to have the sum of Ten Thousand ($10,000.00) Dollars already paid returned to it together with interest at 3% from the date the said sum was paid to your Department." is unacceptable to us.

In my letter of November 24th I suggested that 3% interest be allowed upon the option money against the purchase price. My proposal of November 24th did not contemplate any circumstances by which the option money would be returned to the prospective purchaser other than application against the purchase price.

There is some merit in Mr. Campbell's suggestion that at the end of a stated period the option price should be returned to the prospective purchaser if it becomes evident that the delay in giving vacant possession to the property is unreasonable. Subject to revision by our lawyers as to wording, we are willing to include in the option to the Royal Trust Company either one of the following conditions:-

(a) "If, prior to January 1st, 1952, the Central Mortgage and Housing Corporation has not notified the option holder that vacant possession will be given within a period of six months, the said Corporation will repay to the Royal Trust Company the sum of $10,000 without interest. Upon the repayment of the sum of $10,000 the Royal Trust

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Company shall have no further rights to purchase the property and all the terms and conditions of the option shall have expired.

(b) If, prior to January 1st, 1952, the Central Mortgage and Housing Corporation has not notified the option holder that vacant possession will be given within a period of six months, the said Corporation will return to the Royal Trust Company bonds in amount of $10,000 together with coupons attached thereto for the period January 1st, 1948, to January 1st, 1952. On the return of the bonds the Royal Trust Company shall have no further rights to purchase the property and all the terms and conditions of the option shall have expired.

You will notice that either of these alternatives has the effect of the Corporation not making interest payments to the option holder. The latter alternative would involve your return to the Royal Trust Company the $10,000 now being held by you, and the Royal Trust Company depositing with us at the date of the signing of the option bonds of the Dominion of Canada or guaranteed by the Dominion of Canada with par value of $10,000. The term of such bonds is at the option of the Royal Trust Company, but should have a maturity date later than January 1st, 1952. The option would contain the provision that under Alternative No. 1 the purchase price less $10,000 would be payable by the Royal Trust Company to the Corporation on purchase. Under Alternative No. 2 the agreement would call for the full purchase price to be paid and the bonds to be returned to the Royal Trust Company.

The wording in Mr. Campbell's letter is not entirely clear so we wish to emphasize that the only time his clients have rights to exercise this option is during the period January 1st, 1948, to January 1st, 1952. After we have returned the deposit of $10,000 or the bonds, all rights of the Royal Trust Company under the terms of the option will have expired. After that time we will be free to hold the property or to sell the property to anyone we wish including the Brewery, and we shall not be bound to the price contained in the option.

Mr. Campbell asks that the necessary option be prepared and forwarded to him. As soon as we have title to the property and know which one of the two alternatives outlined earlier in

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this letter is acceptable to Mr. Campbell's clients, we will have the option prepared by our lawyers. The purchase price of the property contained in the option will be the price at which we purchase the property from the Department of Mines and Resources.

As to the consent to the covenant requested by the City of Vancouver to be included in any conveyance from the Crown, I understand that your Department is anxious to have this area zoned for heavy industry. We are quite prepared to follow your wishes in this respect. What the Town Planning Commission will do with the application is quite another matter. We want it clearly understood that the granting of such a covenant to the new purchasers does not involve any obligation upon this Corporation to press for the rezoning of the area for heavy industry.

Our offer to purchase the property as outlined in my letter of November 4th to your Department is good for acceptance until December 16th. The option terms as outlined in my letter of November 24th, and subsequently modified by this letter, are good for acceptance by the Royal Trust Company until December 23rd.

Yours very truly,

(Sgd.) D. B. Mansur

President.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CWJ/IM.

Copy for the information of
Mr. Hoey.

AIRMAIL

Ottawa, December 8, 1947.

Dear Mr. Campbell,-

Your letter of the 3rd instant in reference to the Kitsilano Indian Reserve was referred to Mr. Mansur, the President of the Central Mortgage and Housing Corporation. I am now sending you a copy of his reply dated December 6th.

You will notice that the additional condition which you propose is not altogether acceptable to the Housing Organization. However, perhaps the conditions outlined in Mr. Mansur's letter will be acceptable to your clients. You will observe that the agreement to give the option is only good for acceptance up to the 23rd of December. I assume that this will give your clients plenty of time to make up their minds.

Yours very truly,

C.W. Jackson,
Director, Administration and Personnel.

J.A. Campbell, Esq., K.C.,
Hall Building,
VANCOUVER, B.C.

Encl.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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OFFICE OF THE DEPUTY REGISTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Mr allison

Ottawa, December 9, 1947.

Department of Mines & Resources
Indian Affairs Branch
DEC 10 1947
REGISTERED

MEMORANDUM TO MR. HOEY:

Re - Kitsilano Reserve

Some time ago I sent you an offer which had been received from the Central Mortgage and Housing Corporation to purchase the eight odd acres in the Kitsilano Reserve, this being the parcel which negotiations were under way to sell to the Royal Trust Company. The proposed offer to purchase was brought to the attention of Mr. J.A. Campbell who acts for the Royal Trust Company and later an offer was received from him for the outright purchase of the property. When his latter offer was communicated to the Housing Organization, Mr. Mansur, the President of the Organization, felt it advisable that the property should be sold to the Housing Organization who in turn could deal direct with the Royal Trust Company.

For your information I am enclosing the following correspondence:-

1. Telegram dated November 22nd from J.A. Campbell, K.C.
2. Letter from J.A. Campbell dated November 22nd.
3. Letter from the Central Mortgage and Housing Corporation dated November 24th.
4. Copy of letter to J.A. Campbell dated November 25th.
5. Letter from J.A. Campbell dated November 27th.
6. Telegram from J.A. Campbell dated November 29th.
7. Letter from J.A. Campbell dated November 28th.
8. Copy of letter to Mr. Mansur dated December 3rd.
9. Copy of letter from the Central Mortgage and Housing Corporation dated December 6th.
10. Copy of letter to Mr. Campbell dated December 8th.

Your attention is specially drawn to Mr. Mansur's letter of December 6th. You will notice that a copy of this

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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has been sent to Mr. Campbell. If his clients should accept the changed conditions mentioned, the preparation of the option to the Royal Trust Company will be a matter for the Housing Organization to attend to. Regardless of the decision of the Royal Trust Company, there would seem to be no reason why our Department should not now accept the offer of the Housing Organization and complete the transfer of the property. You will note from Mr. Mansur's letter that the date for the acceptance of the offer to purchase is December 16th.

C.W. Jackson,
Director, Administration and Personnel.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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December 9th, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of Your Excellency in Council P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.037 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said Reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorizing possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT an offer has been made to purchase this land, which has been ascertained to comprise 8.066 acres, at the price of Ten Thousand Dollars ($10,000.00) per acre by His Majesty the King, as represented by the Minister of Reconstruction and Supply;

THAT the said Minister of Reconstruction and Supply has agreed to purchase, subject to any and all zoning by-laws of the City of Vancouver, presently affecting the said land and upon the condition that if at any time hereinafter an application is made to the Town Planning Commission of the City of Vancouver to rezone to heavy industry, the land hereinafter described or all or any part of that portion of the Kitsilano Indian Reserve lying to the East of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.), he will support such application and consent to such covenants, binding on all persons in whom the land hereinafter described or any interest therein may be vested as may be within the requirements of the said Town Planning Commission;

THAT His Majesty the King, as represented by the Minister of Reconstruction and Supply, has delivered to His Majesty the King, as represented by the Minister of Mines and Resources, the full purchase price of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946.

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The undersigned, therefore, recommends that the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to His Majesty the King as represented by the Minister of Reconstruction and Supply, subject to any and all zoning by-laws of the City of Vancouver, presently affecting the said land and upon the condition that if at any time hereinafter an application is made to the Town Planning Commission of the City of Vancouver to rezone to heavy industry, the land hereinafter described or all or any part of that portion of the Kitsilano Indian Reserve lying to the East of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.), the said Minister of Reconstruction and Supply will support such application and consent to such covenants, binding on all persons in whom the land hereinafter described or any interest therein may be vested as may be within the requirements of the said Town Planning Commission.

DESCRIPTION:

All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District in the Province of British Columbia, which said portion is bounded as follows:

On the westerly side by that part of the easterly limit of the right of way of the Burrard Bridge known as Parcel "B"; on the easterly side by the westerly limit of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.); on the south by the north boundary of District lot five hundred and twenty-six; and as the aforementioned boundaries are shown upon a plan of Parcels "A", "B", and "C", in said Indian Reserve, signed by G. F. Fontaine, British Columbia Land Surveyor on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry Office at Vancouver in said Province, and whereof a copy is of record number M. twenty-six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa; saving and excepting thereout and therefrom those two parcels, conveyed to the Department of National Defence by Orders-in-Council, P.C. 1915 dated the twenty-third day of August, nineteen hundred and thirty-four and P.C. 3164 dated the seventh day of January, nineteen hundred and thirty-five; the portion hereby conveyed containing by admeasurement eight acres and sixty-six thousandths of an acre, more or less.

Respectfully submitted,

Minister of Mines and Resources.

LB/eb

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CANADA

December 9th, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of Your Excellency in Council P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.067 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said Reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorizing possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT an offer has been made to purchase this land, which has been ascertained to comprise 8.066 acres, at the price of Ten Thousand Dollars ($10,000.00) per acre by His Majesty the King, as represented by the Minister of Reconstruction and Supply;

THAT the said Minister of Reconstruction and Supply has agreed to purchase, subject to any and all zoning by-laws of the City of Vancouver, presently affecting the said land and upon the condition that if at any time hereinafter an application is made to the Town Planning Commission of the City of Vancouver to rezone to heavy industry, the land hereinafter described or all or any part of that portion of the Kitsilano Indian Reserve lying to the East of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.), he will support such application and consent to such covenants, binding on all persons in whom the land hereinafter described or any interest therein may be vested as may be within the requirements of the said Town Planning Commission;

THAT His Majesty the King, as represented by the Minister of Reconstruction and Supply, has delivered to His Majesty the King, as represented by the Minister of Mines and Resources, the full purchase price of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946.

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The undersigned, therefore, recommends that the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to His Majesty the King as represented by the Minister of Reconstruction and Supply, subject to any and all zoning by-laws of the City of Vancouver, presently affecting the said land and upon the condition that if at any time hereinafter an application is made to the Town Planning Commission of the City of Vancouver to rezone to heavy industry, the land hereinafter described or all or any part of that portion of the Kitsilano Indian Reserve lying to the East of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.), the said Minister of Reconstruction and Supply will support such application and consent to such covenants, binding on all persons in whom the land hereinafter described or any interest therein may be vested as may be within the requirements of the said Town Planning Commission.

DESCRIPTION:

All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District in the Province of British Columbia, which said portion is bounded as follows:

On the westerly side by that part of the easterly limit of the right of way of the Burrard Bridge known as Parcel "B"; on the easterly side by the westerly limit of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.); on the south by the north boundary of District lot five hundred and twenty-six; and as the aforementioned boundaries are shown upon a plan of Parcels "A", "B", and "C", in said Indian Reserve, signed by G. F. Fontaine, British Columbia Land Surveyor on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry Office at Vancouver in said Province, and whereof a copy is of record number M. twenty-six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa; saving and excepting thereout and therefrom those two parcels, conveyed to the Department of National Defence by Orders-in-Council, P.C. 1915 dated the twenty-third day of August, nineteen hundred and thirty-four and P.C. 3164 dated the seventh day of January, nineteen hundred and thirty-five; the portion hereby conveyed containing by admeasurement eight acres and sixty-six thousandths of an acre, more or less.

Respectfully submitted,

Minister of Mines and Resources.

LB/eb

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CANADA

December 9th, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of Your Excellency in Council P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.067 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said Reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorizing possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT an offer has been made to purchase this land, which has been ascertained to comprise 8.066 acres, at the price of Ten Thousand Dollars ($10,000.00) per acre by His Majesty the King, as represented by the Minister of Reconstruction and Supply;

THAT the said Minister of Reconstruction and Supply has agreed to purchase, subject to any and all zoning by-laws of the City of Vancouver, presently affecting the said land and upon the condition that if at any time hereinafter an application is made to the Town Planning Commission of the City of Vancouver to rezone to heavy industry, the land hereinafter described or all or any part of that portion of the Kitsilano Indian Reserve lying to the East of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.), he will support such application and consent to such covenants, binding on all persons in whom the land hereinafter described or any interest therein may be vested as may be within the requirements of the said Town Planning Commission;

THAT His Majesty the King, as represented by the Minister of Reconstruction and Supply, has delivered to His Majesty the King, as represented by the Minister of Mines and Resources, the full purchase price of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946.

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The undersigned, therefore, recommends that the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to His Majesty the King as represented by the Minister of Reconstruction and Supply, subject to any and all zoning by-laws of the City of Vancouver, presently affecting the said land and upon the condition that if at any time hereinafter an application is made to the Town Planning Commission of the City of Vancouver to rezone to heavy industry, the land hereinafter described or all or any part of that portion of the Kitsilano Indian Reserve lying to the East of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.), the said Minister of Reconstruction and Supply will support such application and consent to such covenants, binding on all persons in whom the land hereinafter described or any interest therein may be vested as may be within the requirements of the said Town Planning Commission.

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All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District in the Province of British Columbia, which said portion is bounded as follows:

On the westerly side by that part of the easterly limit of the right of way of the Burrard Bridge known as Parcel "B"; on the easterly side by the westerly limit of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.); on the south by the north boundary of District lot five hundred and twenty-six; and as the aforementioned boundaries are shown upon a plan of Parcels "A", "B", and "C", in said Indian Reserve, signed by G. F. Fontaine, British Columbia Land Surveyor on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry Office at Vancouver in said Province, and whereof a copy is of record number M. twenty-six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa; saving and excepting thereout and therefrom those two parcels, conveyed to the Department of National Defence by Orders-in-Council, P.C. 1915 dated the twenty-third day of August, nineteen hundred and thirty-four and P.C. 3164 dated the seventh day of January, nineteen hundred and thirty-five; the portion hereby conveyed containing by admeasurement eight acres and sixty-six thousandths of an acre, more or less.

Respectfully submitted,

Minister of Mines and Resources.

LB/eb

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DEPARTMENT
OF
MINES AND RESOURCES

OTTAWA, December 9th, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of Your Excellency in Council P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.067 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said Reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorizing possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT an offer has been made to purchase this land, which has been ascertained to comprise 8.066 acres, at the price of Ten Thousand Dollars ($10,000.00) per acre by His Majesty the King, as represented by the Minister of Reconstruction and Supply;

THAT the said Minister of Reconstruction and Supply has agreed to purchase, subject to any and all zoning by-laws of the City of Vancouver, presently affecting the said land and upon the condition that if at any time hereinafter an application is made to the Town Planning Commission of the City of Vancouver to rezone to heavy industry, the land hereinafter described or all or any part of that portion of the Kitsilano Indian Reserve lying to the East of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.), he will support such application and consent to such covenants, binding on all persons in whom the land hereinafter described or any interest therein may be vested as may be within the requirements of the said Town Planning Commission;

THAT ~~His Majesty the King, as represented by~~ the Minister of Reconstruction and Supply, has delivered to ~~His Majesty the King~~, ~~as represented by~~ the Minister of Mines and Resources, the ~~full purchase price~~ sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946.

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The undersigned, therefore, recommends that the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to His Majesty the King as represented by the Minister of Reconstruction and Supply, subject to any and all zoning by-laws of the City of Vancouver, presently affecting the said land and upon the condition that if at any time hereinafter an application is made to the Town Planning Commission of the City of Vancouver to rezone to heavy industry, the land hereinafter described or all or any part of that portion of the Kitsilano Indian Reserve lying to the East of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.), the said Minister of Reconstruction and Supply will support such application and consent to such covenants, binding on all persons in whom the land hereinafter described or any interest therein may be vested as may be within the requirements of the said Town Planning Commission.

DESCRIPTION:

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Respectfully submitted,

Minister of Mines and Resources.

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MEMORANDUM

Wlef

This is our attempt at imposing some conditions which will force Reconstruction to consent to and comply with any rezoning by law.

It is thought this is what Mr Jackson had in mind but I would suggest you show the draft to him.

Jen
K

1. Mr. Cory
2. Indian Affairs (R.2)

Indian Affairs., (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

DRAFT.

Ottawa, December 12th, 1947.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of Your Excellency in Council, P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.067 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said Reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorizing possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT it is proposed to transfer the management, charge and direction of the said land which has been ascertained to comprise 8.066 acres from the Minister of Mines and Resources to the Minister of Reconstruction and Supply in consideration of the payment by the Minister of Reconstruction and Supply to the Minister of Mines and Resources of the sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) being at the price of Ten Thousand Dollars ($10,000.00) per acre;

THAT the Minister of Reconstruction and Supply has delivered to the Minister of Mines and Resources the sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946;

THAT other portions of that part of the said surrendered reserve lying south of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway) are held by His Majesty in trust for sale on behalf of the said Squamish Band of Indians and in order that the said portions may, in the future, be sold to the best advantage it is desirable that all that part of the said reserve lying south of the said right of way be rezoned for industrial use;

THAT the Town Planning Commission of the City of Vancouver has signified its willingness to recommend for approval a future application to rezone for industrial use the part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway) and in order to insure that the future management, charge and direction of the parcel of land hereinafter described by the Minister of Reconstruction and Supply shall not be of detriment to such future application for rezoning, certain restrictions with respect to the said management, charge and direction are desirable.

The undersigned, therefore, recommends that the management, charge and direction of the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to the Minister of Reconstruction and Supply subject to the following conditions -

1. That the said Minister of Reconstruction and Supply, and all persons in whom the said land or any interest therein may be vested hereinafter, shall be bound by the following restrictions -

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

(a) That no right to a private way or other private means of access shall be granted or established or permitted to be established or to exist or shall be claimed at any time, from the approach to Burrard Street Bridge north of First Avenue, in the City of Vancouver, to, from or over the lands hereinafter described.

(b) That no building or structure of any kind other than a boundary fence, will be erected, constructed or placed on the lands hereinafter described, any part of which building or structure shall be nearer to the boundary of the right of way of the Burrard Street Bridge aforesaid than 100 feet.

2. That in the event of an application being made to rezone to industrial or other use any or all of that part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E.R. Railway), the said Minister of Reconstruction and Supply will, on the request of the Minister of Mines and Resources, join in and consent to the application and will, if required, consent to the aforementioned restrictions being made binding by the City of Vancouver on all persons in whom the lands hereinafter described may be vested subsequent to the rezoning.

DESCRIPTION

Respectfully submitted,

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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Copy for I.A.Br.

WHC:M.

Ottawa, 12th December, 1947.

Dear Mr. Mansur -

This will acknowledge your letters of the 6th instant in reference to the Kitsilano Reserve and to advise that the offer to purchase 8.066 acres for the sum of $80,660.00, being at the rate of $10,000.00 per acre, is hereby accepted subject to the approval by the Governor in Council of a Report along the lines of the attached draft.

Before presenting the attached proposed submission to Council to Mr. Glen, I would be glad to have your approval or any comments which you may wish to make with respect thereto.

APPROVED

Yours very truly,

H. L. KEENLEYSIDE

for Deputy Minister.

D. B. Mansur, Esq.,
President,
Central Mortgage & Housing Corporation,
No. 4 Temporary Bldg.,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

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COPY.

C. N. R. TELEGRAPHS.

Vancouver, B.C.,
December 12th, 1947.

C. W. Jackson, Esq.,
Director of Administration
and Personnel,
Dept. of Mines and Resources,
Ottawa.

RE KITSILANO INDIAN RESERVE MY CLIENTS ARE PREPARED TO ACCEPT OPTION ON BASIS OF CONDITION B CONTAINED IN LETTER FROM D B MANSUR TO YOURSELF DATED SIXTH INSTANT AND ENCLOSED IN YOUR LETTER TO ME OF EIGHTH INSTANT WRITING.

(sgd) J. A. Campbell.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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COPY.

Ottawa, December 13th, 1947.

Dear Mr. Mansur -

With further reference to your letter of the 6th instant and Dr. Keenleyside's reply of the 12th, I am now enclosing copy of a telegram just received from Mr. J. A. Campbell, K.C., of Vancouver, indicating acceptance on the part of his clients to the conditions of the option set out in your letter.

Yours very truly,

(sgd) C. W. Jackson,

For Deputy Minister.

D. B. Mansur, Esq.,
President,
Central Mortgage & Housing Corporation,
No. 4 Temporary Bldg.,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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28835-3

LEGAL DIVISION

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 15th December, 1947.

MEMORANDUM:

Mr. Hoey.

Re - Kitsilano Indian Reserve, 8.066 acres.

Enclosed herewith please find your files 28835-3 vol. 5 and 28835-3 vol. 6, in connection with the above. A copy of the draft Report to Council herein has been sent forward to D. B. Mansur, President, Central Housing and Mortgage Corporation as per the letter signed by the Deputy Minister of the 12th instant. There is also hereunder copy of a telegram from J. A. Campbell, dated the 12th instant, and a copy of Mr. Jackson's letter of the 13th idem, to Mr. Mansur.

Department of Mines & Resources
Indian Affairs Branch
DEC 15 1947
REGISTERED

Departmental Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

COPY.

CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CAMPBELL

Hall Building,
Vancouver, B.C.,
December 12th, 1947.

AIRMAIL.

C. W. Jackson, Esq.,
Director of Administration and Personnel,
Department of Mines and Resources,
Ottawa, Ont.

Dear Mr. Jackson - Re - Kitsilano Indian Reserve.

Since receipt on the 10th instant of your Air Mail letter of the 8th instant my clients have given careful consideration to the terms of the letter to you of the 6th instant from D. B. Mansur, President of the Central Mortgage and Housing Corporation in Ottawa, and authorised me today to wire to you as follows:-

RE KITSILANO INDIAN RESERVE MY CLIENTS ARE PREPARED TO ACCEPT OPTION ON BASIS OF CONDITION B CONTAINED IN LETTER FROM D. B. MANSUR TO YOURSELF DATED SIXTH INSTANT AND ENCLOSED IN YOUR LETTER TO ME OF EIGHTH INSTANT WRITING

I would accordingly be pleased if you would prepare an option on the basis set out in the letter and have condition (b) covering the deposit of $10,000.00 in Bonds to apply.

I would also be pleased if you would request the Honourable J. A. Glen as Minister of Mines to forward his written consent to the City Clerk of Vancouver to the covenant required by the Town Planning Commission to be contained in any conveyance from the Crown so that the By-law rezoning the property East of Burrard Bridge for heavy industry might be completed.

I would be pleased if you would reply to this letter by wire or Air Mail so that we will know that the Option will be granted as above set out. I would also be pleased if you would have a draft of the option forwarded in due course so that the wording and phrasing thereof might be approved.

Yours very truly,

(sgd) J. A. Campbell.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

Copy for I.A.Br. 28835-3

Ottawa, 16th December, 1947.

Dear Mr. Mansur -

Re - Kitselano Indian Reserve.

With reference to my letter of the 15th instant, enclosed herewith please find letter which I have just received from J. A. Campbell herein.

Yours very truly,

Department of Mines & Resources
Indian Affairs Branch.
DEC 17 1947
REGISTERED

for Deputy Minister.

D. B. Mansur, Esq.,
President,
Central Mortgage & Housing Corporation,
No 4 Temporary Bldg.,
Ottawa.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

COPY.

CENTRAL MORTGAGE AND HOUSING CORPORATION.

Ottawa, Canada.

No. 4 Temporary Bldg.,
December 17th, 1947.

C. W. Jackson, Esq.,
Chief Executive Assistant,
Deputy Minister,
Department of Mines and Resources,
Ottawa, Ont.

Dear Mr. Jackson -

I have your letter of December 16th with which you enclosed Mr. Campbell's letter to you of December 12th. I have today written to Dr. Keenleyside expressing our objection to the draft Order in Council which was included with his letter of December 12th. I suggested to Dr. Keenleyside that this transaction be handled in two stages, the first of which is to transfer the property from the Minister of Mines and Resources to the Minister of Reconstruction and Supply.

You might tell Mr. Campbell that this is being done, and that a draft option will be submitted to him by Mr. Sheppard, our solicitor in Vancouver. We are sending Mr. Sheppard instructions on this point, and I am sure you will agree that the complication of the arrangement is such that it can best be handled by negotiation between the solicitors.

As soon as the form of option, together with its terms, are determined, then we will seek approval of the Governor in Council to the terms of our arrangement with the Royal Trust Company. This transaction has some very peculiar characteristics, and we will be seeking legal advice in respect to the commitments to be made.

Yours very truly,

(sgd) D. B. Mansur,

President.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

COPY.

CENTRAL MORTGAGE AND HOUSING CORPORATION

Ottawa, Canada.

No. 4 Temporary Bldg.,
December 17th, 1947.

Dr. H. L. Keenleyside,
Deputy Minister,
Department of Mines and Resources,
Ottawa, Ont.

Dear Dr. Keenleyside -

I have your letter of December 12th in which you accept our offer to purchase 8.066 acres of land in the Kitsilano Reserve for the sum of $80,660.00. I would suggest that an Order in Council be passed authorizing this transaction. It seems to me that this is one transaction, and the subsequent transaction will be effecting the option to the Royal Trust Company. As soon as we get title to the land, we are prepared to deal with Mr. Campbell's clients.

The draft Order in Council imposes a restrictive covenant upon the property which we are buying. I understand that this is included at the request of Mr. Campbell. Although we are quite happy not to impose an application to rezone this area for industrial use, the draft Order in Council states that the Minister of Reconstruction and Supply, on request of the Minister of Mines and Resources, will join in and consent to the application to effect the restrictive covenant.

We will not agree to the restrictive covenant until we have checked with the Town Planning Authority in Vancouver. Nor are we too happy with the restrictive covenant as against the possibility that we will continue to use the property beyond January 1st, 1952, in which event the Royal Trust Company may never buy the land.

The restriction that no building or structure of any kind, other than boundary fences, will be erected within one hundred feet of the right of way is quite unsatisfactory to us during the period that we are using the land for Emergency Shelter.

Furthermore, we must be very careful to see that the option given to the Royal Trust Company has legal authority. We would be in a very unhappy position if the Royal Trust Company changed their minds about wanting the property before January 1st, 1952, if we had outstanding an option, the validity of which could be questioned.

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

We, therefore, propose that the Minister of Mines and Resources proceed to transfer the land by Order in Council to the Minister of Reconstruction and Supply. When this has been effected, and we have paid the Minister of Mines and Resources the $80,660.00, our solicitors in Vancouver will get in touch with Mr. Campbell in connection with the option itself, and the restrictive covenants which Mr. Campbell wishes to obtain. We are willing to protect the Royal Trust Company in respect to their future ownership of the property provided that it does not restrict our operations during the period of Emergency Shelter, nor prejudice our position should the option not be exercised. In our opinion the present draft Order in Council is unsatisfactory on both these counts.

Yours very truly,

(sgd) D. B. Mansur,

President.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

1-
2-

WMC:M.

Ottawa, 20th December, 1947.

Dear Mr. Mansur -

Re - Kitsilano Indian Reserve.

This will acknowledge your two letters of the 17th instant in connection with the above.

In accordance with our telephone conversation yesterday it is suggested that the proposed Report to Council be amended by adding thereto, immediately after paragraph (b), the following proviso -

"Provided, however, that the conditions set out in paragraph (b) shall not be applicable so long as the said land is used by Central Mortgage and Housing Corporation for emergency shelter purposes".

This suggested proviso will, I think, meet the objections raised by you in your two said letters. If you agree it would be appreciated if you would advise me at the earliest possible date in order that this Report to Council may be placed before Mr. Glen.

APPROVED
LEGAL DIVISION

I am enclosing herewith redraft of page 2 of this proposed Report in substitution for page 2 of the Report to Council forwarded you under cover of Dr. Keenleyside's letter of the 12th instant.

Yours very truly,

for Deputy Minister.

D. B. Mansur, Esq.,
President,
Central Mortgage & Housing Corporation,
No. 4 Temporary Bldg.,
Ottawa.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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(a) That no right to a private way or other private means of access shall be granted or established or permitted to be established or to exist or shall be claimed at any time, from the approach to Burrard Street Bridge North of First Avenue, in the City of Vancouver, to, from or over the lands hereinafter described.

(b) That no building or structure of any kind other than a boundary fence, will be erected, constructed or placed on the lands hereinafter described, any part of which building or structure shall be nearer to the boundary of the right of way of the Burrard Street Bridge aforesaid than 100 feet.

Provided, however, that the conditions set out in paragraph (b) shall not be applicable so long as the said land is used by Central Mortgage and Housing Corporation for emergency shelter purposes.

2. That in the event of an application being made to rezone to industrial or other use any or all of that part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway), the said Minister of Reconstruction and Supply will, on the request of the Minister of Mines and Resources, join in and consent to the application and will, if required, consent to the aforementioned restrictions being made binding by the City of Vancouver on all persons in whom the lands hereinafter described may be vested subsequent to the rezoning.

Respectfully submitted,

DESCRIPTION

Minister of Mines and Resources.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

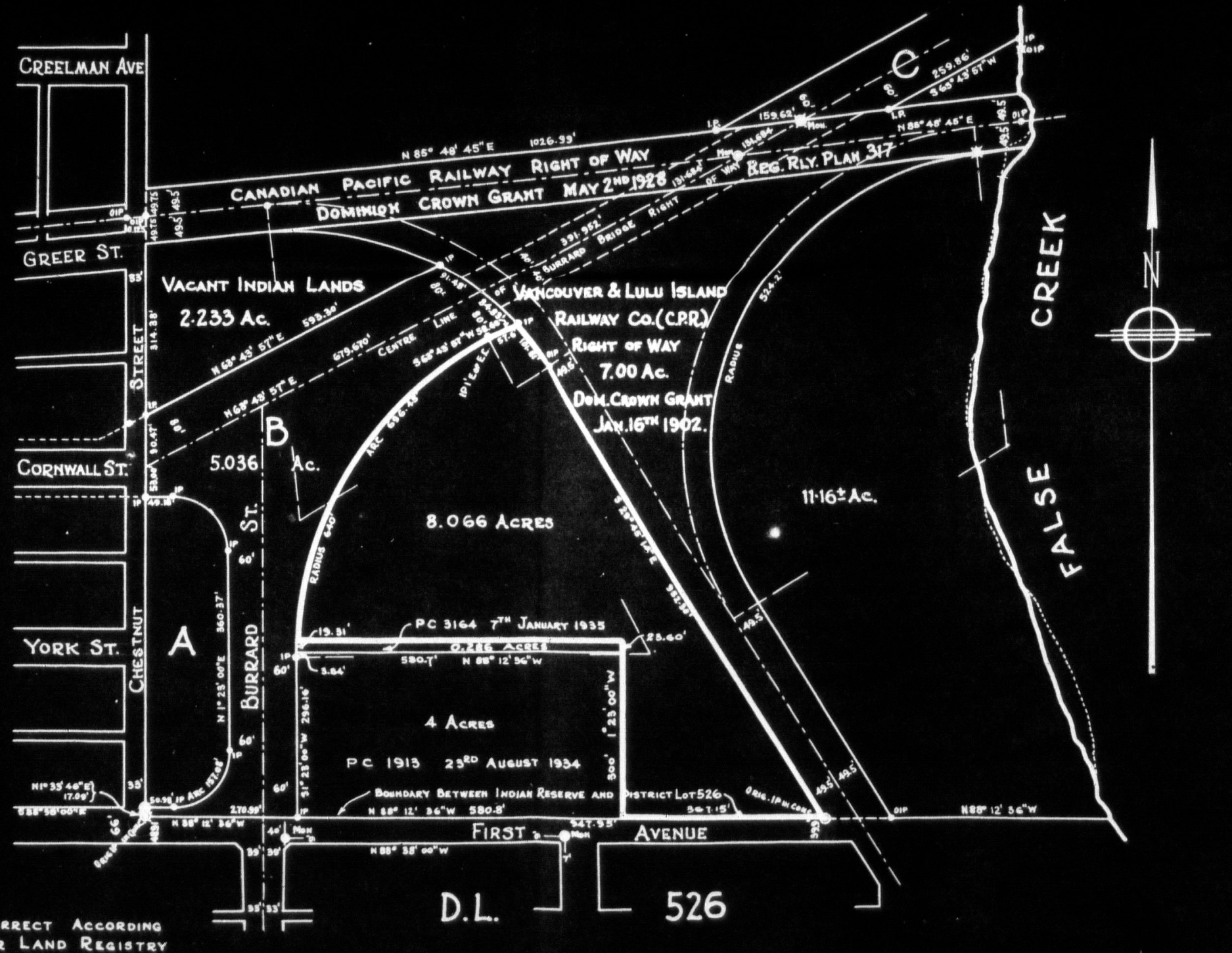
EXPLANATORY PLAN

SHOWING PORTION OF DISTRICT LOT 3610, GROUP 1, NEW WESTMINSTER DISTRICT

(KITSILANO INDIAN RESERVE Nº 6 OF THE SQUAMISH BAND)

CITY OF VANCOUVER
BRITISH COLUMBIA

SCALE: 1" = 200'



CERTIFIED CORRECT ACCORDING
TO VANCOUVER LAND REGISTRY
OFFICE RECORDS

Alex I. Walker ... B.C.L.S.

DATE: May 27TH 1947

PUBLIC ARCHIVES
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CANADA

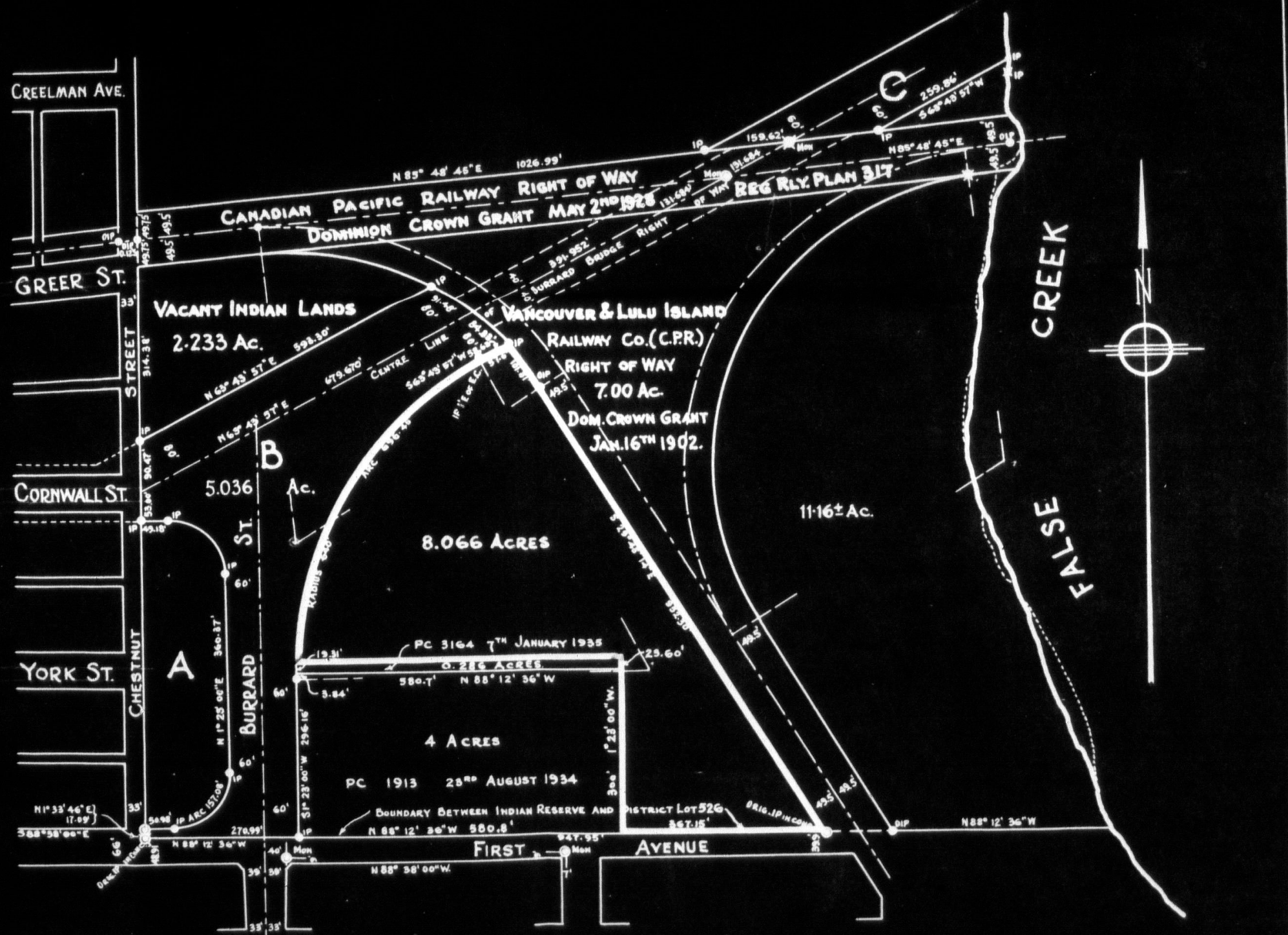
EXPLANATORY PLAN

SHOWING PORTION OF DISTRICT LOT 3610, GROUP 1, NEW WESTMINSTER DISTRICT

(KITSILANO INDIAN RESERVE Nº 6 OF THE SQUAMISH BAND)

CITY OF VANCOUVER
BRITISH COLUMBIA

SCALE: 1"=200'



CERTIFIED CORRECT ACCORDING
TO VANCOUVER LAND REGISTRY
OFFICE RECORDS

James J. Walker B.C.L.S.

DATE: May 27TH 1947

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CANADA

January 3rd, 1948.

I would be pleased if you would inform me what progress is being made in the preparation of the documents.

I have intimated to the Right Honourable Ian Mackenzie that the Mid-Winter Meeting of the Canadian Bar Association will be held in Toronto on the 6th and 7th of February next, and that if you and the other officials considered it helpful for me to visit Ottawa while in the East I shall be glad to do so in order to confer with you in the settlement of the documents and the description.

Wishing you a most Prosperous and Happy New Year,

I am,

Yours very truly,

J. A Campbell.

JAC:MO'L

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CAMPBELL, MEREDITH & BECKETT
CAMPBELL, MURRAY & CAMPBELL
BARRISTERS AND SOLICITORS

J. A. CAMPBELL, K.C. ELMORE MEREDITH
G. L. MURRAY, LL.B. KENNETH M. BECKETT
J. C. CAMPBELL

CABLE ADDRESS: "MERCA"
TELEPHONES: MARINE 5331-2-3

HALL BUILDING
VANCOUVER, B.C.

Department of Mines & Resources
OTTAWA
JAN 5 1948
DEPUTY MINISTER

Air Mail

January 3rd,
1948.

C.W. Jackson, Esq.,
Director of Administration and Personnel,
Department of Mines & Resources,
OTTAWA, Ont.

Dear Mr. Jackson: RE: KITSILANO INDIAN RESERVE.

In view of the 8.066 acres of the Kitsilano property, the purchase of which was applied for by the Royal Trust Company, being sold by the Department of Mines and Resources to the Central Mortgage and Housing Corporation and an Option being given to the Royal Trust Company as per our recent correspondence and telegrams, it is most important that the Deed from the Department of Mines to the Central Mortgage and in turn the Option to the Royal Trust Company contain the proper description of the land being applied for. I am therefore enclosing herewith in duplicate two blue prints prepared by Mr. J. A. Walker, B. C. Land Surveyor and dated May 27th last, which will be acceptable to the Land Registry Office in Vancouver when the Deed from the Department to the Central Mortgage and in turn the Option will be registered.

The 8.066 acres is shown within the heavy white border on the blue print which I enclose in duplicate.

I have a copy of the original tracing which may be required for the Deed.

In speaking to Mr. Walker this morning he calls our attention to the 0.286 acres, being the strip north of the Seaforth Armouries which apparently was added by your Department after the original Order-in-Council was passed granting the 4 acres shown on the enclosed plan to the Department of National Defence. There is no record of this 0.286 acres in the Land Registry Office and Mr. Walker points out that it would be well to have a surveyor mark this area by two posts, one on the North West corner of Burrard Street where I have placed the figure 1 on the enclosed blue print and one on the North East corner where I have placed the figure 2.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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OFFICE OF THE DEPUTY MINISTER

MEMORANDUM

DATE.....

Mr Coty

Please note

Where does this matter stand with Mr Manson

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

28835-3

LEGAL DIVISION

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 5th January, 1948.

MEMORANDUM:

Mr. Heeg.

Attached hereto please find letter from Mr. J. A. Campbell, of Vancouver, B.C., in connection with the Kitsilano Indian Reserve.

Kindly acknowledge receipt of this memorandum.

Departmental Solicitor.

Department of Mines & Resources
Indian Affairs Branch.
JAN 6 1948
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

File: 101-V4 Vol.2 (DCE/CE4)

CANADA

DEPARTMENT OF NATIONAL DEFENCE
OFFICE OF THE DEPUTY MINISTER

Department of Mines & Resources
OTTAWA
JAN 8 1948
DEPUTY MINISTER

OTTAWA, 7th January, 1948.

Dear Sir:

Re: No. 2 Equipment Depot, Vancouver, B.C.
Kitsilano Indian Reserve

Referring to your letter of 22nd September, 1947, and further to this Department's letter of 6th November, 1947, in connection with the above matter, can you now advise if the Minutes of the Executive Council of British Columbia dated 4th March, 1947, has been registered in the Land Registry Office, Vancouver, B.C.

Yours very truly,

Deputy Minister

Deputy Minister,
Department of Mines and Resources,
Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

28835-3

LEGAL DIVISION

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 8th January, 1948.

MEMORANDUM:

Mr. Hoey.

Re - No. 2 Equipment Depot, Vancouver, B.C.
Kitsilano Indian Reserve.

Attached hereto is letter from the Department of National Defence, dated the 7th instant, dealing with the above.

Kindly acknowledge receipt of this memorandum.

Department of Mines & Resources
Indian Affairs Branch
JAN 8 1948
REGISTERED

Departmental Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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File - 29836-3 (R.2)

Ottawa, January 10th, 1948.

MEMORANDUM TO:

W. M. Cory, Esq.,
Departmental Solicitor.

I have for acknowledgment your memoranda of January 5th and January 8th enclosing letters from J. A. Campbell and the Deputy Minister, Department of National Defence, re Kitsilano Indian Reserve.

D. J. Allan,
Superintendent,
Reserves and Trusts.

DA/eb

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

File - 28835-3 (R.2)

1. 2.
2.

Ottawa, January 10th, 1948.

EX'D.
A.

Dear Sir,

Re: No. 2 Equipment Depot,
Vancouver, B.C.
Kitsilano Indian Reserve.

I have for acknowledgment your letter of January 7th in connection with the above matter and according to advice received from the Registrar, the Minute of the Executive Council of British Columbia, dated March 4th, 1947, was registered in the Land Registry Office, Vancouver, British Columbia, in March, 1947.

Yours very truly,

Deputy Minister.

Deputy Minister,
Department of National Defence,
Ottawa, Ontario.

LB/eb

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

Poor Copy

Kindly return to Indian Affairs Branch
when signed.

File - 28835-3 (R.2)

Ottawa, January 10th, 1948.

Dear Sir,

Re: No. 2 Equipment Depot,
Vancouver, B.C.
Kitsilano Indian Reserve.

I have for acknowledgment your letter of January 7th in connection with the above matter and according to advice received from the Registrar, the Minute of the Executive Council of British Columbia, dated March 4th, 1947, was registered in the Land Registry Office, Vancouver, British Columbia, in March, 1947.

Yours very truly,

for Deputy Minister.

Deputy Minister,
Department of National Defence,
Ottawa, Ontario.

LB/eb

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

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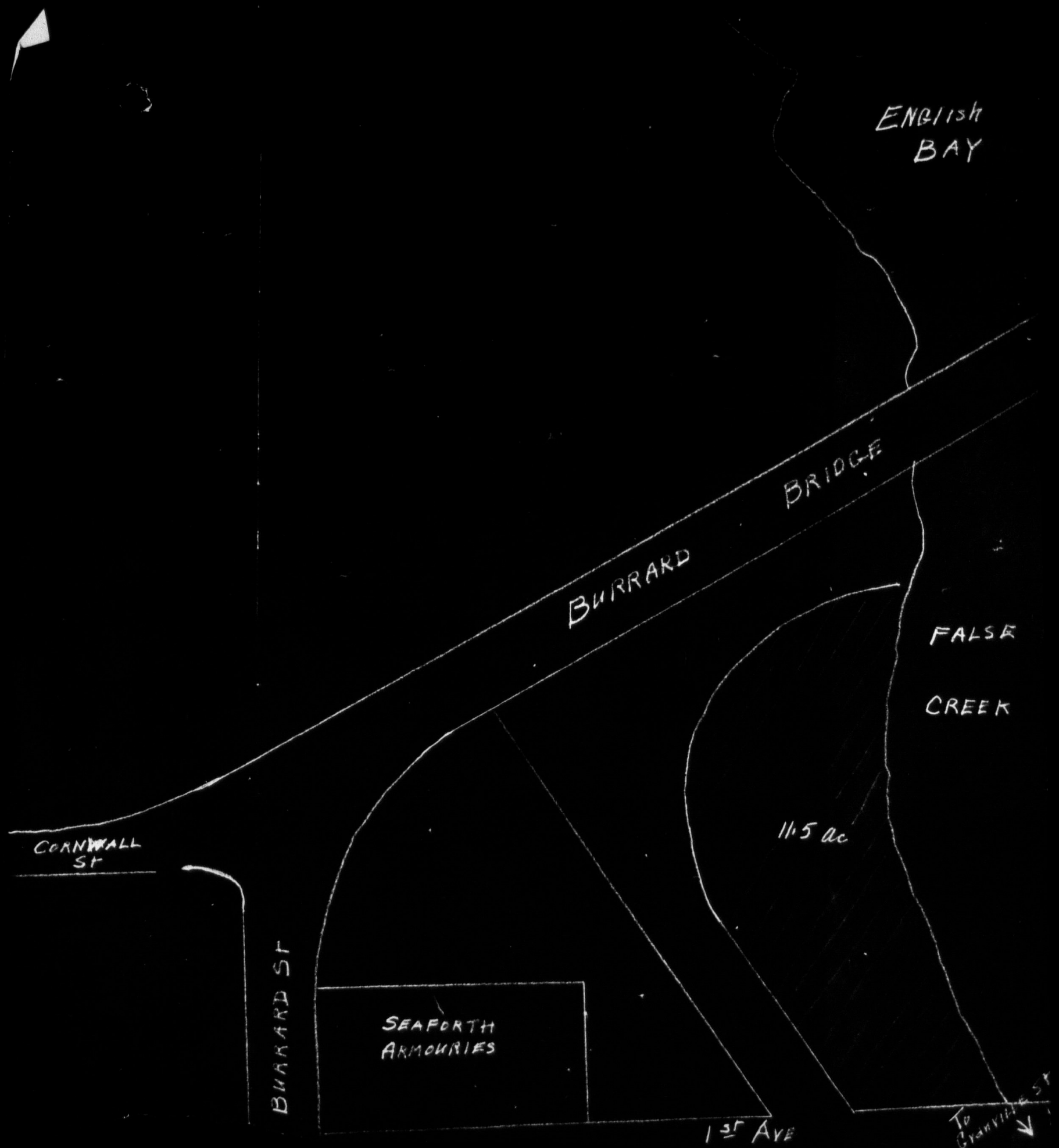

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CANADA

28835-3

PRESIDENT:
S. HAMILTON

PAST PRESIDENT:
P. A. LEWIS

FIRST VICE-PRESIDENT:
MAJOR T. R. WHEADON, V.D.

SECOND VICE-PRESIDENT:
CAPT. W. A. ANDERSON

THIRD VICE-PRESIDENT:
R. H. BLACKSTOCK

SECRETARY-TREASURER:
H. E. WARBURTON, J.P.

ADDRESS ALL COMMUNICATIONS
TO THE SECRETARY

HON. PRESIDENT: BRIG. J. SUTHERLAND BROWN, C.M.G., D.S.O.

TELEPHONE PACIFIC 5943

Army, Navy & Air Force Veterans in Canada

BRITISH COLUMBIA PROVINCIAL COMMAND

334 WEST PENDER STREET
VANCOUVER, B. C.

FOURTH VICE-PRESIDENT:
MAJOR GEORGE STILES

CHAPLAIN:
REV. G. STEVENSON

ADJUSTMENT OFFICER:
J. H. MacLEOD
417 WEST PENDER STREET

SOCIAL SERVICE:
MRS. J. M. COLDWELL

ORGANIZER:
CAPT. C. H. LEITCH

PUBLICITY:
MARION ANGUS

January 23rd,
1948.

Supt. Dept. of Indian Affairs,
Dept. of Mines and Resources,
OTTAWA, ONTARIO.

Dear Sir:-

Complying with the wishes of a group of local Professional and Business men, who intend to make application to hold the Olympic Games in this area, I am requested to obtain the following information.

A. The possibility of purchasing the area shown on attached plan as 11.5 acres, and known as part of the Indian Reserve.

B. Should it not be available for purchase, we would like to know if arrangements could be made to lease it for a period of 40 or 50 years.

After a careful survey of the Vancouver City area, we consider the location referred to as being the most suitable for a Stadium with the required parking space and room for the necessary adjacent buildings.

If either of these proposals would be acceptable, kindly advise us of approximate costs in both cases.

Your early attention in this matter will be appreciated.

Yours truly,

C. H. LEITCH.

450.000
110.000
TO
600

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

28835-3

556 West 18th Ave.,
Vancouver, B. C.,
January 21, 1948.

The Director,
Indian Affairs Branch,
Dep't of Mines & Resources,
Ottawa.

Dear Sir:-

Have you any record as to when the name "Kitsilano" first came into use for the Indian Reserve at the mouth of False Creek, Vancouver? What was the previous name? What led to the change in name?

I desire the information in connection with some historical reasearch I am making.

Yours truly,

A G Harvey

Department of Mines & Resources
Indian Affairs Branch
JAN 27 1948
A. M.
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Mr Brown:

The parcel of land now known as the Kitsilano Reserve No. 6 was from time immemorial used by members of the Squamish Indians under the Chieftainship of Chief Kitsilano, and was actually occupied till April 1913.

The original reserve set aside by Governor Douglas for Chief Kitsilano and his ~~followers~~ Band consisted of 37.45 acres at the mouth of False Creek but in 1877, the Joint Reserve Commission increased it by an addition of 42.55 acres. This reserve has always been known as Kitsilano reserve. EHL

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

17th February, 1948.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of your Excellency in Council, P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.067 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said Reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorizing possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT it is proposed to transfer the management, charge and direction of the said land which has been ascertained to comprise 8.066 acres from the Minister of Mines and Resources to the Minister of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation in consideration of the payment by the Minister of Reconstruction and Supply to the Minister of Mines and Resources of the sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) being at the price of Ten Thousand Dollars ($10,000.00) per acre;

THAT the Minister of Reconstruction and Supply has delivered to the Minister of Mines and Resources the sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946;

THAT other portions of that part of the said surrendered reserve lying south of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway) are held by His Majesty in trust for sale on behalf of the said Squamish Band of Indians and in order that the said portions may, in the future, be sold to the best advantage it is desirable that all that part of the said reserve lying south of the said right of way be rezoned for industrial use;

THAT the Town Planning Commission of the City of Vancouver has signified its willingness to recommend for approval a future application to rezone for industrial use the part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway) and in order to insure that the future management, charge and direction of the parcel of land hereinafter described by the Minister of Reconstruction and Supply shall not be of detriment to such future application for rezoning, certain restrictions with respect to the said management, charge and direction are desirable.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The undersigned, therefore, recommends that the management, charge and direction of the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to the Minister of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation subject to the following conditions -

1. That the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation and all persons in whom the said land or any interest therein may be vested hereafter, shall be bound by the following restrictions -

(a) That no right to a private way or other private means of access shall be granted or established or permitted to be established or to exist or shall be claimed at any time, from the approach to Burrard Street Bridge north of First Avenue, in the City of Vancouver, to, from or over the lands hereinafter described.

(b) That no building or structure of any kind other than a boundary fence, will be erected, constructed or placed on the lands hereinafter described, any part of which building or structure shall be nearer to the boundary of the right of way of the Burrard Street Bridge aforesaid than 100 feet.

Provided, however, that the conditions set out in paragraph (b) shall not be applicable so long as the said land is used by Central Mortgage and Housing Corporation for emergency shelter purposes.

2. That in the event of an application being made to rezone to industrial or other use any or all of that part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway), the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation will, on the request of the Minister of Mines and Resources, join in and consent to the application and will, if required, consent to the aforementioned restrictions being made binding by the City of Vancouver on all persons in whom the lands hereinafter described may be vested subsequent to the rezoning.

DESCRIPTION:

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The undersigned, therefore, recommends that the management, charge and direction of the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to the Minister of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation subject to the following conditions -

1. That the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation and all persons in whom the said land or any interest therein may be vested hereafter, shall be bound by the following restrictions -

(a) That no right to a private way or other private means of access shall be granted or established or permitted to be established or to exist or shall be claimed at any time, from the approach to Burrard Street Bridge north of First Avenue, in the City of Vancouver, to, from or over the lands hereinafter described.

(b) That no building or structure of any kind other than a boundary fence, will be erected, constructed or placed on the lands hereinafter described, any part of which building or structure shall be nearer to the boundary of the right of way of the Burrard Street Bridge aforesaid than 100 feet.

Provided, however, that the conditions set out in paragraph (b) shall not be applicable so long as the said land is used by Central Mortgage and Housing Corporation for emergency shelter purposes.

2. That in the event of an application being made to rezone to industrial or other use any or all of that part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway), the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation will, on the request of the Minister of Mines and Resources, join in and consent to the application and will, if required, consent to the aforementioned restrictions being made binding by the City of Vancouver on all persons in whom the lands hereinafter described may be vested subsequent to the rezoning.

DESCRIPTION:

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 29235-5 (R.7)

Reserve.

February 20th, 1948.

MEMORANDUM TO:

B. W. Waugh, Esq.,
Surveyor General.

May this Branch please be supplied, at the earliest possible date, with five blue line copies of your Plan No. M.2600, being a plan of Kitsilano Indian Reserve No. 6, Vancouver, British Columbia, by G. F. Fountain.

The plans are required for use in connection with a submission to Council now being prepared and dealing with the transfer of 8.066 acres in Kitsilano to the Central Mortgage and Housing Corporation. It is necessary, therefore, that the area being transferred is shown outlined in red on the said plans.

The areas transferred to the Department of National Defence by Orders in Council P.C. 1913, dated August 23rd, 1934, and P.C. 3164, dated January 7th, 1935, should also be marked thereon in an appropriate manner.

For your information I am enclosing herewith a copy of the said plan that was prepared for this office some months ago and the plans we are now requesting should be the same as this sample copy.

The following description is being used in the submission and would appreciate your advice as to whether or not this description is satisfactory.

.....

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Description:

All that portion of Kitsilano Indian Reserve number six of the Squamish Band, in New Westminster District in the Province of British Columbia, which said portion is bounded as follows:

On the Westerly side by that part of the easterly limit of the right of way of the Burrard Bridge known as Parcel "B"; on the easterly side by the westerly limit of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Ry.); on the south by the north boundary of District lot five hundred and twenty-six; and as the aforementioned boundaries are shown upon a plan of Parcels "A", "B", and "C", in said Indian Reserve, signed by G. F. Fontaine, British Columbia Land Surveyor on the seventh day of March, nineteen hundred and thirty-four, deposited as Reference Plan number two thousand five hundred and thirty-four in the Land Registry Office at Vancouver in said Province, and whereof a copy is of record number M. twenty-six hundred in the Indian Affairs survey records, Department of Mines and Resources at Ottawa; saving and excepting thereout and therefrom those two parcels, conveyed to the Department of National Defence by Orders-in-Council, P.C. 1913 dated the twenty-third day of August, nineteen hundred and thirty-four and P.C. 5164 dated the seventh day of January, nineteen hundred and thirty-five; the portion hereby conveyed containing by admeasurement eight acres and sixty-six thousandths of an acre, more or less.

D. J. Allan,
Superintendent,
Reserves and Trusts.

Encls.

HO/eb

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

17th February, 1948.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of your Excellency in Council, P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.067 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said Reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorising possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT it is proposed to transfer the management, charge and direction of the said land which has been ascertained to comprise 8.066 acres from the Minister of Mines and Resources to the Minister of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation in consideration of the payment by the Minister of Reconstruction and Supply to the Minister of Mines and Resources of the sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) being at the price of Ten Thousand Dollars ($10,000.00) per acre;

THAT the Minister of Reconstruction and Supply has delivered to the Minister of Mines and Resources the sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946;

THAT other portions of that part of the said surrendered reserve lying south of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway) are held by His Majesty in trust for sale on behalf of the said Squamish Band of Indians and in order that the said portions may, in the future, be sold to the best advantage it is desirable that all that part of the said reserve lying south of the said right of way be rezoned for industrial use;

THAT the Town Planning Commission of the City of Vancouver has signified its willingness to recommend for approval a future application to rezone for industrial use the part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway) and in order to insure that the future management, charge and direction of the parcel of land hereinafter described by the Minister of Reconstruction and Supply shall not be of detriment to such future application for rezoning, certain restrictions with respect to the said management, charge and direction are desirable.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

The undersigned, therefore, recommends that the management, charge and direction of the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to the Minister of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation subject to the following conditions -

1. That the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation and all persons in whom the said land or any interest therein may be vested hereafter, shall be bound by the following restrictions -

(a) That no right to a private way or other private means of access shall be granted or established or permitted to be established or to exist or shall be claimed at any time, from the approach to Burrard Street Bridge north of First Avenue, in the City of Vancouver, to, from or over the lands hereinafter described.

(b) That no building or structure of any kind other than a boundary fence, will be erected, constructed or placed on the lands hereinafter described, any part of which building or structure shall be nearer to the boundary of the right of way of the Burrard Street Bridge aforesaid than 100 feet.

Provided, however, that the conditions set out in paragraph (b) shall not be applicable so long as the said land is used by Central Mortgage and Housing Corporation for emergency shelter purposes.

2. That in the event of an application being made to rezone to industrial or other use any or all of that part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway), the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation will, on the request of the Minister of Mines and Resources, join in and consent to the application and will, if required, consent to the aforementioned restrictions being made binding by the City of Vancouver on all persons in whom the lands hereinafter described may be vested subsequent to the rezoning.

DESCRIPTION:

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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The undersigned, therefore, recommends that the management, charge and direction of the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to the Minister of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation subject to the following conditions -

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Provided, however, that the conditions set out in paragraph (b) shall not be applicable so long as the said land is used by Central Mortgage and Housing Corporation for emergency shelter purposes.

2. That in the event of an application being made to rezone to industrial or other use any or all of that part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E.R. Railway), the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation will, on the request of the Minister of Mines and Resources, join in and consent to the application and will, if required, consent to the aforementioned restrictions being made binding by the City of Vancouver on all persons in whom the lands hereinafter described may be vested subsequent to the rezoning.

DESCRIPTION:

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

OTTAWA, 17th February, 1948.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT by Order of your Excellency in Council, P.C. 1707, dated the 29th day of April, 1947, authority was granted to accept an offer to purchase from the Royal Trust Company of an area of approximately 8.067 acres of the Kitsilano Indian Reserve, in the City of Vancouver, Province of British Columbia, at the price of Ten Thousand Dollars ($10,000.00) per acre, which said Reserve was set aside for the benefit of the Squamish Band of Indians and surrendered for sale by the said band on the 17th day of April, 1946, in accordance with the provisions of the Indian Act, Chapter 98, R.S. 1927;

THAT the said application to purchase was not accepted due to the fact that title to the land in question was encumbered by an Order of Central Mortgage and Housing Corporation dated the 12th day of May, 1947, authorising possession of the said lands by Central Mortgage and Housing Corporation for emergency shelter purposes;

THAT it is proposed to transfer the management, charge and direction of the said land which has been ascertained to comprise 8.066 acres from the Minister of Mines and Resources to the Minister of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation in consideration of the payment by the Minister of Reconstruction and Supply to the Minister of Mines and Resources of the sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) being at the price of Ten Thousand Dollars ($10,000.00) per acre;

THAT the Minister of Reconstruction and Supply has delivered to the Minister of Mines and Resources the sum of Eighty Thousand, Six Hundred and Sixty Dollars ($80,660.00) which said sum has been deposited to the credit of the Kitsilano Indian Band in accordance with the terms and conditions of the surrender from the said band dated the 17th day of April, 1946;

THAT other portions of that part of the said surrendered reserve lying south of the right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway) are held by His Majesty in trust for sale on behalf of the said Squamish Band of Indians and in order that the said portions may, in the future, be sold to the best advantage it is desirable that all that part of the said reserve lying south of the said right of way be rezoned for industrial use;

THAT the Town Planning Commission of the City of Vancouver has signified its willingness to recommend for approval a future application to rezone for industrial use the part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway) and in order to insure that the future management, charge and direction of the parcel of land hereinafter described by the Minister of Reconstruction and Supply shall not be of detriment to such future application for rezoning, certain restrictions with respect to the said management, charge and direction are desirable.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

The undersigned, therefore, recommends that the management, charge and direction of the hereinafter described parcel of land comprising a portion of the land formerly known as the Kitsilano Indian Reserve, Province of British Columbia, shown outlined in red on the attached plan be and the same is hereby transferred to the Minister of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation subject to the following conditions -

1. That the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation and all persons in whom the said land or any interest therein may be vested hereafter, shall be bound by the following restrictions -

(a) That no right to a private way or other private means of access shall be granted or established or permitted to be established or to exist or shall be claimed at any time, from the approach to Burrard Street Bridge north of First Avenue, in the City of Vancouver, to, from or over the lands hereinafter described.

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Provided, however, that the conditions set out in paragraph (b) shall not be applicable so long as the said land is used by Central Mortgage and Housing Corporation for emergency shelter purposes.

2. That in the event of an application being made to rezone to industrial or other use any or all of that part of the said reserve lying south of the said right of way of the Vancouver and Lulu Island Railway (now the B.C.E. Railway), the said Minister of Reconstruction and Supply or Central Mortgage and Housing Corporation will, on the request of the Minister of Mines and Resources, join in and consent to the application and will, if required, consent to the aforementioned restrictions being made binding by the City of Vancouver on all persons in whom the lands hereinafter described may be vested subsequent to the rezoning.

DESCRIPTION:

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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ARCHIVES PUBLIQUES
CANADA

COPY.

CENTRAL MORTGAGE AND HOUSING CORPORATION.

O T T A W A.

Number 4 Temporary Bldg.,
56 Lyon Street,
February 13th, 1948.

Mr. C. W. Jackson,
Chief Executive Assistant,
Deputy Minister,
Department of Mines and Resources,
Ottawa.

Re - Kitsilano Indian Reserve -
8.067 acres.

Dear Mr. Jackson -

We have discussed the Report to Council regarding the transfer of 8.067 acres of the Kitsilano Indian Reserve to the Department of Reconstruction and Supply to be made available to Central Mortgage and Housing Corporation, the consideration to be $80,660.00 which is to be paid to your Department when the Submission goes forward to Council.

Attached is a draft Report to Council prepared by Mr. Cory and submitted some time ago by you to this Corporation. We have penciled in some minor changes and would request that they be incorporated in the final Submission. After the Order in Council has been passed we will deal with the Royal Trust Company or its Solicitors regarding the option to purchase this land when it is no longer required for emergency shelter purposes.

We will be pleased to hear from you when the Submission has been redrafted.

Yours very truly,

(sgd) H. C. Linkletter,
General Counsel.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

28835-3

LEGAL DIVISION

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

URGENT.

OTTAWA 17th February, 1948.

MEMORANDUM:

Mr. Hoey.

Kitsilano Indian Reserve.

Herewith please find copy of letter from H. C. Linkletter, General Counsel of Central Mortgage and Housing Corporation in connection with the above.

It will be noted that the proposed Report to Council submitted to Central Mortgage and Housing Corporation in this regard has been found to be satisfactory with suggested minor changes as will be noted in the final draft, also herewith, and to which should be attached plan referred to, and the description incorporated in the second page.

It is my understanding that Mr. Brown of your Branch, sometime ago had under way the preparation of the necessary plan and the description.

It would be appreciated if this matter could be concluded at as early a date as possible in order that submission may be made to Council and this transaction completed.

Departmental Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28835-3 (R.2)

Ottawa, March 1st, 1948.

Dear Sir,

I have for acknowledgment your letter of January 21st with reference to Kitsilano Indian Reserve and regret that our reply has been somewhat delayed.

In so far as our records show, this Reserve has always been known as Kitsilano, having been set aside originally by Governor Douglas for Chief Kitsilano and his Band of Squamish Indians.

Yours truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

A. G. Harmsy, Esq.,
556 West 18th Ave.,
Vancouver, British Columbia.

LB/eb

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File - 28855-3 (R.2)

Ottawa, March 1st, 1948.

Dear Sir,

I have for acknowledgment your letter of January 21st with reference to Kitsilano Indian Reserve and regret that our reply has been somewhat delayed.

In so far as our records show, this Reserve has always been known as Kitsilano, having been set aside originally by Governor Douglas for Chief Kitsilano and his Band of Squamish Indians.

Yours truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

A. G. Harney, Esq.,
556 West 16th Ave.,
Vancouver, British Columbia.

LB/eb

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

Copy sent to W. S. Arneil,
Indian Commissioner for
British Columbia.

File - 28835-3 (R.2)

Ottawa, March 3rd, 1948.

Dear Sir,

I have for acknowledgment your letter of January 23rd with reference to the 11.5 acre parcel of Kitsilano Indian Reserve lying adjacent to False Creek and our reply has been somewhat delayed due to certain other developments concerning the Reserve as a whole.

The said Reserve has been surrendered for sale by the Indian owners and a substantial portion thereof has already been sold. The 11.5 acre parcel to which you refer is one of the two unsold portions and we have had under consideration how best to dispose of the same to ensure the greatest possible revenue to the Indian owners. We are not prepared to consider any long term lease unless possibly we are unable to find a purchaser.

It is noted that your organization is interested in the 11.5 acres as a site for a stadium and you enquire as to what price we have placed on the property. I regret that we cannot quote you any price for, due to the nature of the property, it is thought that the best return for the Indian owners can only be secured by publically advertising the land for sale and we have in mind offering the property for sale in the aforementioned manner fairly shortly. In order that you may have an idea as to what we consider the property is worth, I would point out that we could not possibly consider any offer less than $10,000.00 an acre and that we anticipate receiving a higher price on an advertised sale.

.....

G. H. Leitch, Esq.,
Army, Navy & Air Force Veterans in Canada,
British Columbia Provincial Command,
334 West Pender Street,
VANCOUVER, British Columbia.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
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CANADA

As stated above, we have not set any date for the advertisement of the property and if your organization is interested in bidding on the same in view of the information given above, we would be pleased to hear from you further for, if a postponement of the sale for a short period would facilitate your clarifying your plans for the future use of the property, we would be very pleased to postpone the sale for a short time.

Yours truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

DJA/eb

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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CANADA

O. H. M. S.

CONFIDENTIAL

The Deputy Minister

M. & R. 17

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

28835-3

QUOTE FILE 21593

ADDRESS REPLY TO:
HYDROGRAPHIC AND MAP SERVICE

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
SURVEYS AND ENGINEERING BRANCH
Labelle Bldg.

1433

Department of Mines & Resources
Indian Affairs Branch
MAR 12
REGISTERED

Ottawa, February 26, 1948.

Memorandum:

D.J. Allan, Esq.,
Indian Affairs Branch.

With reference to your memorandum of February 20, your file 28835-3 (R.7), we are enclosing herewith, as requested, five blue line prints from our plan M-2600, showing Parcels A, B and C, Kitsilano I.R. No. 6, Vancouver, B.C., on which we have outlined in red the 8.066 acre parcel which it is proposed to transfer to the Central Mortgage and Housing Corporation and on which we have shown in green the areas transferred to the Department of National Defence by Orders in Council P.C. 1913, dated August 23, 1934, and P.C. 3164, dated January 7, 1935, in accordance with your instructions.

In addition we have indicated with arrows the strip of land P.C. 3164 is intended to cover and have shown the area of this parcel of land which is 0.286 acre.

You will observe that the portion outlined in red containing 8.066 acres, the four acre parcel and the 0.286 acre parcel will add to a total area of 12.352 acres as shown on the plan.

The description accompanying your memorandum is an exact copy of a description prepared in this office and forwarded to you under date of May 31, 1947, and is satisfactory for insertion in the submission to Council.

B.W. Waugh,
Surveyor General.

Encls.

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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DEPARTMENT OF MINES AND RESOURCES

Indian Affairs Branch

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Records Service Division

Slip No. 80 Indian Affairs File No. 18835-5

Subject of File

Date	P.A. or B.F.	Initials	Referred To	For Remarks	Initials	Date
4/3/48	PA	[illegible]	87	File with 82	EE	3/3/48
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R3756

NO FURTHER CORRESPONDENCE TO BE PLACED ON THIS FILE

SEE CURRENT VOLUME

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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Re copies
To file 28835-3

File - 21167-5-2
28835-3 (R.2)

Ottawa, August 18th, 1947.

MEMORANDUM TO:

W. M. Cory, Esq.,
Departmental Solicitor.

I am enclosing herewith Branch file 21167-5-2 on which you will please note the original of Lease No.449 covering a license of occupation granted to the Greater Vancouver Water District for a pipe line across Kitsilano Indian Reserve.

As you will recall we have recently sold to the Department of National Defence the portion of the reserve crossed by this pipe line on the understanding that our interest in the lease would be assigned to the said Department of National Defence and I would therefore be pleased if you would prepare the necessary assignment in order that it may be executed and delivered to the Department of National Defence together with Order in Council P.C.2949 of July 31st, 1947, effecting the transfer of the reserve lands.

As May 8th, 1947, the date on which the purchase price was received from the aforesaid Department, is being used as the closing date for the adjustment of the rental payable under the license of occupation, it is assumed that the assignment should bear the same date.

for Superintendent,
Reserves and Trusts.

LB/eb

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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Copy for Indian Affairs Branch

LB/mh
29167-5-3 (R2)

REGISTERED
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20602

Ottawa, 12th December, 1950

DEC 18 1950
RECORDS
INDIAN
AFFAIRS

The Honourable R. W. Mayhew,
Minister of Fisheries,
Ottawa, Ontario.

My dear Colleague:

Re: Kitsilano Indian Reserve No. 6.

In 1949 it was brought to our attention by press clippings that consideration was being given to the construction of a modern fish dock at Vancouver, and that part of Kitsilano Indian Reserve had been tentatively selected as a site for the said dock. Subsequently, officials of the Dominion Department of Public Works discussed the proposal with the Indian Commissioner for British Columbia, and indicated to him that the plans for the dock would require approximately six acres of the Reserve.

It does not appear that there has been any correspondence between our Departments concerning this proposal, and my purpose in writing to you at this time is to ascertain whether you actually intend to make application to purchase part of the Reserve as a site for the proposed dock, and if so, the exact area required.

As you know, the Kitsilano Indian Reserve was surrendered for sale by the Indian owners some years ago, and with the exception of a 11.16 acre parcel fronting on False Creek, all the land has been sold. We are most anxious to dispose of the 11.16 acre parcel, but are handicapped due

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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to uncertainty with regard to the fish dock proposal. If it is going forward, we would of course be prepared to consider your Department's needs before offering the property elsewhere, but if the proposal is not going forward, then we intend to seek other purchasers for the property. You will appreciate, I am sure, that in fairness to the Indian owners, we cannot indefinitely withhold the property from sale, particularly when in view of a by-law passed by the City of Vancouver this summer, the said property has now been zoned as a heavy industrial district and should therefore be in demand for industrial purposes, which was not the case previously while it was within a multiple dwelling zone.

Under the circumstances aforementioned, I shall be pleased to have your comments with regard to the requirements of your Department for the purposes of a fish dock in order that we may formulate definite plans for the sale of the 11.16 acre parcel.

Yours sincerely,

N.E. Harris

Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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DEPARTMENT OF MINES AND RESOURCES

Indian Affairs Branch

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Records Service Division

Slip No. 462 Indian Affairs File No. 29167-5-3 Vol 6

Subject of File

MAIN FILE ON CHARGE TO CARY

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Indian Affairs. (RG 10, Volume 7798, File 29167-5-3 Pt.6)

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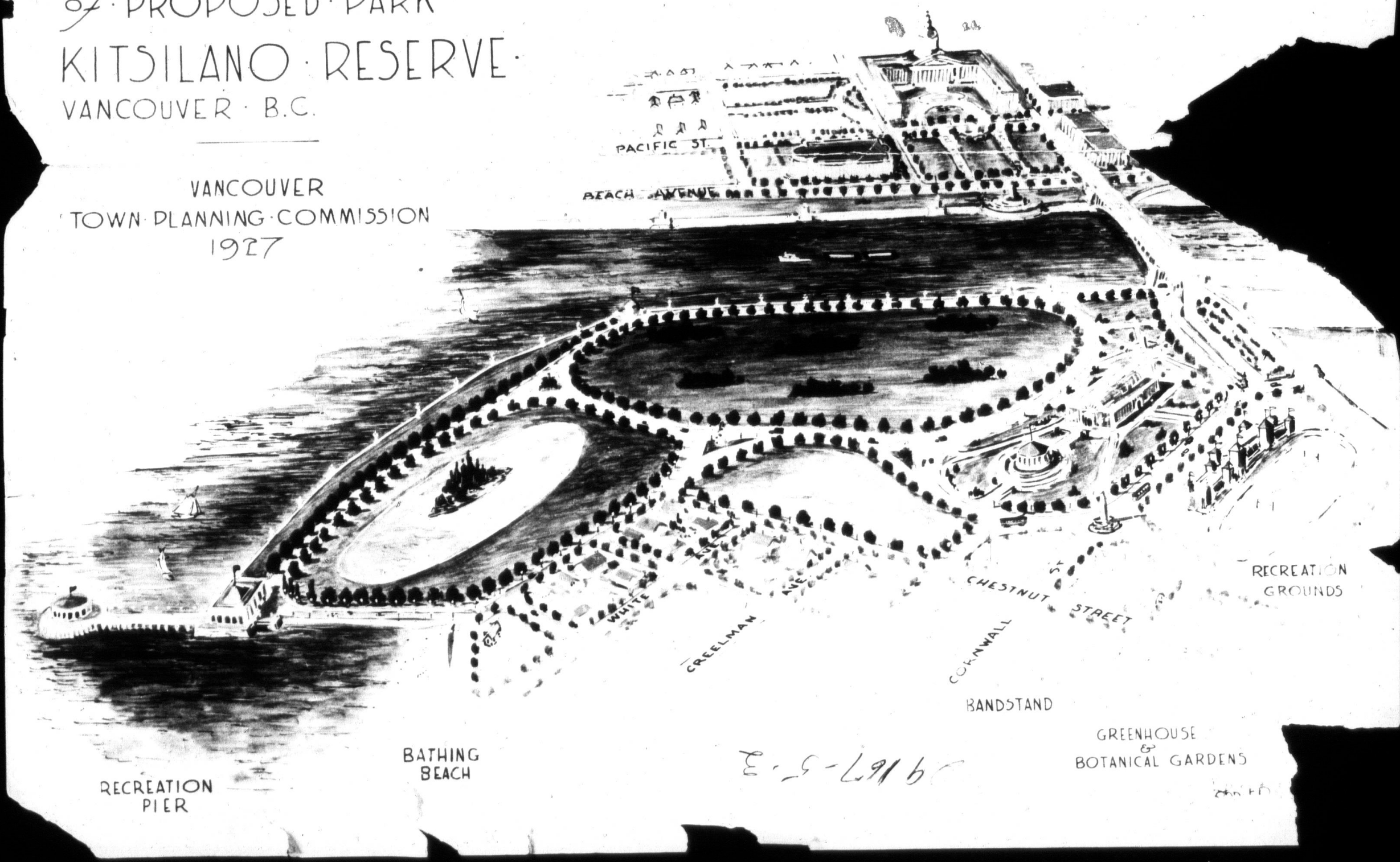
AERIAL VIEW of PROPOSED PARK KITSILANO RESERVE VANCOUVER B.C.

Dr Scott

VANCOUVER
TOWN PLANNING COMMISSION
1927



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Indian Affairs.
Headquarters Files

(RG 10, Volume 7798)

- File 29167-5-3	5	New Westminster Agency - Sale of portion of Kitsilano Reserve and dispute between the City of Vancouver, the Province of British Columbia and the Federal Government (clippings and maps enclosed). 1928 - 1947
- File 29167-5-3	6	New Westminster Agency - Sale of portion of Kitsilano Reserve and dispute between the City of Vancouver, the Province of British Columbia and the Federal Government (clippings, maps and photos enclosed). 1947 - 1948
File 30001	1	Canada - Issuing of permits and licenses to cut timber on Indian Reserves throughout Canada, and regulations governing the cutting of timber on reserves (detailed estimate of timber on reserves 1923, maps and clippings). 1903 - 1936
File 30001	2	Canada - Issuing of permits and licenses to cut timber on Indian Reserves throughout Canada, and regulations governing the cutting of timber on reserves (detailed estimate of timber on reserves 1923, maps, clippings). 1937 - 1944

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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No. 30001

Department of Indian Affairs

19.....

TIMBER

GENERAL

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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INDIAN LAND REGULATIONS

AND

TIMBER REGULATIONS

ADOPTED AND ESTABLISHED BY ORDERS OF HIS EXCELLENCY IN COUNCIL ON THE 15TH OF SEPTEMBER, 1888.

25160—1

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPARTMENT OF INDIAN AFFAIRS.

CHAPTER 29

REGULATIONS FOR THE DISPOSAL OF INDIAN LANDS.

Government House, Ottawa,
The 15th day of September, 1888.

On the recommendation of the Superintendent General of Indian Affairs and under the provisions of Chapter 43 of the Revised Statutes of Canada, intituled "The Indian Act."

His Excellency in Council has been pleased to make and does hereby make the following regulations for the disposal of surrendered Indian lands, prescribing the conditions on which sales of the same may be made subject to the conditions of surrender and the provisions of the aforesaid Act.

REGULATIONS FOR THE DISPOSAL OF SURRENDERED INDIAN LANDS.

Number and size of lots.

Section **1.** Not more than four lots of 100 acres each, more or less, nor less than one such lot, or more than one section of 640 acres, more or less, or less than one-quarter of such section shall be sold to any one purchaser.

Purchase money, how and to whom to be paid.

Sec. **2.** Not less than one-fifth of the purchase money shall be paid at date of sale, and the balance must be paid in equal annual consecutive instalments with interest at six per centum on each instalment from date of sale to date of payment;—payment to be made into a branch of any chartered bank of Canada, to the credit of the Minister of Finance and Receiver General, on account of Indian funds, and bank certificates—duplicate and triplicate—and drafts to be handed or sent to the agent within whose agency the lands on account of which such payment has been made, are situated.

Settlement, how made, within what limits, and the conditions thereof.

Sec. **3.** Settlement on the lot or lots included in any sale, is one of the conditions thereof, and shall consist of actual occupation and improvement of the land, which must commence within six months from the date of sale and be continuous for a period of three years; within which time there shall be cleared and fenced at least five acres in every one hundred acres, or in that proportion; also a dwelling-house of not less than 18 x 24 feet must be erected on the land included in any sale.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Timber, etc., not to be cut till license issued.

Sec. 4. No timber, saw-logs, staves, lathwood, shingle bolts, cordwood, or any other description of wood, may be cut for sale until the patent for the lot shall have issued, except that the same may be cut under license, issued under existing regulations governing the issue of such licenses, to the party residing thereon by the Indian Lands Agent, covering any trees cut on the location in actually clearing the land for cultivation, other than pine or spruce, which are reserved from the operation of the sale of the land, and may be otherwise disposed of by the Department, and may be cut and removed by the purchaser of said pine or spruce up to the date on which the patent covering the land shall issue.

Forfeiture in case of violation.

Sec. 5. Any violation of the above conditions of sale will render the land in respect to which the same has taken place, as well as all moneys paid on account thereof, forfeitable by order of the Superintendent General of Indian Affairs.

Lands unfit for cultivation, how dealt with.

Sec. 6. The above regulations as to occupation and improvement shall not apply to any lands in respect to which the Superintendent General of Indian Affairs has received a report, sworn to by a competent, reliable and disinterested person, appointed by the Superintendent General of Indian Affairs to examine such lands, that the same are in whole or for the most part unfit for cultivation. In the case of such lands, the Superintendent General of Indian Affairs may dispose of the same, or of the timber or other valuables thereon or therein, to the best possible advantage in the interest of the Indians, without reference to occupation or improvement.

O.C. Oct. 26, 1887.

PINE AND SPRUCE TIMBER.

Terms to *bona fide* settlers.

Sec. 7. Notwithstanding anything to the contrary in the Timber and Land Regulations of the Department, the Superintendent General of Indian Affairs is authorized to sell to any *bona fide* actual settler on a wood lot or lots being the purchaser of the same, the pine and spruce timber thereon, on such terms as may be arranged upon between the purchaser of the said lot or lots and the Superintendent General of Indian Affairs, always provided that the timber has not been previously disposed of by the Department of Indian Affairs.

O.C. May 8, 1888.

PINE AND SPRUCE TREES IN TIMBER LICENSES.

Special regulations.

Sec. 8. All pine trees and all spruce trees being or growing upon any Indian land hereafter sold, and at the time of such sale, or previously included in any timber license, shall be

considered as reserved from such sale; and such land shall be subject to any timber license covering the same which may be in force at the time of such sale, or may be granted within three years from the date of such sale; and all pine trees of larger growth than nine inches diameter at the butt may be cut and removed from such land under a timber license lawfully in force; but the purchaser of the land, or those claiming under the purchaser, may cut and use such trees as may be necessary for the purposes of building, fencing and fuel on the land so purchased; and may also cut and dispose of (but the latter only under a settler's license, duly obtained from the local Indian Superintendent or Agent) all trees required to be removed in actually clearing the land for cultivation; but no pine or spruce trees except for necessary building, fencing and fuel, as aforesaid, shall be cut beyond the limit of such actual clearing before the issue of the patent for such land; and pine trees and spruce trees so cut and disposed of, except for said necessary building, fencing and fuel, as aforesaid, shall be subject to the payment of regular dues, and one hundred per cent added thereto for trespass fine.

Reservations in case of pine and spruce trees.

All trees on the land when the patent issues are to become the property of the patentee.

O.C. Nov. 12, 1877; Oct. 26, 1887.

REGULATIONS RELATING TO ACTUAL SETTLERS ON INDIAN LANDS.

Five acres to be cleared.

Sec. 9. (*a*) Purchasers of Indian land are required to clear five instead of fifteen acres; no license fee to be charged for the said five acres or dues to be charged upon the timber removed therefrom (pine and spruce being reserved), but each purchaser before receiving a license to cut and remove the timber from the said five acres, shall be required to declare by written declaration at the time of sale that he intends becoming an actual settler on the land, and to obtain from the agent a license to cut on the five acres.

Settler's license, when granted.

(*b*) Upon its being established to the satisfaction of the Indian Agent by affidavit or statutory declaration of two reliable disinterested parties that the purchaser has cleared on the land purchased ready for cultivation and fenced at least five acres, and that he has built thereon a habitable dwelling house of not less than 18 x 24 feet, and that he resides and that they believe he intends to continue to reside on the said land, the Agent may grant him a settler's license covering the land included in the sale to him, which must not exceed the area stated in Section 1 of the regulations for the disposal of Indian Lands," namely, 400 acres or 640 acres, as the case may be. [See *ante*, page 3.]

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Fee for license.

(*c.*) Said license shall be issued for one year only on payment of a fee of four dollars ($4), which may be renewed yearly on payment of a fee of one dollar ($1), provided there has been no violation of the terms of the said license.

Dues on timber cut under license.

(*d.*) Dues shall be paid on timber cut under said license in accordance with the following tariff, which dues or such portion thereof as may be necessary may be applied on behalf of the purchaser towards payment of the land, and any balance in excess of what is required shall be placed at the credit of the Indian funds:—

1. Oak and black walnut and basswood, square timber, per M. cubic feet	$30 00
2. Oak and black walnut and basswood, saw-logs per M. feet board measure	4 00
3. Tamarack, elm, beech, ash, maple, hickory and butternut, per M. cubic feet	16 66
4. For the *same,* as saw-logs, per M. feet board measure	2 00
5. Cedar, birch, basswood and boom timber, per M. cubic feet	15 00
6. For the *same,* as saw-logs, per M. feet board measure	1 00
7. Hemlock, per M. cubic feet, including bark	5 00
8. Hemlock, per M. feet, board measure	0 60
9. Hemlock bark, per cord	0 40
10. Pipe staves, per M. standard	15 00
11. West India do do	5 00
12. Railway ties, tamarack or cedar, per 100, of 12 inches and under at the butt	2 00
13. Telegraph poles, per 100, up to 30 feet long	5 00
14. Over and above that length the rate to be increased in proportion to the length.	
15. Boom timber, per M. cubic feet	6 00
16. Boom timber, per M. feet board measure	0 40
17. Cedar pickets, per 100	1 00
18. Tamarack knees, lineal measurement, per M. feet	15 00
19. Shingle bolts, per cord	0 40
20. Shingle bolts, in advantageous localities	0 50
21. Cordwood, hard, per cord	0 15
22. Cordwood, hard, do in advantageous localities	0 20
23. Cordwood, soft, per cord	0 10
24. Cordwood, soft, do in advantageous localities	0 12

O.C. June 7, 1888.

Cancelled. See New Regulations.

CHAPTER 30.

SALE OF TIMBER ON INDIAN LANDS IN ONTARIO AND QUEBEC.

Government House, Ottawa,
The 15th day of September, 1888.

On the recommendation of the Superintendent General of Indian Affairs and under the provisions of Chapter 43 of the Revised Statutes of Canada, intituled "The Indian Act."

His Excellency in Council has been pleased to make, and does hereby make the following regulations for the sale of timber on Indian lands in the provinces of Ontario and Quebec:—

Limit lines to be properly surveyed.

Section **1.** The Superintendent General of Indian Affairs may, at his discretion, cause the limit lines of any timber berths under license, which have not been already surveyed, or when the lines of survey have been obliterated by fire or from other cause, to be properly surveyed and run, the costs of such survey to be paid by the holder of the license; and where two or more licensees are interested in the survey, the Superintendent General of Indian Affairs shall determine what portion of the costs of the survey shall be paid by each, and such costs of surveys shall be a charge upon the timber berth, to be paid with the ground rent before renewal of the license.

Timber berth to be surveyed.

Sec. **2.** The Superintendent General of Indian Affairs before granting any licenses for new timber berths in unsurveyed Indian reserves or lands, shall cause such berths to be surveyed, and the Superintendent General of Indian Affairs may cause any reserve or other Indian lands to be subdivided into as many timber berths as he may think proper.

Berths and limits to be offered for sale.

Sec. **3.** The berths or limits when surveyed and set off and all new berths or limits in surveyed territory, shall be explored and valued, and then offered for sale by public auction at the upset price fixed by such valuation, at such time and place, and on such conditions, and by such officer as the Superintendent General of Indian Affairs shall direct, by public notice for that purpose, and shall be sold to the highest bidder for cash at the time of sale.

Sale of forfeited timber berths by auction.

Sec. **4.** All forfeited timber berths may be offered for sale by public auction, and such sale shall be at such upset price, and at such time and place as the Superintendent General of Indian Affairs may fix and appoint by public notice, and shall be awarded to the highest bidder making payment at the time

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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of sale; but should the said timber berth not be then sold, the same may be granted to any applicant willing to pay the said upset price and ground rent, or, on such other terms as the Superintendent General of Indian Affairs may direct.

Renewal of licenses.

Sec. **5.** License-holders who shall have complied with all existing regulations, shall be entitled to have their licenses renewed on application to the Superintendent General of Indian Affairs.

Register and plan of licenses and limits.

Sec. **6.** The Superintendent General of Indian Affairs shall keep a register of all licenses granted or renewed, and of all transfers of such licenses; and a copy of such register, with a plan of the licensed limits, shall be kept by the Indian Agent, or Indian Land Agent of the locality, and shall be open to public inspection.

Transfers, how to be made.

Sec. **7.** All transfers of timber berths shall be made in writing, but shall be subject to the approval of the Superintendent General of Indian Affairs, to whom they shall be transmitted for approval or rejection, and they shall be valid only from the time of such approval to be expressed in writing. In all cases of transfer of limits or timber berths, they will be subject to the payment of two dollars per square mile for each limit or berth, and in proportion if only a part is transferred, or if the license-holder takes in one or more partners with him.

Timber berths, how to be described.

Sec. **8.** Timber berths are to be described in new licenses as "not to interfere with prior licenses existing or to be renewed in virtue of regulations." When the description of any berth or boundary as given by any license, clashes with the description of any other licensed berth or territory, the license of more recent origin (tracing back only to the time when such license or any previous license of which it is a renewal, was first granted), shall give way, and the Superintendent General of Indian Affairs may amend or cancel such license wholly or in part, and substitute another in place thereof, so as to correct the description of the berth or limit intended to be licensed; and in all cases where any license has issued in error or mistake, or is found to be inconsistent with any other license, or inconsistent or incompatible with the regulations under which it was granted, the Superintendent General of Indian Affairs may cause it to be cancelled, or amended, or he may refer all matters in dispute with reference to the boundaries and position of timber limits, to arbitration, and each of the contending parties may choose one arbitrator, and the Superintendent General of Indian Affairs may appoint an arbitrator and name a day on or before which the award of such arbitrators, or a majority of them, shall be made and delivered to the parties; and such award made by the said arbitrators, or any two of them, shall be binding on the parties interested.

Cancellation of licenses.

Matters in dispute.

Reference to arbitration.

License suspended.

Sec. **9.** Timber cut on limits for which license has been suspended or held in abeyance, shall be considered as having been cut without authority and treated accordingly.

Purchasers of Indian lands, who have not completed conditions of sale.

Sec. **10.** Purchasers of Indian lands who have not completed all the conditions of sale, shall not, unless under settler's license, or for clearing, fencing or building purposes on the said land, be permitted to cut timber or logs thereon, or to dispose of it to others. Persons found doing so shall be subject to the penalties established by law for cutting timber on Indian lands without authority. On all lands sold on or after the issue of a license, the licensee may, in virtue of said license, not cut any description of timber excepting merchantable pine and spruce, which he may continue to cut until the purchaser of the land shall have fulfilled all conditions of sale entitling him to a patent for the said land, when the right of the licensee to cut pine or spruce thereon shall cease; but it will rest with the purchaser to notify the licensee, and, if required to do so, to furnish sufficient proof to him that he has fulfilled such condition of sale.

Expiry and renewal of licenses.

Sec. **11.** All timber licenses are to expire on the 30th of April next after the date thereof, and all renewals are to be applied for before the 1st of July following the expiration of the last preceding license; in default whereof the berth or berths shall be treated as *de facto* forfeited.

Renewal of license, when not granted.

Sec. **12.** No renewal of any license shall be granted unless the limit covered thereby has been properly worked during the preceding season, or sufficient reason be given under oath, and the same be satisfactory to the Superintendent General of Indian Affairs, for the non-working of the limit, and unless or until the ground rent and all costs of survey, and all dues to the Crown on timber, saw-logs or other lumber cut under and by virtue of any license, other than the last preceding, shall have been first paid.

Ground rent for timber berths.

Sec. **13.** All timber berths or limits shall be subject to an annual ground rent of $3 per square mile, payable in advance, before the issuing of any original license or renewal; and in computing the ground rent, no license shall be charged at less than eight miles of area.

Crown dues on timber, etc.

Sec. **14.** All timber, saw-logs, wood, or other lumber, cut under any license now in force, or under any license which may be hereafter granted, shall be subject to the following Crown dues, that is to say:—

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Of dues chargeable on Indian timber cut under license.

1.	Oak and black walnut, square timber, per M. cubic feet	$30 00
2.	Oak and black walnut, saw-logs per M. feet, board measure	4 00
3.	Tamarack, elm, beech, ash, maple and hickory, square timber, per M. cubic feet	16 66
4.	Tamarack, elm, beech, ash, maple and hickory, saw-logs, per M. feet, board measure	2 00
5.	Red and white pine, cedar, birch, basswood and boom timber per M. cubic feet	15 00
6.	Red and white pine, cedar, birch, basswood, saw-logs, per M. feet board measure	1 00
7.	Hemlock, spruce, or other wood, per M. cubic feet	10 00
8.	Hemlock, spruce, or other wood, being saw-logs, per M. feet board measure	0 80
9.	Pipe staves, per 1,000 standard	15 00
10.	West India staves per 1,000 standard	5 00
11.	Railway ties—tamarack, cedar or pine, per 100	2 00
12.	Telegraph poles, per 100	8 00
13.	Cedar pickets, per 100 (over 8 inches in diameter)	2 00
14.	Cedar pickets, per 100 (8 inches and under)	1 00
15.	Tamarack knees, lineal measure, per M. feet	12 00
16.	Shingle bolts, per cord	0 60
17.	Shingle bolts, per cord, in advantageous localities	0 75
18.	Cordwood, hard, per cord	0 30
19.	Cordwood, hard, per cord, in advantageous localities	0 40
20.	Cordwood, soft, per cord	0 20
21.	Cordwood, soft, per cord, in advantageous localities	0 25
22.	Hop poles, per 100	0 50
23.	Hoop poles, hickory or ash, per 100	0 25
24.	Hoop poles, soft maple, per 100	0 12½
25.	Burnt cedar and tops of cedar trees which cannot be used for railway ties, per cord	0 40

Maple and swamp elm.

Dues on maple and swamp elm cut under license on the Saugeen Peninsula, have been reduced to $1 per M. feet board measure, and $15 per M. feet cubic measure.

Duties, how estimated.

Sec. **15.** The duties on timber shall be charged upon the quantities shown by the specification of measurement furnished under oath by the licensee or his foreman to the Indian Agent for the locality, or to the Superintendent General of Indian Affairs, or by other reliable measurement; but where such actual measurement cannot be obtained, each stick of white pine timber shall be estimated as containing 70 cubic feet, red pine as containing 38 cubic feet, oak 50 feet, and elm 45 feet, and all other wood as containing 34 cubic feet.

Licensees or occupants to furnish proof, under oath, as to locality, number of pieces, and description, names of settlers, and other particulars.

Sec. **16.** All licensees or occupants of timber berths shall furnish through themselves, their agents, cullers and foremen, to such agent or agents as the Superintendent General of Indian Affairs may appoint for that purpose, and at such time and place as such agent or agents may require, satisfactory proof upon oath as to the exact locality where all the timber, saw-logs and other lumber in his or their possession were cut, giving the number of pieces and description of timber, saw-logs and other lumber, including culls, cut by themselves and others to their knowledge upon each of the timber berths held or occupied by him or them respectively, designating what quantity, if any, had been cut on settlers' lands, giving the names of such settlers, the name of the township, and the number of each lot and concession, exhibiting at the same time for the inspection of such agent or agents, the books of count and measurement of such timber, saw-logs and other lumber under his or their control respectively; and shall moreover furnish such agent or agents all required information and facilities to enable him or them to arrive at a satisfactory determination as to the quantity and description of timber, saw-logs and other lumber made by him or them, or held in his or their possession respectively, on which government dues are chargeable; and in the event of such agent or agents deeming it expedient to cause such timber, saw-logs and other lumber to be counted or measured, the said licensee or occupier of such timber berth, and his or their agents, cullers and foremen, shall aid and assist in such count or measurement, but should such licensee or occupier, or his or their agents, fail to comply with these conditions, such licensee shall forfeit all right to a renewal of his license, and the berth and limit shall become vacant. And to enable persons who sell their timber under settler's license to obtain their refund of dues, and timber cut on patented lands to pass duty free, it will be necessary for the parties interested to prove, on oath taken before such agent or agents, and to his or their satisfaction, the number of pieces and description of timber and saw-logs cut on each lot respectively. And in the event of such proof being deemed unsatisfactory, the said agent or agents may determine the same by causing a strict count of the stumps to be made, and then certifying according to such count.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Free access to books, etc., of licensee.

Sec. **17.** The Superintendent General of Indian Affairs, or any authorized agent, shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee, showing the quantity of lumber in board measure sawn by him from logs cut on his timber berth or berths, and failing to produce such books and memoranda when required so to do, will subject such licensee to a forfeiture of his right to a renewal of his license.

Dues, how levied in case of default.

Sec. **18.** When any license-holder is in default for, or has evaded the payment of dues to the Crown or any part of his timber or saw-logs, such dues may be levied on any other timber or saw-logs belonging to such defaulter, cut under license, together with the dues thereon.

Report required before moving any raft or parcel of timber. What to contain. Clearance to be granted on receipt thereof by Indian agent.

Sec. **19.** Before moving any raft or parcel of timber, lumber or saw-logs from the Indian agency in which it has been cut, the owner or person in charge thereof shall report the same to the Indian Agent for the locality, making, if required, declaration upon oath, as to where the said timber was cut, the number of pieces and description of each kind of wood contained in such raft or parcel of timber, and the number of cribs, stating at the same time the number and description of pieces cut on private lands, also on lands under settler's license, giving the names of the owners or licensees of such lands, with the name of the townships and number of each lot and concession; and should such Indian Agent not be satisfied with the correctness of such report, he shall cause a strict count to be made of the timber in such raft; and on being satisfied of the correctness of such report or count, the Indian Agent may grant a clearance in due form, for such raft, stating the number of pieces and description of timber contained therein, distinguishing the timber cut on private lands under settler's license from that cut on Indian lands or reserve.

Report of arrival of such raft.

Sec. **20.** The owner or holder of any such raft or parcel of timber shall, within twenty-four hours after the same shall have arrived at its destination at Quebec, Sorel, Montreal or other port of sale or shipment, report the arrival of such raft to the collector of Crown timber dues, or if at Sorel or Montreal, to the deputy supervisor of cullers; and should the said raft be found by the specification of measurement to contain a greater number of pieces of timber than is noted in the clearance, the surplus number of pieces, if not satisfactorily explained, shall be held as having been cut on Indian lands without authority, and subject to payment of dues accordingly.

Raft found to contain more pieces than is noted in clearance.

Forfeiture in case of violation.

Sec. **21.** Parties omitting to obtain their clearance at such agency, or omitting to report the arrival of such raft at its destination as above mentioned, may be refused further license, and may be subject to forfeiture of the timber for evasion of regulations, as provided in Chapter 43 of the Revised Statutes of Canada.

Refusing payment of timber dues, taking forcible possession.

Sec. **22.** Persons evading or refusing the payment of timber dues, or the final settlement of bonds or promissory notes for payment of such dues, or in default with the Indian Department or Agent; also persons taking forcible possession of disputed ground before obtaining decision in their favour, and persons refusing to comply with the decision of arbitrators as provided by the 8th Section of these regulations, or with the regulations established by Order in Council, or who forcibly interrupt surveyors in the discharge of their duty, shall be refused further licenses, and their berths shall be forfeited at the expiration of the then existing license.

Timber dues subject to interest.

Sec. **23.** Dues of all kinds on timber cut under license, remaining unpaid on the 30th November following the season in which it was cut, shall be subject to interest from the date but without prejudice to the Crown to enforce payment of such outstanding dues at any time the Superintendent General of Indian Affairs may think proper.

Purchasers who have not completed conditions.

Sec. **24.** Purchasers of Indian lands who have not completed all conditions of sales and have not obtained their patents for such lands, cutting timber without license (except for clearing, building, or fencing thereon) or others doing so by their permission, shall be subjected to the penalties established by law for cutting timber without authority.

Security be given before issue of license.

Sec. **25.** Before the issue of any timber license, the licensee or licensees thereof shall furnish security by a bond of himself or themselves, and two responsible sureties for such amounts as the Superintendent General of Indian Affairs may consider sufficient to ensure the proper working of the limit, the due fulfilment by him or them of the conditions of the license, and the due observance of all the regulations of the Department in respect to the timber to be cut. The giving of such security shall not, however, in any way prejudice the right of the Superintendent General of Indian Affairs, or his agent, to levy upon any timber cut or owned by the holder or holders of the license, or to cancel the said license should there appear to him to be sufficient cause for so doing.

Licenses to be granted in triplicate.

Sec. **26.** Licenses are to be granted on the following form, in triplicate, and the description of each berth is to be written on the back thereof, and is to be dated and signed by the Deputy Superintendent General of Indian Affairs, as well as the license itself, the duplicate to be kept of record by the local Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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FORM OF LICENSE.

Sec. **27.** *License to Cut Timber on Indian Lands.*

(Royal Arms.)

Form of license.

By authority of the 43rd Chapter of the Revised Statutes of Canada and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian funds, I do hereby give unto
and unto agents and workmen, full power and license to cut upon the location described upon the back hereof, and to hold and occupy the said location to the exclusion of all others, except hereinafter mentioned:—from 19 , to thirtieth day of April, 19 , and no longer: with the right of conveying away the said timber through any ungranted or waste Indian lands.

And by virtue of this license the said licensee has right by the said statute, to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this license is subject to the following conditions, viz:—

That the dues to which the timber cut under its authority is liable, shall be paid as follows, namely:—

That all lots sold prior, and all lots sold subsequently, to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this license, excepting in so far as pine and spruce merchantable timber are concerned, which this license will continue to control until all conditions of sale have been fulfilled.

That any person or persons may under authority of the Superintendent General of Indian Affairs, at all times, make and use roads upon and travel over the ground hereby licensed.

That nothing herein shall prevent any person or persons having authority from the Superintendent General of Indian Affairs to do so, from taking standing timber of any kind to be used for the making of roads and bridges, or for public works.

And that persons settling under lawful authority or title within the location hereby licensed, shall not in any way be interrupted in clearing and cultivating by the said licensee, or any one acting for or by permission.

And further, upon condition that the said licensee or representatives shall comply with all regulations that are or may be established by Order in Council, and shall submit all the timber cut under this license, to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized; otherwise the said timber will be forfeited to the Crown, and

the said licensee be subject to such other penalty or penalties as provided by law.

Given under my hand at , this day of , in the year of Our Lord one thousand nine hundred and

Deputy of the Superintendent General of Indian Affairs.

Amount payable on giving this license { Bonus.....$ / Ground rent...$ / License fee....$

[The above named licensee shall be bound before or when paying the ground rent and renewal fee—if the license is renewed—to declare on oath whether still the *bona fide* proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.]

Statement by licensee.

☞ We have read and we comprehend the nature of the obligations contained in this license, and we bind ourselves jointly and severally, and each of our heirs, executors, curators and administrators, to pay all duties that may become due and payable to *Her* Majesty, *Her* heirs or successors, on any timber cut or acquired by virtue of this license, in the event of the above named licensee failing or refusing to pay the same, or to give satisfactory bonds for payment thereof.

.....

.....

Kinds and description of timber to be cut, and the rate of dues to be paid under authority of this license;

* * * * *

The timber limits comprehended by the within license consist of the following:—

* * * * *

OFFENCES AND TRESPASSES.

Cutting without license.

Sec. **28.** All persons cutting timber on Indian lands or reserves, without authority of license, will be punished as the law provides.

Hindering officer or agent, a felony.

Persons hindering any officer or agent of the Department of Indian Affairs in the discharge of his duty in seizing timber illegally cut, or taking away, or causing to be taken away, any timber seized under the Act, Chapter 43, Revised Statutes, Canada, are guilty of felony.

Cutting on pretence.

Parties cutting timber on Indian lands purchased by them on pretence of settlement, but really for the purpose of cutting the timber, are trespassers, as above.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Railway companies, etc.

Railway companies, contractors and others, cutting without the authority of the Superintendent General of Indian Affairs timber for railway purposes on Indian lands and on lands sold but not yet patented, are also trespassers, and subject to the same penalties.

Penalty for cutting through error.

Sec. **29.** From and after the date of the passing of the present regulations, in cases of timber which although cut in trespass was so cut through error in good faith on Indian lands, by licensees or other parties, it shall be lawful for the Superintendent General of Indian Affairs to exact in settlement of such wood goods a penalty equivalent to double, treble or quadruple the ordinary dues as established by tariff above, according to circumstances, besides costs of seizure and other expenses connected with all investigations into such trespasses.

Pine trees.

Sec. **30.** It shall be no longer permitted to cut, on Indian lands, pine trees measuring less than nine inches in diameter at the stump.

TRANSFERS.

Limit-owners to give notice.

Sec. **31.** All limit-owners are to notify the Superintendent General of Indian Affairs of any transfer which they may have effected, as soon as any transaction of the kind may have taken place; and should they fail to give due notification to the Superintendent General of Indian Affairs, he may rule the forfeiture of such license or licenses comprising the limit or limits so transferred.

Limit-holder. Limit-holders may pledge limit.

Limit, how affected by pledge.

Party giving pledge failing to perform his obligations.

Sec. **32.** Limit-holders, in order to enable them to obtain advances necessary for their operations, shall have a right to pledge their limits as security without a bonus becoming payable. Such pledge, in order to affect the limit against the debtor, shall require to be noted on the back of the license by an authorized officer of the Department of Indian Affairs. But if the party giving such pledge should fail to perform his obligations towards his creditors, the latter on establishing the fact to the satisfaction of the Superintendent General of Indian Affairs, may obtain the next renewal in his or their own name, subject to payment of the bonus, the transfer being then deemed complete.

Transfers of berths, how made.

Sec. **33.** Transfers of timber berths are to be in writing, and if not found objectionable by the Department of Indian Affairs, are to be valid from the date on which they may be deposited in the hands of the latter; but no transfer is to be accepted while the party transferring is in default for non-payment of dues on timber to the Crown.

SURVEYS.

Boundaries, how established.

Sec. **34.** The Department of Indian Affairs shall, at the joint written request of conterminous license-holders, issue instructions stating how the boundaries of such limits should be run to be in conformity with existing licenses. The surveys shall be performed at the expense of the parties requiring them, who must cause copies of the plans and field notes of the surveys to be delivered to the said Department subject to approval, to be paid for and kept of record by the department.

Boundaries so established at the joint request of the parties interested shall be fixed and permanent and shall in no case be altered.

Refusal of limit-holder to join his neighbour to have boundaries defined.

Sec. **35.** If a limit-holder refuses to join his neighbour to have the boundaries defined, the party wishing to have the survey made shall be entitled to have it performed at his own expense, under instructions which shall be furnished to him for that purpose, as provided in the foregoing section.

On completion of survey, notice to be given.

On the completion of the survey, notice of the same shall be given in writing to the adverse party at his residence or place of business. And if within one year after such notification, the adverse party shall have made no opposition to the same in the manner hereinafter prescribed, or if, having done so, such opposition has not been maintained, the boundary so surveyed shall be fixed permanently and irrevocably. But if within the space of one year from the date of such notice, the adverse party shows that he has sufficient reasons to doubt the exactness of such survey, and deposits in the hands of the agent of the Department of Indian Affairs, such sum of money as that Department may deem sufficient to cover all the expenses of a new survey, the Superintendent General of Indian Affairs shall name a surveyor to establish finally the boundary in dispute, and this second survey shall be binding upon the interested parties. All the expenses shall be borne by the applicant if his objections be not maintained. If, on the contrary, they be confirmed and the first survey be declared erroneous, the expenses shall be borne share and share alike by both parties.

Expenses, how to be borne.

Limits established; when declared valid and permanent.

Sec. **36.** All limit lines or boundaries already established in virtue of official instructions, are hereby declared valid and permanent, if a report or field notes, or at least a plan describing such boundaries, have been filed of record in the Department of Indian Affairs, and if, within the space of one year from the date such documents or plan were filed, their correctness be not disputed. If, on the contrary, within this delay one of the interested parties objects to them, a final survey shall be made as prescribed in the thirty-fifth section of these regulations, unless, however, the interested parties agree to have a final survey effected in virtue of the thirty-fourth section.

O.C. Jan. 12, 1888.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Office of the 240890

Indian Commissioner

for Manitoba and the Northwest Territories,

In your reply refer to
No. 98/G
and date of this letter and address
Hon. David Laird,
Indian Commissioner,
Winnipeg, Man.

Winnipeg, 21 March 1903.

DEPARTMENT OF INDIAN AFFAIRS
MAR 24 1903

LAND BRANCH
MAR 25 1903

Sir,

I beg to report that some of the Agents in the North West Territories have for a number of years allowed their Indians to sell green willow pickets. These willows are said to be of no commercial value whatever as timber and are not classed as such. They are brush that grow in the hay swamps and creeks and only grow to about 2 to 3 I/2 inches in diameter and six feet high. After they get their growth they decay and other shoots grow up and spread over and destroy the hay sloughs.

I was not aware that these agents were authorizing the sale of green pickets, and although they may not be of much value as timber and the Indians derive some benefit from the sale thereof, yet as it is green wood I would like to know if the Department has authorized the sale of these willows, and if not, whether it has any objection to the Indians selling them.

Your obt. servant,

D. Laird

Indian Commissioner.

Secretary,
Dept. Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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240 890-

Exd.

OTTAWA, 25th March 1903-

Sir-

I beg to acknowledge the receipt of your letter of the 21st Instant, No 98 G, requesting to be informed as to whether the Department had authorized the sale of green Willow Pickets by Agents in the North West Territories, and if not, whether there is any objection to the Indians selling them, and in reply to inform you that the Department has neither authorized the Agents to allow the Indians to sell them nor forbidden the sale thereof.

As they are of little commercial value, and as they cannot be properly classed as merchantable timber, the Department is not, at present, disposed to interfere with the sale of these Pickets by the Indians interested, for their exclusive benefit.

I have the Honour to be,

Sir,

Your obedient servant

J. D. McLEAN

Secretary-

Hon. David Laird,

Indian Commissioner,

Winnipeg,

Man.-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPARTMENT OF INDIAN AFFAIRS
MAR 28 1901
RECEIVED

210723
File No. 7.1.4.8.1.

Department of the Interior,
Ottawa, 7th March 1901.

Sir,

I am directed to inform you that steps are being taken to appoint Fire Rangers in the timbered portions of Manitoba, the North West Territories and the Railway Belt in British Columbia, whose duty it will be to prevent the destruction of timber by fire.

In view of the above it has been decided to insert a clause in all Licenses and Permits issued on and after the 1st May, 1901, to cut timber in the above mentioned territory, to the effect that holders of Timber Berths, whether under License or Permit, shall be called upon to pay one-half of the cost of fire-guarding the timber, this Department defraying the other half.

Your obedient servant,

PERLEY G. KEYES.

Secretary.

LAND BRANCH.
MAR 27 1901

The Secretary
Dept of Indian Affairs
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

210723

211694

File No. 2.016

Department of the Interior,
Ottawa, 13th April 1901.

Sir,

I am directed to inform you that steps are being taken to appoint Fire Rangers in the timbered portions of Manitoba, the North West Territories and the Railway Belt in British Columbia, whose duty it will be to prevent the destruction of timber by fire.

In view of the above it has been decided to insert a clause in all Licenses and Permits issued on and after the 1st May, 1901, to cut timber in the above mentioned territory, to the effect that holders of Timber Berths, whether under License or Permit, shall be called upon to pay one-half of the cost of fire-guarding the timber, this Department defraying the other half.

Your obedient servant,

PERLEY G. KEYES.

Secretary.

The Secretary,
Dept. Indian Affairs
Ottawa.

LAND BRANCH. APR 16 1901

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Department of Indian Affairs,

Ex'd.

Ottawa, 1[illegible]

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228079

File No 71481

Department of the Interior.

Ottawa, May 20 1902.

DEPARTMENT OF INDIAN AFFAIRS MAY 21 1902

Sir

I am directed to call your attention to Section 1 of the License issued by this Department covering Timber Berths in Manitoba, the North West Territories and the Railway Belt in the Province of British Columbia, according to which a Licensee is not permitted to cut timber of a less diameter than 10 inches at the stump, except such as may be actually necessary for the construction of roads, etc., to facilitate the taking out of merchantable timber. I am to impress upon you the necessity of strictly complying with this provision of the License.

LAND BRANCH MAY 22 1902

Your obedient servant,

P.G.KEYES,

Secretary.

The Secretary

Department of Indian Affairs

Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

210 723-

P.X.H

Ottawa 28th May 1902-

Sir-

I beg to enclose a copy of letter from the Department of the Interior, calling the attention of this Department to Section 1 of the Licenses issued by the former, which provides that the Licensee is not permitted to cut timber of a less diameter than 10 inches at the stump, except what may be actually necessary for the construction of roads &c., to facilitate the taking out of merchantable timber; and to request that the attention of Agents, to whom this Regulations applies, may be advised thereof.

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

H.A. McLEAN
Secretary.

Hon. David Laird,
Indian Commissioner,
Winnipeg,
Man.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPT. OF THE INTERIOR
CORRESPONDENCE
FEB 27 19
REGISTRATION BRANCH.
OTTAWA.

Evarts Feb 18th 1907

Minister of Interior 305322
Land
Ottawa

Dear Sir

There is a birth of Small timber on an Indian reseveration in this Province that I would like to get a piece of if there is any way of getting at it and as it would be helpfull to those Indians to have a Saw Mill there and give them implyment the year round. I thought you Might give me the information required and how to go about it an early reply will Obliges your Obedent Servant

LAND BRANCH.
MAR 5 1907

Thos. J. Hampton

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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305 322

DEM

Ottawa, March 6, 1907.

Sir,-

I beg to acknowledge the receipt of your communication of the 18th ultimo, in regard to your desire to acquire timber on an Indian Reserve, and in reply to say that the Department is unable to gather from your letter to what Reserve you refer.

If you would kindly indicate the name and locality of the Reserve, your application will be given attention.

Your obedient Servant,

J. D. McLEAN

Secretary.

Thomas J. Hampton, Esq.,
Evarts, Alta.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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210723

DEPARTMENT OF THE INTERIOR CANADA

Forestry Branch.

34[illegible]27

Ottawa. April 7, 1909.

Lands

DEPARTMENT OF IND... APR 13 1909

Dear Mr. Pedley,

Has your Department at any time made an estimate of the timber on the Indian Reserves, particularly in the West? If so, are the figures available? It would be of interest to have the information.

Yours faithfully,

R. H. Campbell

Frank Pedley, Esq.,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DIJ 723-

Ottawa, 16th April, 1909-

Sir,

In reply to your letter of the 7th Instant, in regard to estimates of Timber on the Indian Reserves, I have the honour to inform you that most of the Timber on Reserves in Eastern Canada, is under License.

Estimates of quantities of Timber are only made in order to afford data for upset prices on be[illegible] offered for sale.

This Department has no estimates showing quantities of Timber on unsurrendered Reserves w[illegible] are not in the market for sale.

Your obedient servant,

J. D. M[illegible]

[illegible]

R. H. Campbell, Esq.
Forestry Branch,
Department of the Interior,
Ottawa,
Ont.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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76,072

Crown Timber Office,
Ottawa, 29th Feb., 1888.

Sir,-

I had the honor of receiving your letter of 24th inst. about Indian Licenses.

In answer to that part of your letter expressing your desire to be informed "whether the License issued on the 9th August, 1853, was a renewal of that of 1845 or a New License" I have to say that there was no License bearing that date, but the license for 1853-4, bears the date 28th December 1853 and was a renewal of all previous Licenses including that of 1845.

I have not the License of 1845 before me nor a copy of it so as to compare the wording of it with subsequent License but if that License was for Pine only it must have been in accordance with the Regulations or practice of that time, afterwards altered to all kinds of timber, notably in 1851.

With regard to that point about the consent of the Indians this Office was never directed to consult them and never did about the issue of Licenses.

Licenses on Indian Lands Maniwaki were issued yearly according to the general Timber Regulations of the Department of Crown Lands, just like the licenses on ordinary Crown Lands during the period from 1840 till Confederation, these Regulations were frequently altered in words as well as the form of Licenses, after Confederation, no change was made except in the rate of dues until 1869 after which Licenses on Indian Lands were issued on forms sent to this Office by the Department in charge, which differ very slightly from the forms previously in use.

This Office was never instructed to exclude wood other than pine from the Licenses on Indian or any other lands.

I would also ask reference to the Tariff of Dues chargeable on Indian Timber cut under License, dated 30th July, 1877, which was received by this Office from your Department which includes all kinds of timber.

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

John Poupore.

The Deputy Superintendent
of Indian Affairs,
Ottawa.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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PRIVATE PAPERS

16/7/14

3-0-1-1

1641

Ottawa, July 18th. 1914.

MEMORANDUM FOR MR. EDWARDS:

With regard to the authority of officers of the Department of Indian Affairs to dispose of timber limits, I may point out that section 73 of the Indian Act, chap. 81, R.S., 1906, provides that the Superintendent General or any officer or ~~any~~ agent authorized by him to that effect may grant licenses to cut trees on ungranted Indian lands, or on reserves at such ~~lands~~ rates and subject to such conditions, regulations and restrictions as are from time to time established by the Governor in Council. You will observe that no officer of the Department is authorized to grant licenses unless he receives power from the Superintendent General.

I attach a copy of timber regulations mostly relating to Ontario and Quebec. I have not those governing the other Provinces. You will notice that by section 3 berths or limits when surveyed and set off shall be explored and valued and then offered for sale by public auction at the upset price fixed by such valuation, or by tender at such a time and on such conditions as the Superintendent General shall direct by public notice for that purpose.

By paragraph (L) of section 31 or the Interpretation Act, R. S. 1906, Cap. 1, it is provided that words directing or empowering a Minister of the Crown to do any act or thing or otherwise applying to him by his name of office includes his Deputy. The

Superintendent

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Superintendent General of Indian Affairs is not a Minister of the Crown, and the paragraph mentioned does not therefore empower his Deputy to act for him. Section 81, R. S. 1906, provides that the Minister of the Interior or the head of any other Department appointed for that purpose by the Governer in Council shall be the Superintendent General of Indian Affairs and as such shall have the control and management of the lands and property of the Indians in Canada. His Deputy has no authority to act for him in a sense equivalent to that of a Deputy of the Minister, and the Deputy Superintendent General of Indian Affairs or any one acting for him cannot execute a timber license without being duly authorised by ~~the~~ his Superintendent ~~General of Indian Affairs~~.

J. C.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Department of Indian Affairs

Canada

File No. 442626

Lands and Timber Branch

Ottawa, November 11, 1916.

Memo.

The Deputy Minister.

Re Amendment to Timber Regulations.

It has become increasingly evident in recent years that lumbering on Indian reserves both under the system of permits and also that of licenses has not been conducted in a manner that is conductive to the Indian interest.

Young growing timber is ruthlessly destroyed, large portions of the merchantable trees are left as waste in the bush, and debris of all descriptions, including tree tops, branches, dry inflammable brush, and dead and fallen timber, is to be found throughout the limits, thereby constituting a serious fire menace to the remaining timber.

The Land and Timber Regulations do not confer the necessary authority on the Department to enable it to deal with these abuses, and I would strongly recommend that such authority be sought for by Order in Council whereby the Department will be in a position to put a stop to this hap-hazard and wasteful method of lumbering. The proposed amendment includes regulations that have already been adopted by the Forestry Branch and which are operative on Dominion Forest reserves, and I would suggest that as guardians of the Indians' interest it is very desirable that their timber resources be carefully administered. In many instances timber is the sole asset of an Indian band, and it is a matter for considerable regret that in the past

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this asset has been wantonly exploited by lumber companies, and that by reason of non-control of their operations forest fires have completely denuded the reserve of timber and burned up the humus so that re-forestation either by natural or artificial means is an absolute impossibility.

It is impossible to devise a standard form of regulations that shall be applicable to all reserves and to all species of timber, but the proposed amendment will enable the Department to supervise the lumbering operations in such a manner as to realise the full value of the timber removed and afford the maximum of protection for the timber that is to supply the wants of the band for the future.

Amendment to Timber Regulations.

Section 27. Form of License.

But this license is subject to the following conditions, viz.:-

(a) That the licensee shall not have the right thereunder to cut timber of a less diameter than 10 inches at the stump, except such as may be actually necessary for the construction of logging roads and other works to facilitate the removal of the merchantable timber.

(b) That the licensee shall utilize all the timber in every tree he cuts down and manufacture the same into lumber or other saleable product.

(c) That the licensee shall dispose of the tops, branches, and other debris resulting from his operation in accordance with the directions of the proper officer of the Department of Indian Affairs, so as to prevent as much as possible the danger of fire.

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(d) That the licensee shall exercise strict and constant supervision to prevent the origin or spread of fires, and shall prevent all unnecessary destruction of the growing timber on the part of his men.

(e) That the licensee shall pay one-half of the cost incurred by the Department in guarding the timber from fire.

I would respectfully recommend that this authority be asked for at as early a date as possible.

H J Burgess

Timber Inspector.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

442626

Ottawa, November 15, 1916.

His Excellency
The Governor General in Council.

The undersigned has the honour to recommend that, in order to more fully protect and realize on the timber situated on Indian reserves in Canada (with the exception of the province of British Columbia) section 27 of the Regulations of the Department of Indian Affairs, as established by Order in Council of 15th September, 1888, governing the sale of timber on Indian lands and reserves, be amended by the addition of the following conditions thereto,-

(a) That the licensee shall not have the right thereunder to cut timber of a less diameter than 10 inches at the stump, except such as may be actually necessary for the construction of logging roads and other works to facilitate the removal of the merchantable timber.

(b) That the licensee shall utilize all the timber in every tree he cuts down and manufacture the same into lumber or other saleable product.

(c) That the licensee shall dispose of the tops, branches, and other debris resulting from his operation in accordance with the directions of the proper officer of the Department of Indian Affairs, so as to prevent as much as possible the danger of fire.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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(d) That the licensee shall exercise strict and constant supervision to prevent the origin or spread of fires, and shall prevent all unnecessary destruction of the growing timber on the part of his men.

(e) That the licensee shall pay one-half of the cost incurred by the Department in guarding the timber from fire.

W. S. Roche

Superintendent General
of Indian Affairs.

Sec. 15
L.J. 15
A.B. 17
A.C. 17

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500001 30001 vol 1

P. C. 2555.

PRIVY COUNCIL
CANADA.

DEPARTMENT OF INDIAN AFFAIRS NOV 28 1916

Dec 579

485754

At the Government House at Ottawa,
Friday, the 24th day of November, 1916.

Present:-

His Excellency
the Governor General
in Council:

His Excellency the Governor General in Council, in order to more fully protect and realize on the timber situated on Indian reserves in Canada (with the exception of the province of British Columbia) is pleased to order that section 27 of the Regulations of the Department of Indian Affairs, as established by Order in Council of 15th September, 1888, governing the sale of timber on Indian lands and reserves, shall be and the same is hereby amended by the addition of the following conditions thereto:-

(a) That the licensee shall not have the right thereunder to cut timber of a less diameter than 10 inches at the stump, except such as may be actually necessary for the construction of logging roads and other works to facilitate the removal of the merchantable timber.

(b) That the licensee shall utilize all the timber in every tree he cuts down and manufacture the same into lumber or other saleable product.

(c) That the licensee shall dispose of the tops, branches, and other debris resulting from his operation in accordance with the directions of the proper officer of the Department of Indian Affairs, so as to prevent as much

The Honourable
The Superintendent General
of Indian Affairs.

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(d) That the licensee shall exercise strict and constant supervision to prevent the origin or spread of fires, and shall prevent all unnecessary destruction of the growing timber on the part of his men.

(e) That the licensee shall pay one-half of the cost incurred by the Department in guarding the timber from fire.

Rodolphe Boudreau

Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Ottawa. Dec.1st.1916.

Sir:-

It may interest you to know that having in mind the principle of Forest Conservation especially as applying to Indian Reserves throughout the Dominion, this Department has recently sought the necessary authority to amend the existing Timber Regulations by the inclusion of clauses relating to adequate fire-guardianship, effective brush disposal, and departmental control of lumbering operations in such a manner as to appreciably lessen the fire risk.

Such authority has been secured under Order in Council dated Nov.24th. a copy of which is herewith inclosed.

1 incl.

In addition to this I have also to point out that a circular letter dealing with Forest Conservation has been distributed to all Indian Agents, Superintendents and Inspectors throughout the Dominion, and that 32 outside officials of the Department whose duties include many matters in connection with Timber have had their names placed on the list of members of the Canadian Forestry Association.

1 incl.

Robson Black Esq.

Secretary,

Canadian Forestry Association.

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As guardians of the Indians' interests in respect to their timber, the Department has always had in mind the advisability of adopting as far as possible modern methods of lumbering, and adequate fire guardianship, and it is anticipated that the action outlined above may prove to be of great benefit to the Indians.

Your obedient servant,

J. D. McLean

Asst. Deputy & Secretary.

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KITCHI OGIMA WEJIBIANG.

GANASONGEWIN.

ANISHINABEG ONDJI.

Endasso nibing gitchinibina dasswabik apitendagosiwad mitigog, tchagisowag missiwe. Inendagwad dash apitchitchi angwamising tchi wi bwa sakaiged awiia kakina ta djagakisowag mitigog.

Ashkoniganing tchagi deg Anishinabe, ko, sakaige osam bengo nibing minawa api agi tchi nanoding. Gawin gaie angwamisisiwag ishkodensan apagidong gonima gaie binajenige wad asseman gonima gaie assemasan.

Gaie minawabejig kakina tchi abadisid mitig gashkaond gawin tchi webinasig awiia anisha apitchi majag ijitchi gewag Ashininabeg wigwasike wad mi eji gawaond aaw mitig midash anisha ima enda ji banadisid.

Majag gaie ijitchi gewag anishinabeg sakaigewad ajibikong megwa gijateg tchagisi gewad ondji ta go.

Minan, widagonig gawin manda ta ijiwebasinon geiiab. Ashiniabe ominwabadjian mitigon missan wa bodawedjin bibong, gaie goedawewadjin api ijissed tchi adawed. Gaie go anodji inabadjiad ojiiad agiman, gema gaie. Wagakwadwanatigon geiiabi dash awashime gen ondjii angwamisiwad tchi wo bwa sakaiged anishinabe. Missa ondji awessiiag, moosog, wawashkeshiwag, wabosog kishpin iko, sakideg mitigwaki madjawog agow awessiiag.

Minawa dash bejig kishpin sakideg wisana gadon missan abidekamig gaie win anishinabe tchi gishpinadod missan gaie wassa ningodji taigo tchi wi anda anokid gego tchi wi gashkitod ge ondji wissinid.

Apitichi dash nongom kitchi Ogima ondangwamiman odanishinabeman tchi bwa naswakisigenid. Gaie go tchi ateaminid ishkode gishpin ningodji gabeshinid.

Duncan C. Scott.

Deputy Superintendent General

Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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W A R N I N G .

Every year millions of dollars worth of timber is destroyed by bush fires and unless this is stopped all of the timber in the country will be burned up.

Bush fires on Indian Reserves are mostly caused by Indians burning brush during a dry and windy season and by not being careful with matches and pipe or cigarette ashes also by not properly extinguishing the camp fire before leaving camp.

The timber on an Indians Reserve provides wood for fuel in the winter, profitable work at home for the Indian who wishes to cut timber, material for the manufacture of snowshoes, axe-handles, baskets etc. and last but most important it is a screen for game such as moose, deer and fur bearing animals.

If the timber is destroyed by fire the game will leave the Reserve, the Indian will have to buy wood for fuel and he will also have to go far from home to work out for wages.

Consequently every Indian should take care to avoid starting a bush fire and should extinguish any fire that he may see so as to prevent it spreading. Indians should also when cutting timber use all of the tree in order to avoid leaving a lot of brush and tree tops in the woods which when dried out will be a serious fire risk to the rest of the timber.

Duncan C. Scott.

Ottawa. Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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500001

Feb.15th.1918.

Sir:-

It is desired to have printed on linen several copies of a FIRE RANGING NOTICE for posting up on Indian Reserves bit it is thought advisable to have such notice printed in the Ojibway language.

encl. I am enclosing a draft of such notice in English and would ask you to kindly endeavour to secure a correct translation in Ojibway.

A copy of the notice in Ojibway as understood

encl. in the vicinity of the Georgian Bay, Lake Huron is also enclosed and possibly the Indians of the Rainy River and Lake of the Woods districts may understand this also. This copy therefore may serve as an indication of what is required.

Your obedient servant,

H. J. Bury

Timber Inspector.

J.P.Wright Esq. Indian Agent. F.Frances.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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79994

INDIAN AGENT'S OFFICE

Port Arthur

DEPARTMENT OF INDIAN AFFAIRS
OCT 28 1916

IN YOUR REPLY REFER TO
No. 487583
ALSO
TO DATE OF THIS LETTER

Oct.25th.1916. 191

Sir,—

Re CIRCULAR LETTER —
Timber on Indian Reserves.

Agent Brown informs me that up to the present time he has not received a copy of the above mentioned circular.

If originally sent, it has probably got lost or mislaid in the mail and I would therefore ask that a copy be sent him.

Your obedient servant,

H. J. Bury

Timber Inspector.

J.D.McLean Esq.
Asst. Deputy & Secretary
Dept. of Indian Affairs.
OTTAWA.

INDIAN BRANCH
OCT 30 1916

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Supplementary to Section Nos. 74–84.
General Instructions to Agents.

Timber on Indian Reserves

Circular Letter to all Agents.

Disposition of Timber

The timber on any Indian Reserve is owned by the Band in common and any disposition of it to others outside of members of the Band must be supported by a majority vote of the male members of the Band who are over the age of eighteen. Cutting of timber on a Reserve by individual members of the Band must be recommended by the Council of the Band and sanctioned by the Department.

Green Timber

As a matter of general principle, the cutting and removal of green timber is not encouraged, exceptions to this being in cases where the timber has reached a mature stage of growth, or where the fire-risk is too great to warrant the expense of adequately safeguarding the forest.

Damaged Timber

Timber damaged by the action of fire or wind should be cut and removed as quickly as possible, and the approximate extent of such damage should be reported promptly, in order that measures may be taken to guard against total loss due to deterioration or decay.

Forest Fires

Forest fires are the direct result of negligence or carelessness, and the only effective way to successfully avoid the loss of timber caused by these conflagrations is to exercise caution with regard to matters pertaining to the use of fire in the bush.

1. Camp fires should be carefully extinguished after use.

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2. Ignited matches and ashes from pipes, cigars, or cigarettes should be thoroughly extinguished and not thrown on the ground in a haphazard manner.
3. Extreme caution should be observed when burning brush piles during the operation of clearing land.
4. Tree tops, branches, and other inflammable debris resulting from lumbering operations should be piled and burnt under careful supervision.

When an outbreak of fire is detected, no time should be lost in adopting satisfactory measures to extinguish it, by the liberal use of water or sand, beating it out with branches, and, if necessary, backfiring. A little energy applied when the fire is in the incipient stage is worth more than heroic efforts wasted in trying to check a conflagration.

During any exceptionally dry season extra precautions should be taken by instituting a fire patrol, and the Indians should be prepared to render every assistance as may be deemed necessary.

Fire notices printed on linen for display purposes should be requisitioned for, stating the language which is most commonly understood in the district, whether English, French, or Native syllabic.

A report showing the cause and effect of every bush fire on an Indian Reserve should be sent to the Department, and when the fire is caused by culpable negligence or carelessness, the names of the offenders, with the attendant circumstances, should be fully described.

Should a forest fire originate outside of the boundaries of a Reserve and encroach on the timber of the Reserve, documentary evidence, supported by affidavits, should be secured, showing the cause of the fire, and extent of the damage inflicted.

It should be impressed upon the Indians that the forest is just as much a part of their invested capital as their trust fund, and besides representing actual

Indian Affairs." (RG 10, Volume 7798, File 30001 Pt.1)

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value in material and possibilities of profitable work, acts also as a necessary screen for the preservation of game and fur-bearing animals.

Timber Permits

Under certain circumstances, permits are granted to Indians to cut and remove timber for sale, and these should be carefully supervised by the Agent. Lumbering operations on a Reserve must, as far as possible, be co-ordinated with the clearing and preparation of the land for cultivation, and the principal aim to bear in mind should be to restrict such lumbering to certain prescribed areas, so that the cutting of timber under permit shall constitute the initial step toward agricultural improvement.

Timber License

The operations of a Timber Licensee on an Indian Reserve should be inspected at regular intervals, in order that the Department may be advised that such operations are being carried on in conformity with the timber Regulations, especially with respect to the cutting of trees of regulation size.

Timber Returns

A statement of the kinds and quantities of timber cut on an Indian Reserve during each season should be forwarded to Ottawa, together with the dues collected thereon, so that these receipts may be credited to the trust fund of the Band, and in no instance should timber be removed from a reserve before the dues have been collected.

Trespass

Instances of trespass by white men or other unauthorized parties should be reported promptly, so as to enable the Department to institute proceedings for the collection of trespass dues.

Forest Management

Agents should endeavour to encourage the Indians to adopt the main principles of forest management such as the proper and safe disposal of brush and other debris resulting from lumbering operations, the utilization of the entire tree, and the folly of damaging trees by the practices of girdling and tapping by means of an axe. Many instances of girdling birch and spruce trees, and the mutilation of maple trees have been reported, and such deliberate damage should be stopped. The proper method of tapping maples for sap by means of spiles does not affect the

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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tree to any appreciable extent. The practice of felling a large number of trees and leaving them to rot in the woods is one that is far too common to-day, and steps should be taken by the Agent to prevent such a wasteful habit.

Conservation

Many Indians labour under the impression that as long as they can cut timber on their Reserves each winter, they do not need to indulge in any profitable work during the summer months. This idea should be discouraged, and the agent should urge the Indians to devote themselves to agrarian pursuits during the open seasons, and warn them of the fallacy of regarding their timber as a perpetual source of income. It is far easier to exercise a judicious conservation of timber resources *to-day* than to face the expensive alternative of re-forestration in the *future*.

Conclusion

Much can be done toward a proper utilization of the timber resources of the Indians by impressing on them the necessity of practising the foregoing general principles of conservation and enlisting their active co-operation with the Departmental executive.

DUNCAN C. SCOTT,
Deputy Superintendent General,
Indian Affairs.

Department of Indian Affairs,
OTTAWA, Jan. 26th, 1916.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

488001

DEPARTMENT OF INDIAN AFFAIRS
JAN 24 1917

DEPARTMENT OF INDIAN AFFAIRS
CANADA.

Ottawa.

Feb.29th.1916.

Mr.B.Hayter.

490961

Please mail one copy of the Circular Letter, "Timber on Indian Reserves", to each Inspector and Indian Agent in the Dominion.

H.J. Bury

Timber Inspector.

Sent 6/3/16 B.H.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

File 488001

From
Canada Lumberman
and
Woodworker
Feb 1st 1917.

Makes Brush Disposal Compulsory

All timber sales on Indian lands in Canada will be subject hereafter to a clause requiring thorough brush disposal. This move, which will be one of far-reaching importance, has been made by the Department of Indian Affairs, acting on the recommendation of Chief Timber Inspector M. J. Bury, and will introduce the brush disposal principle into lumbering operations on a very large area of Canadian forest lands. It comes into immediate operation and applies to old licenses as well as to any that may be issued in the future. Lumbermen when tendering for timber to be taken out under this new regulation will doubtless add the cost of brush disposal to the estimated cost of their logging operations. This action has been taken by the Department of Indian Affairs, as trustees of the Indian population of Canada, to reduce the extravagance and unnecessary devastation by fire which inevitably followed woods operations on Indian lands. The revenue from timber sales is turned into a common fund for the benefit of the Indians of the reservation. Preservation of the Indian timber will doubtless be assisted greatly by the action of the Department and, what is equally important, the experiment after a year or two will afford valuable data on which an extension of the brush disposal system to all Crown lands might be determined.

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File 488001

Indian Department Requires Lumbermen to Clear Up Debris

New Order Will Have Wide Application—Operators Allowed Compensation of Forty Cents per Thousand Feet.

A move of far-reaching importance has been made by the Department of Indian Affairs, acting on the recommendation of Mr. H. J. Bury, Chief Timber Inspector.

Hereafter, all timber sales on Indian Lands throughout the Dominion will be subject to a clause requiring thorough brush disposal. This introduces the brush disposal principle into lumbering operations on a very large area of Canadian forest lands, over one million acres in the Province of Ontario alone.

The new regulation comes into immediate operation, and applies to old licenses as well as to any that may be issued in the future. It is presumed that lumbermen when tendering for timber to be taken out under this new regulation will doubtless add the cost of this work of brush disposal to the estimated cost of their logging operation and will tender accordingly. In these circumstances the bonus offered will be slightly lower than formerly, but the added advantage of lessening the fire risk will more than offset this slight reduction.

No hard and fast rule as to the method of brush disposal to be followed will be adopted, as it is obviously impossible to have a uniform regulation which shall be applicable to all classes of timber. In a general manner, piling and burning will be followed in coniferous stands, whilst lopping and scattering will be the rule in hardwood timber. These two chief methods will again be subject to variation according to the local conditions.

The Indians take out large quantities of timber annually under permit, and every encouragement is being given to them to conform to the new regulation, both by personal advice and by the offer of a refund of a portion of the dues collected to offset the cost of effective disposal.

As trustees of the Indian population of Canada, the Department took action in the matter so as to reduce the extravagant and unnecessary devastation by fire which inevitably followed woods operations on Indian lands. The revenues from timber sales are turned into a common fund for the benefit of the Indians of the reservation, no part of the expenses of the administration being deducted therefrom. Preservation of the Indian timber will doubtless be assisted greatly by the action of the Department, and what is equally important, the experience after a year or two will afford valuable data on which an extension of the brush disposal system to all Crown Lands might be determined. At present, with a few exceptions, the most that is accomplished by licensees in this regard is the clearing of debris about camps and buildings, and, in a few instances, the removal of inflammable material from the neighborhood of trails along driving streams.

Too often the mention of brush disposal conveys to the imagination of lumber companies a sweeping order to clear away all logging debris over many square miles. This is not the way in which the practice of brush disposal will get its start in Eastern Canada. If a few companies could be persuaded to burn the slash along their roadways, around their camps, and along some of the most used trails, it would go a long way toward bringing down the fire hazard. Experience indicates that this can be done at a cost which is very small when compared with the probable reduction in timber losses. A Minnesota lumberman, one of the biggest operators in the Middle States, objected very strongly to the imposition of a state requirement of brush disposal, but after one or two years' trial he so endorsed the idea that he voluntarily applied it to all his privately-owned limits.

The Editor of the Journal discussed with the heads of several lumber and pulp companies the question of making a beginning in clearing up dangerous debris. In all cases the companies had had orders in effect for some years requiring a Spring clearance about camps, and in one case a good deal had been done to remove inflammable material from along the edges of driving streams. As in the question of fire protection, however, the companies hesitate to inaugurate at their own expense improvements such as partial brush disposal when neighboring licensees follow no such programme. Were the provinces to insist upon brush disposal along roadways, etc., in a limited and reasonable degree, there does not seem much likelihood that the willing co-operation of lumber companies would be long delayed.

The Dominion Forestry Branch applies a brush disposal clause in all operations on the Reserves, and the Canadian Pacific Railway in its private timber lands of the West has done a good deal in the same direction. The C. P. R. Forestry Department does not dispose of all the slash, but the worst hazards are burned. Thus, in heavy growths of spruce along the streams, where the roads necessarily run, the completion of logging witnesses the burning of all the debris left lying along the river and the roadside. The river and road act as good fire guards during the burning operations.

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CANADA

(Copy) P. C. 2885.

At the Government House at Ottawa,

Friday, the 24th day of November, 1916

Present:-

His Excellency

the Governor General

in Council:

His Excellency the Governor General in Council, in order to more fully protect and realize on the timber situated on Indian reserves in Canada (with the exception of the province of British Columbia) is pleased to order that section 27 of the Regulations of the Department of Indian Affairs, as established by Order in Council of 15th September 1888, governing the sale of timber on Indian lands and reserves, shall be and the same is hereby amended by the addition of the following conditions thereto:-

(a) That the licensee shall not have the right thereunder to cut timber of a less diameter than 10 inches at the stump, except such as may be actually necessary for the construction of logging roads and other works to facilitate the removal of the merchantable timber.

(b) That the licensee shall utilize all the timber in every tree he cuts down and manufacture the same into lumber or other saleable product.

(c) That the licensee shall dispose of the tops, branches, and other debris resulting from his operation in accordance with the directions of the proper officer of the Department of Indian Affairs, so as to prevent as much as possible the danger of fire.

(d) That the licensee shall exercise strict and constant supervision to prevent the origin or spread of fires, and shall prevent all unnecessary destruction of the growing timber on the part of his men.

(e) That the licensee shall pay one-half of the cost incurred by the Department in guarding the timber from fire.

Rodolphe Boudreau.

Clerk of the Privy Council.

The Honourable

The Superintendent General

of Indian Affairs.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

Extract :-

Tappan, Ohio

Aug. 2, 1908.

329922

Dept. of Interior,

Ottawa, Canada.

Gentlemen,-

x x x x

In addition to this I should like to ask if there are any unappropriated timber lands north of Revelstoke on the Columbia, between Revelstoke and Dowine Creek, in the Selkirks. If so, at what rate do they sell. And must one go there to see personally after the matter, or could it be done through an Agent in Revelstoke?

I know that part of the territory in the regi[illegible] of Carues Creek was being logged last summer. Friend in New York where I am during the winter are interested with me in the timber land proposition, and in fru[illegible] farms along the Arrow Lakes.

I should very mush appre[illegible]ate maps, and any information you can give me. You may care to know that I have been interested to a certain degree in advertising British Columbia as I have spent two summers in the Selkirks doing work for newspapers and magazines. In fact the country appeals so strongly to me that I havebegun to want to possess a little of the material part for myself.

My address is 430 W. 118 Street, New York City. (New York)

Kindly send all information to me before Aug. 15 to Tappan, Ohio, after that date to my New York address.

Thanking you for any services, I am,

Very truly yours

Mary L. Yobe (or Jobe?)

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001

Extract :- Original

M 176,296/1

329922

Hx'd

Ottawa, August 7, 1908.

Madam,-

x x x x

The Department has no timber lands in the Province of British Columbia north of Revelstoke at present in the market.

Your obedient servant

J.D.McLean

Secretary.

Mary L. Yobe,

Tappan, Ohio,

U. S. A.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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IN YOUR REPLY REFER TO

A

ALSO TO THE DATE OF THIS LETTER.

PLEASE WRITE ON ONLY ONE SUBJECT IN EACH LETTER.

ADDRESS REPLY TO THE SECRETARY, DEPT. OF INDIAN AFFAIRS. OTTAWA.

+88,008

DEPARTMENT OF INDIAN AFFAIRS CANADA

Ottawa, Feb. 27th. 1917.

CIRCULAR LETTER

INFESTATION OF GREEN TIMBER ON INDIAN RESERVES

Sir,-

The Department has been advised by the Dominion Entomologist that the green timber in many sections of the Province of British Columbia is being attacked by various insect pests, and the ravages of these insects have reached such a stage as to endanger the entire stands of timber in the province.

It is desirable that measures should be adopted to control this infestation and the Department, with a view to co-operation with other organizations desires you to make particular inquiry into any outbreak of disease occasioned by the attacks of beetles, borers, caterpillars or other insects on the green timber growing on Indian Reserves which are under your jurisdiction.

For your general guidance in the matter, a short description of the chief species of insects and their mode of attack is appended.

Two species of bark beetle infest the pine and Douglas fir, both of which restrict their attentions to the green or living tree and fresh cuttings or slash, and are never found in dead or dry timber or timber that has been killed by fire and has remained in the woods for any considerable length of time.

The

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

The infested green trees are readily distinguishable by their yellowing foliage and by the formation of gum tubes or small masses of gum or resin about the size of a spool of thread which are found on the bark of the trunk of the tree. Another indication of infestation is the appearance of the reddish boring dust which lodges in the crevices of the bark.

Twig-boring bark beetles and twig-girdling caterpillars cause considerable injury to the pine but as a rule this infestation does not attain so serious proportions.

Timber or ambrosia beetles also known as "borers" confine their attacks to the wood of dying or diseased trees and timber that has been recently fire-killed. These insects bore small black holes into the trunk of the tree from 6 to 10 inches in depth and often in very great numbers thereby ruining that portion of the tree for commercial or valuable purposes. It is obvious that in connection with the infestation of such timber it must be cut as soon as possible and green cut logs must not be left in the bush any longer than is necessary.

When reporting the occurrence of any insect pest you should if possible describe the extent and character of the infestation and the kind or species of timber that is attacked, sending samples of the beetle or caterpillar in order that its identity may be established so that the proper methods of destruction or control may be adopted.

Duncan C. Scott.

Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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488001

L. STAFFORD CLARKE
CIVIL ENGINEER

DEPARTMENT OF INDIAN AFFAIRS
FEB 3 1917

REPORTS, ESTIMATES,
CONSTRUCTION

NORTH BAY, ONT.,

Febuary Ist 1917.

491301

Dept. of Indian Affairs,
Ottawa, Ontario.

Dear Sirs:-

I am desirous of obtaining a quantity of Cedar Poles and Piles for construction purposes.

Understanding that there is a lot of this material around Norton on the Indian Reserve, would be glad to know under what conditions some might be pur--chased and if Indian labor could be obtain--ed for the production of same.

Yours very truly

L Stafford Clarke

L.S.C./M.

LANDS BRANCH
FEB 8 1917

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

488001

E.D.

Ottawa. Feb.5th.1917.

Sir:-

In reply to your letter of the 1st. inst.,in which you desire permission to cut a quantity of Cedar poles and piling I have to state that if you will specify the Indian Reserve on which you desire to cut this material and also submit a statement of the exact quantities of each class of material,the matter will receive consideration.

Your obedient servant,

J. D. McLean

Asst. Deputy & Secretary.

L.Stafford Clarke Esq.
North Bay.
ONT.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Rolling Dam Sta
Charlotte Co
N B
March 5th 1918

DEPARTMENT OF INDIAN AFFAIRS
MAR 8 1918

506043

Dear Sir
Will the Indian of Nova Scotia
be able to get a Permit
to Cut Lumber from
the Indian Reserve
Has same the New
Brunswick Indian
I dont see why we cant
Cut in Nova Scotia
has well. There is no
Basket in the Reserve
no handls to get in
the Reserve Num of that
wood to be got Now
all Cut way
Indian agent Dont Allow
any thing to be Cut
I Must Find out

LANDS BRANCH
MAR 8 1918

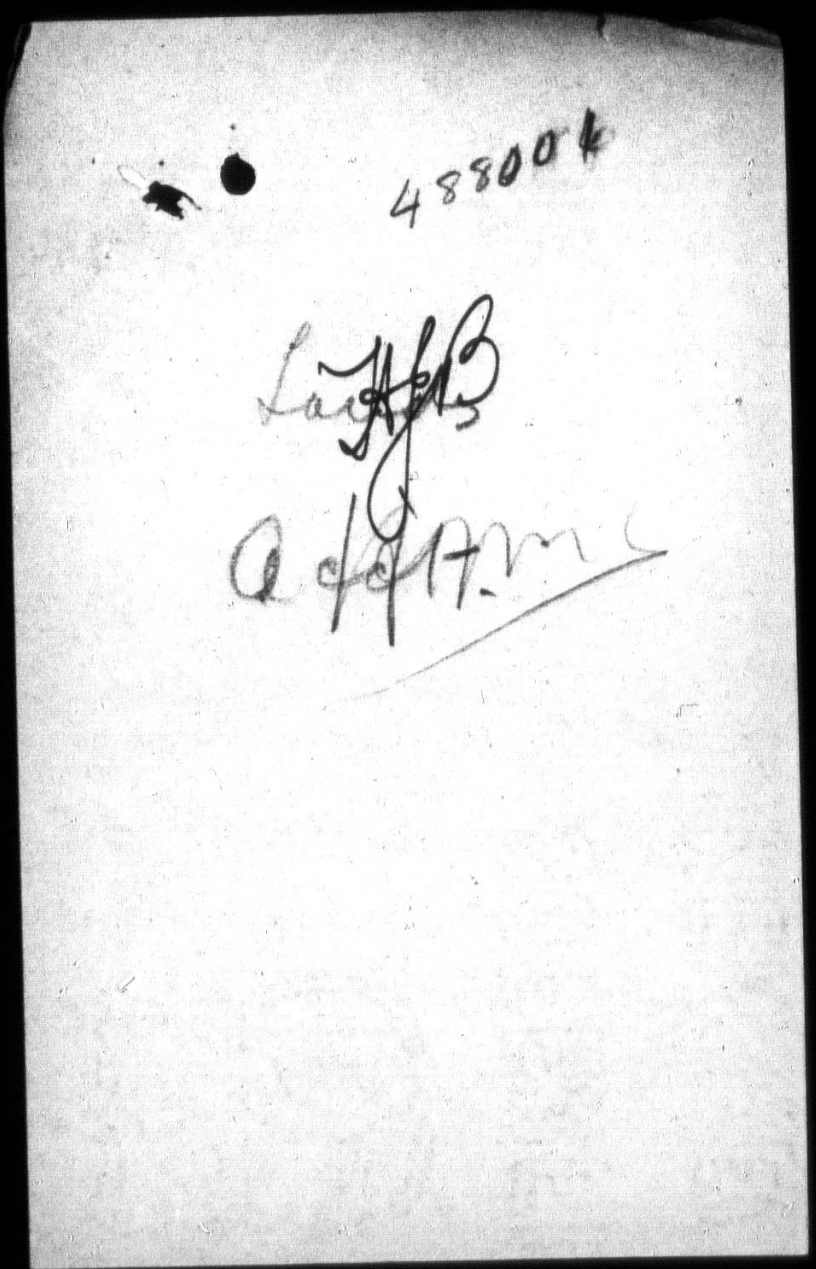
Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

myself From the
Government and see
what we Will be able
to the Food so high
we can Make Nuff to
eat. and we Not got
any Money to go
West some of us
would like to go
and work on the Farms
But we Cant But if
the government would
give us Trasporation
for going and Back ~~some~~
quite Numebe would
be willing to go and
Farm
Please Give Me
Information in Chan.
2 Point Yours Truly
Michael Dedham
Iam from N.S. India

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

INDIAN AFFAIRS
MAR 12 1918
BRANCH

488001

March 8th.1918.

Sir:-

In reply to your letter of the 5th.inst. inquiring as to cutting rights for the Indians of Nova Scotia I have to state that those Indians who are resident on their own reserves and who need lumber for building purposes are free to cut logs for this purpose. Indians who are also permanently residing on a reserve are afforded facilities for the cutting of timber for sale provided such cutting is approved of by the band and sanctioned by the Department.

In regard to your query as to the possibility of having your transportation paid each way to assist at agricultural work in the west I would suggest that you write to the Department of Agriculture for definite information regarding assisted passages.

Your obedient servant,

J. D. McLean

Asst. Deputy & Secretary.

Michael Pidham
Indian.
Rolling Dam Station.
Charlotte Co. N.B.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Department of Indian Affairs

442626
File No. .....

539799

Canada

Lands and Timber Branch

Ottawa, May 1st. 1920

Memo. to the Deputy Minister.

ANNUAL REPORT

TIMBER

License year May 1st.1919- April 30th.1920.

Lumbering operations on Indian Reserves in the Dominion during the license year 1919-20, or the first complete license year since the end of the War indicate that the lumbering situation has undergone a considerable change than during the War. While hostilities were in progress lumbermen were averse to making large investments in standing timber in view of the uncertain market conditions and lumbering was almost entirely restricted to operations by the Indians themselves under permit and to the operation of limits already under license, but with the end of the War a pronounced demand for Canadian lumber and wood goods has caused an un-precedented rise in market values with the result that standing timber as well as lumber stocks have reached a figure never attained before.

The Indians appreciating these conditions have during the last year displayed a desire to realise the value of a considerable portion of their timber resources with the result that during the license year many applications were received from various bands asking that they be permitted to surrender their timber and have it sold for their benefit.

The quantity of timber cut on Indian Reserves during the year, both under license and permit was:-

PINE white.....	3.713.512	f.b.m.
PINE norway.....	627	" "
PINE jack.....	87.000	" "
SPRUCE white & black...	1.859.958	" "
SPRUCE aeroplane stock	1.075.697	" "
FIR B.C. douglas.	7.405.406	" "
FIR balsam.....	115.982	" "
HEMLOCK.....	3.329.312	" "
CEDAR.....	641.976	" "
MAPLE.....	892.929	" "
BEECH.....	977.140	" "
ASH.....	71.166	" "
ELM.....	31.866	" "

over

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ANNUAL REPORT:-

BIRCH.....	487.773	f.b.m.
OAK.....	48.789	" " "
BASSWOOD.....	504.920	" " "
COTTONWOOD.....	1.402.712	
CORDWOOD.....	1.841½	cords
PULPWOOD.....	5.041½	"
SHINGLE BOLTS.....	16.215½	"
TIES.....	75.079	
POLES.....	1.203	
POSTS.....	915	
BOOM TIMBER.....	23.196	cu.ft.

In addition to the above quantities which were cut for sale the Indians cut approximately 12 million f.b.m.of timber for building and fencing and 22.000 cords of wood for fuel, besides an un-reported quantity of material for the native manufacture of snow-shoe bows, axe-handles,hockey-sticks and baskets.

SALES OF TIMBER and CASH RECEIPTS during the license year were as follows:-

Bonus for timber on Poquiosin ..	$. 1.100.00
" " " " Grand Lake	10.710.00
" " " " Chats-cah	3.000.00
" " " " Cape Mudge	6.500.00
" " " " Quaee	5.285.00
" " " " Black River	10.500.00
" " " " Homalco No.4	7.500.00
" " " " Waywaykum	4.500.00
" " " " Lac Seul	25.200.00
	148.797.50
Dues on timber (license)	7.067.69
" " " (permit)	1.649.51
" " " (trespass)	1.496.30
Ground rents & fees	2.700.00
Deposits as security	
TOTAL RECEIPTS:-$	236.006.00

There were thirty two licenses current on April 30th.1920 being seven more than the previous year,three having terminated and ten new licenses issued.

Estimates of timber and reports on land of sixteen reserves were prepared in the course of the usual administrative work and this data has been added to the record of the natural resources of the Indians which is in course of preparation.

Forest conservation,involving the disposal of slash,and elimination of fire-hazards,closer utilisation of timber in the woods and more adequate fire patrol was carried out on many reserves.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

In some instances where insect pests such as the bark beetle and the bud-worm had made inroads into the timber on reserves measures were adopted to salvage the timber before it was a total loss, and steps taken to eradicate the pest.

The policy of impressing upon the Indians the necessity of co-ordinating their lumbering with the work of preparation of the land for cultivation has been closely followed and in a broader sense the importance of realising a position of the value of their timber and with the funds thus derived assisting the Indians to better their condition has been continually held in mind.

An amendment to the Indian Act at the last session of Parliament whereby the Department is empowered to distribute to the Indians fifty per cent of the moneys receivable from the sale of their timber has stimulated the Indians to devote greater energy to the improvement of their homes and holdings.

(Sd) H. J. Bury -

Timber Inspector.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

488001

File

DEPT. OF INDIAN AFFAIRS
MAY 8 1920
RECORDS

May 3, 1920.

Memorandum.

Hon. Mr. Meighen.

Incl. I am attaching hereto a copy of the report of our Timber Inspector, Mr. H. J. Bury, for the license year ended April 30, last. I wish to draw your attention to the salient features of this report : -

1: Greater activity in the lumber operations due to the post-war conditions.

2: Statistical data to date, showing quantities and kinds of all timber cut on Indian reserves in Canada, and cash receipts from sales of timber, collection of dues, etc.

3: The cruising of 16 additional reserves.

The amendment to the Indian Act, whereby we are empowered to pay to the Indians 50% of the monies accruing from timber sales, has had a very beneficial effect; in several instances we have obtained surrenders that could not have been had under the old conditions.

Duncan C. Scott

Deputy Superintendent General.

DCS

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

Department of Indian Affairs

File No. 442626

Copy for Minister

Canada

Lands and Timber Branch

540237

Ottawa, May 1st. 1920

Memo. to the Deputy Minister.

ANNUAL REPORT

TIMBER

License year May 1st.1919- April 30th.1920.

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over

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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H. J. Bury

Timber Inspector.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

488001

DEPT. OF INDIAN AFFAIRS
MAY 11 1920
RECORDS

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF THE
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

540257

May 3, 1920.

Memorandum,

Hon. Mr. Meighan.

Incl. I am attaching hereto a copy of the report of our Timber Inspector, Mr. H. J. Bury, for the license year ended April 30, last. I wish to draw your attention to the salient features of this report : -

1: Greater activity in the lumber operations due to the post-war conditions.

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Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa, May 11th 1920

Mr. Oliver

Please report on attached letter and return it to the office of the Deputy Superintendent General.

Do not file.

Indian Affairs. (RG 10, Volume 7798; File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

House of Commons
Canada

DEPT. OF INDIAN AFFAIRS
MAY 12 1920
RECORDS

OTTAWA, May 10th, 1920.

540214

Duncan C. Scott Esq.,
Superintendent of Indian Affairs,
O T T A W A,
Ont.

Dear Sir,-

Would you be kind enough to give me a list of timber lands owned by the Federal Government as Indian Reserves in the Province of Quebec?

Yours truly,

Charles J. Power

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

488061

May 11th.1920.

Sir:-

I beg to acknowledge receipt of your letter of the 10th.inst.making inquiry regarding timber lands that are owned by the Federal Government as Indian Reserves in the Province of Quebec and in reply to state that although there are twenty two Indian Reserves in Quebec Province only six of these have timber of merchantable size.These are:-

Restigouche....	Area	8.869	acres,	Bonaventure	County
Bersimis	"	63.100	"	Saguenay	"
Doncaster	"	18.500	"	Montcalm	"
Maniwaki	"	43.471	"	Ottawa	"
Timiskaming	"	14.660	"	Pontiac	"
Weymontachi	"	7.407	"	Champlain	"

Of these, the Reserves at Bersimis, Maniwaki and Weymontachi are under timber license.

Your obedient servant,

Duncan C. Scott

Deputy Superintendent General

WAD DCS

Charles G.Power Esq.M.P.
House of Commons
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

458001

BARTLET, BARTLET, URQUHART & BARNES
Barristers, Solicitors, Notaries, &c.

ALEX. R. BARTLET WALTER G. BARTLET
GEO. A. URQUHART HARVEY L. BARNES

OFFICES: DAVIS BUILDING
TELEPHONE 3000

WINDSOR, ONTARIO

DEPT. OF INDIAN AFFAIRS
MAY 21 1920
BROOKS

540613

May 19, 1920.

LANDS BRANCH
MAY 22 1920

Deputy Superintendent General of Indian Affairs,
Ottawa, Ontario.

Dear Sir,-

Inquiry has been made of us from clients of ours in the City of Detroit as to whether it is in order for them to negotiate directly with the Indians with respect to pulp wood, which may be upon their lands and whether the pulp wood, if title is acquired by our clients, would be exportable.

Our understanding of the embargo of the exportation of pulp wood is that regulations have been made by the different Provinces regarding the same that it should be manufactured within the Province making the sales. If it is in order for our clients to deal with the Indians or with the Department, they are prepared to deal with the matter, providing there is no interference with the exporting of the pulp wood as cut from time to time.

Would you be good enough to let us know about this matter and how our clients can negotiate with regard to the matter.

Yours truly,

ARB/V

BARTLET, BARTLET, URQUHART & BARNES
Per ARB

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

488001

Ottawa. May 22nd.1920.

Gentlemen:-

I beg to acknowledge receipt of your letter of the 19th.inst. making inquiry on behalf of your clients as to the purchase of pulpwood from Indians and the export thereof, and in reply to state that Indians are only allowed to cut pulpwood for sale under special permit and that the export of pulpwood cut from Indian lands in the Province of Ontario is prohibited.

Your obedient servant,

J. D. McLean

Asst. Deputy & Secretary.

Messrs.Bartlet et al
Barristers etc.
Windsor
ONT.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

488001

Commission of Conservation

Ottawa, Canada July 20, 1920.

DEPT. OF INDIAN AFFAIRS 1920 RECORDS

Hon. W. C. Edwards
ACTING CHAIRMAN

James White
ASSISTANT TO CHAIRMAN AND DEPUTY HEAD

The Commission of Conservation was created in 1909, by Act of Parliament, to promote the economic use of Canada's natural resources. Authentic information respecting the character and extent of such resources, and with reference to the problems associated with their efficient development and their conservation, is freely available on request to the Commission.

543280
543280

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

Dear Sir:-

We are at present preparing a report on the forest resources of Ontario, similar to the one recently issued on the forests of British Columbia. Since it is impossible for us to thoroughly cruise even a small percentage of the forest area of the Province and as we do not wish to waste money in duplicating information already secured, we are depending for our basic data to a very large extent on reports supplied by the Provincial Government, lumbermen, cruisers and others who have detailed information.

The Indian Reserves in Ontario cover considerable areas of timber land, and I understand that you have had much, if not all, of the forest areas cruised. The Commission would appreciate it very much if the information you have in regard to the forests on the Indian Reserves could be made available for our use in the compilation of this report. I am enclosing a copy of the form on which the lumbermen submit their reports. This will give you an idea as to the data which we desire to obtain. It is not necessary, however, that this form be followed exactly, and if agreeable to you, our Mr. Craig will be glad to consult with the officer of your Department who is charged with the handling of this work in connection with the preparation of the material.

You were good enough to give us considerable information as to the forests on the British Columbia Reserves and I trust that we may have your co-operation for the Ontario project.

Yours faithfully,

James White
Assistant to Chairman

Enc.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

488001

OTTAWA. July 23rd.1920.

Sir:-

I beg to acknowledge receipt of your letter of the 20th.inst.regarding the preparation of a report on the timber resources of Ontario with particular reference to the resources of Indian Reserves in the province, and in reply to state that as soon as this information can be got together and placed in a form to suit your requirements the same will be sent you.

I may state that no copy of form you specified was enclosed with your letter.

Your obedient servant,

J. D. McLean

Asst. Deputy & Secretary.

James White Esq.
Asst. to Chairman
Commission of Conservation
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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ARCHIVES PUBLIQUES
CANADA

Poor Copy

COMMISSION OF CONSERVATION

OTTAWA, CANADA

FORESTS OF ONTARIO REPORT

Drainage..... County.....

Tract..... Area .....

Tenure.....

Owner .....

ESTIMATE OF STAND

Species	M. B. F.*	Cords*
Pine, White		
" Red		
" Jack		
Spruce, White		
" Red		
" Black		
Balsam		
Hemlock		
Tamarack		
Cedar		
Maple		
Birch		
Poplar		
Oak		
Ash		
Elm		
Beech		
Other Species		
Totals		

*Estimates for any one item to be given in either board feet or cords, but not in both. In case of pulpwood species, however, pulpwood may be indicated in cords and saw timber in M.B.F., it being understood in all cases that the two items together constitute the total stand for such species.

The above estimate was made by.....in

the year..... and I consider his report reliable.

[over]

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CUTTINGS:

Years.....

Areas.....

Amounts.....

Species.....

FIRES:

Years.....

Areas.....

Amount destroyed.....

Extent and nature of young growth after cutting or fire.....

.....

Area and approximate location of land suitable for agriculture when the timber is removed

.....

.....

Area and approximate location of waste land not suitable for either agriculture or the growing of forests.....

.....

REMARKS.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Signed.....

Address.....

Date.....

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

48007

Commission of Conservation

Ottawa, Canada. July 24th, 1920

Hon. W.C. Edwards
ACTING CHAIRMAN

James White
ASSISTANT TO CHAIRMAN AND DEPUTY HEAD

The Commission of Conservation was created in 1909, by Act of Parliament, to promote the economic use of Canada's natural resources. Authentic information respecting the character and extent of such resources, and with reference to the problems associated with their efficient development and their conservation, is freely available on request to the Commission.

DEPT. OF INDIAN AFFAIRS
JUL 26 1920
RECORDS

543342

Dear Sir:

In the absence of Mr. White, I wish to acknowledge receipt of your esteemed letter under yesterday's date, advising that steps are being taken to assemble the available data on timber resources of the Indian Reserves in the Province of Ontario.

Your assistance in this connection is greatly appreciated.

I regret to note that the copy of the form mentioned in our previous letter was not enclosed, but a copy is being sent you herewith.

Yours faithfully,

for Assistant to Chairman

J.D. McLean, Esq.,
Asst. Deputy and Secretary,
Department of Indian Affairs,
O t t a w a .

KM-Encl.

LANDS BRANCH
JUL 27 1920

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

488001

Commission of Conservation

Ottawa, Canada.

544122

DEPT. OF INDIAN AFFAIRS
AUG 14
RECORDS

Hon. W. C. Edwards
ACTING CHAIRMAN

James White
ASSISTANT TO CHAIRMAN AND DEPUTY HEAD

The Commission of Conservation was created in 1909, by Act of Parliament, to promote the economic use of Canada's natural resources. Authentic information respecting the character and extent of such resources, and with reference to the problems associated with their efficient development and their conservation, is freely available on request to the Commission.

August 13, 1920.

Mr. J. D. McLean,
Secretary, Dept. of Indian Affairs,
Ottawa, Ontario.

Dear Sir:-

I beg to acknowledge receipt of copy of your circular regarding timber on Indian Reserves, and to thank you for your courtesy in supplying me with this information.

Yours faithfully,

Roland D Craig

Forest Engineer.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY
ORIGINAL ON
File 95452.

30,001

DEPT. OF INDIAN AFFAIRS
MAY 14 1921
RECORDS

Department of Justice,
Ottawa, May 7th, 1921.

55524 0

Dear Mr. Scott,-

I beg to acknowledge the receipt of your letter of the 2nd of February last submitting the following questions for advice:-

1. Does this judgment affect only lands in the Province of Quebec set aside under the provisions of 13-14 Vict. 1850, c. 42, and 14-15 Vict. 1851, c.106, of the Statutes passed by the Legislature of the Province of Canada, or does it affect as well lands on other reserves within the said Province or any other Province?

2. Has this Department authority to sell timber or minerals on any reserves affected by this judgment after surrender thereof by the Indians?

3. Can Indians be enfranchised and receive patents for their lands as provided by the Indian Act in respect of reserves affected by this judgment?

4. Has the Superintendent General authority to lease on such reserves lands which the Indians may surrender for that purpose?

In reply I beg to state that the decision in the Star Chrome case is of general application affecting the powers which have been heretofore commonly exercised by the Dominion in relation to all Indian reserves in which the Province retains a beneficial interest and that consequently it would be unjust to the Indians in such cases to accept surrenders from them because it would seem to follow from the decisions of the Judicial Committee that the surrender of the Indian title, even when in trust for sale, operates to free the surrendered lands from the burthen of the Indian title for the benefit of the Province, without apparently affording the Indians any right of compensation.

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

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

As regards the third inquiry, I may observe that it is only a logical application of the principles enunciated to hold that an Indian cannot upon enfranchisement receive a grant of any greater interest than the band in common had in that particular part of the reserve which is located to the enfranchised Indian. It would be inadvisable to issue any grant or title which would free the land from its character of Indian Reserve and probably an exclusive location is all that could safely be permitted.

As regards sales of timber and minerals I would still contend that these are matters of administration within the exclusive authority of the Dominion and that the Province has no right to question these sales. Leases also I think might be negotiated so along as the Indian title is not surrendered but I would hesitate to advise that the Indians may for any purpose safely surrender. As to timber lands, section 73 of the Indian Act, and on, provides that the Superintendent General or any officer or agent authorized by him to that effect may grant licenses to cut trees on granted Indian lands apparently without any necessity for a surrender from the Indians; but as regards minerals it appears by sections 48 and 51 that a surrender is required before minerals can be alienated and I would suggest that the Act be amended so as to provide for working the minerals without any surrender.

With respect to Ontario reserves my agreement with Mr. Blake would presumably continue to govern and by that the contention of the Dominion which has now been overruled was to a large extent conceded.

Yours truly,

E. C. Newcombe,

Deputy Minister of Justice.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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REGULATIONS

Governing the disposal of Timber on Indian Reserves in the Province of British Columbia, established under the provisions of Section 73 of Indian Act, by Order of His Excellency in Council, dated the 5th day of May, 1921.

Surrender required.

1. No timber on Indian Reserves shall be disposed of until a Surrender thereof has been obtained from the Indians in accordance with the provisions of the Indian Act.

Cruise and valuation.

2. The timber covered by such Surrender shall be cruised and valued, and the boundaries thereof established in such manner as may be directed by the Superintendent General of Indian Affairs, and such cruise and valuation shall be filed in the Department of Indian Affairs.

Mode of sale.

3. The berth or timber limit thus cruised shall be offered for sale by public tender, and the advertisement of sale shall specify the approximate quantity of timber on the limit without in any way giving a guarantee that such quantity would be produced should the limit be properly worked. Such advertisement shall further specify the period of time which will be allowed in which the whole of the merchantable timber shall be cut and removed.

Provided, that should the value of such timber not exceed the sum of $500, the Superintendent General may dispose of the timber to the best advantage in the interest of the Indians, without public advertisement.

Form of tender.

4. Every offer to purchase a license, which shall be in the form as shown under section No. 18 hereunder, to cut and remove timber from an Indian Reserve under these regulations, shall include an offer by and on the part of the offerer or tenderer to pay to the Department of Indian Affairs:—

(*a*) An anual rental at the rate of twenty cents (20c.) per acre.

(*b*) License fee of fifty dollars ($50).

(*c*) The royalty for each class or kind of timber at the rate shown under section No. 6 hereunder.

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(*d*) Such upset price as the department may establish for the sale in question, payable either as a lump sum before the issue of the license or as stumpage per thousand feet board measure or per cord or per lineal foot as the case may be.

(*e*) Such further price in addition to the upset price as the tenderer is prepared to pay.

Cheque with tender.

5. Each tender must be accompanied by an accepted cheque on any Canadian chartered bank covering the following items:—

(*a*) Rental for one year.

(*b*) License fee.

(*c*) Deposit of ten per cent (10%) of the stumpage price and royalty tendered as applied to the total estimated quantity of timber on the limit.

Such cheque will be dealt with in the following manner:—

1. Returned forthwith if the tender is not accepted.
2. Held in trust to be returned upon the satisfactory completion of the undertaking.
3. Forfeited to the department if the undertaking is not completed to the satisfaction of the Superintendent General of Indian Affairs.

Royalties.

6. Royalties to be paid on timber cut from Indian reserves under license shall be as follows:—

(*a*) $1 per thousand feet board measure on all timber suitable for saw-logs, boom-sticks, etc., scaled under the British Columbia log rule.

(*b*) 75 cents per cord of 128 cubic feet on all timber suitable for shingle bolts, pulpwood, cordwood or other wood goods customarily measured by the cord.

(*c*) 2 cents per lineal foot on all timber suitable for piling, poles and spars.

(*d*) 5 cents per tie and 3 cents per post.

Scaling.

7. The stumpage and royalty on timber cut under authority of each license shall be charged upon the quantities, grades and kinds of timber as certified by a duly qualified scaler and all fees for such scaling shall be paid by the licensee.

Provided: that in cases where such timber is not scaled until its arrival at the mill, the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof composing any raft, boom or crib before such timber was removed from the Indian Reserve.

Provided also: that when it is shown to the satisfaction of the Superintendent General that the services of a licensed scaler cannot be obtained by the licensee or the person in charge of his lumbering operation, the department may appoint an unlicensed person as an acting-scaler temporarily, until the services of a duly qualified scaler are available for the purpose. All losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

License and renewal fees.

8. A licensee shall be required to pay an original license fee of fifty dollars ($50) and if he has complied with the existing regulations he shall be entitled to have his license renewed upon application to the Superintendent General, and for each renewal there shall be paid a fee of two dollars ($2).

Timber to be marked.

9. Prior to the commencement of any lumbering operation on an Indian Reserve and before the issue of any timber license to authorize such operation, a distinguishing timber-mark shall be designated by the Superintendent General, and such mark shall be placed on each piece of timber cut and removed from such reserve so as to distinguish such timber from that cut from lands other than the reserve in question.

Forest protection.

10. The Superintendent General of Indian Affairs or other officer deputed by him shall prior to the sale of any berth or limit determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection and the licensee of such berth or limit shall be required to defray-half the cost incurred by the department in protecting the same.

The licensee shall further be required to:—

(*a*) Utilize all the timber in every tree cut down and manufacture the same into lumber or other saleable product.

(*b*) Dispose of the tops, branches and other debris resulting from his operation in accordance with the directions of the proper officer of the Department of Indian Affairs, so as to prevent as much as possible the danger of fire.

(*c*) Exercise strict and constant supervision to prevent the origin or spread of fires, and shall prevent all unnecessary destruction of the growing timber on the part of his men.

Expiration of licenses.

11. All timber licenses are to expire on the 30th day of April next after the date thereof, and all renewals are to be applied for before the 1st day of July following the expiration of the last preceding license, in default whereof the berth or limit may in the discretion of the Superintendent General, be declared forfeited.

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Suspended licenses.

12. Timber cut on reserves for which the licenses have been suspended or held in abeyance shall be considered as having been cut without authority and treated accordingly.

Conditions of renewal.

13. No renewal of any license shall be granted unless the limit covered thereby has been properly worked during the preceding season or sufficient reason be given under oath, and the same be satisfactory to the Superintendent General, for the non-working of the limit, and unless or until the rental and any royalty due on the previous season's operation shall have been paid.

Transfer of licenses.

14. All transfers of timber licenses shall be made in writing, but shall be subject to the approval of the Superintendent General, to whom they shall be submitted for approval or rejection, and they shall be valid only from such time as the approval is expressed in writing. A fee of five dollars ($5) shall be payable in respect of each transfer, but no transfer shall be accepted whilst the licensee is in default for non-payment of royalty or other charges.

Examination of records of licensee.

15. The Superintendent General of Indian Affairs or any authorized agent shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee, showing the quantity of lumber in board measure sawn by him from logs cut on his berth or berths, and failing to produce such books and memoranda when required so to do, will subject such licensee to a forfeiture of his right to a renewal of his license.

Non-payment of Royalty.

16. When any license holder is in default for, or has evaded the payment of royalty to the Department of Indian Affairs, on any part of the timber or sawlogs, such royalty may be levied on any other timber or sawlogs belonging to such defaulter, cut under license.

Security by bond.

17. Before the issue of any timber license the licensee or licensees thereof shall furnish security by a bond of himself or themselves, and two responsible sureties, for such amount as the Superintendent General of Indian Affairs may consider sufficient to ensure the proper working of the limit, the due fulfilment by him or them of the conditions of the license, and the due observance of all the regulations of the department in respect to the timber to be cut. The giving of such security shall not, however, in any way prejudice the right of the Superintendent General or his agent, to levy upon any timber cut or owned by the holder or holders of the license, or to cancel the said license should there appear to him to be sufficient cause for so doing.

18. *Form of License.*

LICENSE TO CUT TIMBER ON INDIAN RESERVES IN THE PROVINCE OF BRITISH COLUMBIA

No. .....

File .....

By Authority of Chapter 81 of the Revised Statutes of Canada, and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:—I do hereby give unto

and unto Agents and Workmen full power and License to cut upon the Location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:—from 19 to 19 , and no longer; with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this License the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this License is subject to the following conditions, viz.:

That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:—

Under a sworn return furnished by a licensed scaler and on or before the 30th of November following the season in which the timber is cut.

That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this License, excepting in so far as Pine and Spruce merchantable timber are concerned, which this License will continue to control until all conditions of sale have been fulfilled.

That any person or persons may, under authority of the Superintendent General of Indian Affairs, at all times, make and use Roads upon, and travel over, the ground hereby licensed.

That nothing herein shall prevent any person or persons, having authority from the Superintendent General of Indian Affairs to do so, from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works.

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for or by permission.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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And further upon condition that the said Licensee or representative shall comply with all regulations that are or may be established by Order in Council, and shall submit all the Timber cut under this License to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized,—otherwise the said timber will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

Given under my hand at Ottawa, this day of in the year of Our Lord one thousand nine hundred and

.....

Deputy of the Superintendent General of Indian Affairs.

Amount payable on giving this License... | BONUS, $ | DEPOSIT, $ | GROUND RENT, $ | LICENSE FEE, $

The above named Licensee shall be bound before or when paying the ground rent and renewal fee—if the License is renewed—to declare on oath whether still the *bonâ fide* proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.

We have read and comprehend the nature of the obligations contained in this License, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this License, in the event of the above named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

Signature of Licensee:

.....

The timber limit or berth covered by this License No. ..... comprises the following lands:—

Royalties payable:—

Stumpage payable:—

This License No. ..... renewable yearly, under the provisions of section No. 13 of the Regulations governing the disposal of timber on Indian Reserves in the province of British Columbia, for a period of ..... years.

Timber-mark to be placed on timber cut under authority of this License No. ..... thus:—

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Department of Indian Affairs

File No. 95452

Canada

Lands and Timber Branch

Ottawa, June 26th. 1922. 191

Memo. to the Deputy Superintendent General.

Necessity for the taking of surrender prior to disposal of timber on Indian Reserves.

In reference to letter hereunder from the Deputy Minister of Justice relative to the interpretation of judgment of the Committee of the Privy Council in the Star Chrome case, he states in part:-

> As regards sales of timber and minerals I would still contend that these are matters of administration within the exclusive authority of the Dominion and that the Province has no right to question these sales. x.x.x. As to Timber Lands, section 73 of the Indian Act, and on, provides that the Superintendent General or any officer or agent authorised by him th that effect may grant licenses to cut trees on ungranted Indian lands apparently without any necessity for a surrender from the Indians-

It appears to me that the time has arrived when either the Indian Act should be amended in such a manner as to eliminate the word surrender, or else amend our timber regulations to allow of the disposal of timber without the necessity of taking a surrender.

The Department has always hithar-tofore submitted a surrender to the Indians before taking steps for the disposal of their timber, or in other words has consulted the Indians' wishes in the matter, so that I think in view of Mr. Newcombe's interpretation as above quoted we would be justified in merely securing the consent of the Indians in the manner provided in section 49 of the Act and term this action a release of the timber for the purpose of disposing of the same for the benefit of the Indians.

A. J. Bury

Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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REGULATIONS

Governing the disposal of Timber on Indian Reserves in the Dominion of Canada with the exception of those situated in the Province of British Columbia, under the provisions of section 73 of the Indian Act, by Order of His Excellency in Council, dated the 1st day of May, 1923, P.C. 752.

Release required.

1. No timber on Indian Reserves shall be disposed of until such timber has been released in accordance with the provisions of the Indian Act.

Cruise and valuation.

2. The timber covered by such release shall be cruised and valued and the boundaries thereof established in such manner as may be directed by the Superintendent General of Indian Affairs, and such cruise and valuation shall be recorded in the Department of Indian Affairs.

Mode of Sale.

3. The berth or limit thus cruised shall be offered for sale by public auction at the upset price fixed by such valuation, or by tender, at such time and on such conditions as the Superintendent General shall direct by public notice for that purpose; but in the event of berths or limits being offered for sale by tender, the Superintendent General shall not be bound to accept the highest or any tender should he deem it in the interest of the Indians who own the timber to do otherwise;

Provided that should the value of such timber not exceed the sum of $500, the Superintendent General may dispose of the timber to the best advantage in the interest of the Indians, without public advertisement.

Form of Tender.

4. Every offer to purchase a license, to cut and remove timber from an Indian Reserve under these regulations, which shall be in the form as shown under section No. 24 hereunder, shall include an offer by and on the part of the offerer or tenderer to pay to the Department of Indian Affairs:—

(a) An annual rental at the rate of $5 per square mile.
(b) License fee of $4.
(c) The dues on each class or kind of timber at the tariff rate shown under Section No. 20 hereunder.
(d) Such upset price as the Department may establish for the sale in question, payable as a lump sum before the issue of the license, or as stumpage per thousand feet board measure, or per cord, or per lineal foot as the case may be.
(e) Such further price in addition to the upset price as the tenderer is prepared to pay.

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Tender. Cheque with

5. Each tender must be accompanied by an accepted cheque on any Canadian chartered bank, for such amount as the Superintendent General shall direct by public notice, so as to ensure the proper carrying out of the undertaking; such cheque to be retained by the Department in the event of acceptance of tender; returned forthwith if the tender is not accepted; and forfeited to the Department if the undertaking is not completed to the satisfaction of the Superintendent General.

License and renewal fees.

6. A licensee shall be required to pay a license fee of $4 and if he has complied with the existing regulations he shall be entitled to have his license renewed upon application to the Superintendent General, and for each renewal there shall be paid a fee of $2.

Conditions of renewal.

7. No renewal of any license shall be granted unless the limit covered thereby has been properly worked during the preceding season, or sufficient reason be given under oath and satisfactory to the Superintendent General, for the non-working of the limit, and unless or until the rental and any dues payable on timber cut during the previous season shall have been paid.

Expiry of licenses.

8. All timber licenses shall expire on the 30th day of April next after the date thereof, and all renewals must be applied for on or before the 1st day of July following the expiration of the last preceding license, in default whereof the berth or limit may in the discretion of the Superintendent General be declared forfeited.

Suspended licenses.

9. Timber cut on berths or limits for which the license has been suspended or held in abeyance shall be considered as having been cut without authority and treated accordingly.

Scaling.

10. The stumpage and dues on timber cut under authority of each license or permit shall be charged upon the quantities, grades and kinds of timber as certified by a duly qualified culler or scaler, and all fees for such scaling shall be paid by the licensee;

Provided; that in cases where such timber is not scaled until its arrival at the mill, the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof composing any raft, boom or crib, before such timber was removed from the Reserve, and all losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

Provided also: that when it is shown to the satisfaction of the Superintendent General that the services of a licensed scaler cannot be secured by the licensee or the person in charge of his operations the Department may appoint an unlicensed person as an acting scaler temporarily or until the services of a qualified scaler are available for the purpose.

Examination of records of licensee.

11. The Superintendent General or any authorized agent shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee showing the quantity

of lumber in board measure sawn by him from logs cut on his timber berths, and failing to produce such books and memoranda when required so to do shall subject such licensee to a forfeiture of his right to a renewal of his license.

Non-payment of dues.

12. When any licensee is in default for or has evaded the payment of dues to the Department of Indian Affairs on any part of his timber or saw-logs, such dues may be levied on any other timber or saw-logs belonging to such licensee or defaulter, cut under license.

Interest to be charged on outstanding dues.

13. Dues on all kinds of timber cut under license or permit which remain unpaid on the 30th day of November following the season in which such timber was cut, shall be subject to interest at the rate of six per cent per annum from that date, but without prejudice to the Department of Indian Affairs to enforce payment of such outstanding dues at any time that the Superintendent General may think proper.

Penalty for cutting in trespass through error.

14. In cases where timber although cut in trespass on Indian lands or reserves was so cut through error in good faith by licensees or other parties, it shall be lawful for the Superintendent General to exact in settlement a penalty equivalent to double, triple or quadruple the ordinary rate of dues as established by section No. 20 hereunder according to circumstances, in addition to cost of seizure and other expenses incurred in connection with the investigation into such trespass.

Permits to Indians.

15. Permits to cut timber for sale on an Indian Reserve which is not covered by timber license may be granted by the Superintendent General or other officer deputed by him, to the Indians of the band who own the Reserve, with the consent of the council of the band, and subject to the payment of dues at the tariff rate as shown under section No. 20; such dues to be credited to the funds of the band.

Provided: that the Superintendent General may waive collection of the dues as a measure of relief to the Indians, should he deem it in their interest to do so.

Prohibition of export of certain species of timber.

16. Every license or permit to cut timber on Indian lands or reserves in the province of Ontario granted on or after the 30th day of April, 1901, shall be subject to the terms of Order in Council No. 799, dated April 19th, 1901, with respect to the prohibition of export from Canada of unmanufactured pine timber or timber suitable for pulp or paper manufacture.

Ground rent.

17. All timber berths or limits shall be subject to an annual ground rent of $5 per square mile payable in advance before the issue of any license or renewal thereof, and in computing the ground rent, no license shall be charged at less than eight square miles in area.

Security by Bond.

18. Before the issue of any timber license the licensee or licensees thereof shall furnish security by a bond of himself or themselves and two responsible sureties for such amount as the Superintendent General may consider sufficient to ensure the

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proper working of the limit, the due fulfilment by the licensee of the condition of the license, and the proper observance of all the regulations of the Department with respect to the timber to be cut. The giving of such security shall not however in any way prejudice the right of the Superintendent General or his agent to levy upon any timber cut or owned by the holder or holders of the license or to cancel the said license should there appear to be sufficient cause for so doing.

Transfer of licenses.

19. All transfers of timber berths shall be made in writing but shall be subject to the approval of the Superintendent General to whom they shall be transmitted for approval or rejection, and they shall be valid only from the time of such approval to be expressed in writing. In all cases of transfer of limits or timber berths they will be subject to the payment of $2 per square mile for each limit or berth, and in proportion if only a part is transferred or if the licensee takes in one or more partners with him.

Tariff of dues.

20. The tariff of dues chargeable on timber cut under license or permit shall be as follows:—

Pine logs	per M. f.b.m.	$2.50
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and basswood	" " "	2.00
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, hemlock, fir and tamarac	" " "	1.50
Logs cut from trees of deciduous species, softwood varieties, i.e., poplar and balm of gilead	" " "	1.00
Shingle bolts	per cord of 128 cu. ft.	.75
Pulpwood	" " " " " "	.40
Cordwood (hardwood)	" " " " " "	.30
Cordwood (softwood)	" " " " " "	.20
Ties	each	.04
Posts	"	.02
Poles, piling, spars, pit props, etc., per lineal ft.		.02

All other forest products not enumerated, 15 p.c. ad valorem.

Species and size of timber to be cut.

21. Licenses shall specify the species of trees and the minimum diameter size to be cut, which shall be at a distance of not less than 18 inches from the ground, and licensees shall not have the right to cut any trees that may be designated by the proper officer of the Department of Indian Affairs as required to provide an adequate supply of seed for the reproduction of the forest.

Forest protection.

22. The Superintendent General or other officer deputed by him shall, prior to the sale of any berth or limit determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection and the licensee of such berth or limit shall be required to defray half the cost incurred

by the Department in protecting the same. The licensee shall further be required to:—

(*a*) Utilize all the timber in every tree cut down and manufacture the same into lumber or other saleable product.

(*b*) Dispose of the tops, branches and other debris resulting from his operations, in accordance with the directions of the proper officer of the Department of Indian Affairs, so as to prevent as much as possible the danger of fire.

(*c*) Exercise strict and constant supervision to prevent the origin or spread of fire and shall prevent all unnecessary destruction of the growing timber on the part of his men.

Timber mark.

23. Prior to the commencement of any lumbering operation on an Indian Reserve and before the issue of any timber license to authorize such operation, a distinguishing timber-mark shall be designated by the Superintendent General, and such mark shall be placed on each piece of timber cut and removed from such Reserve so as to distinguish such timber from that cut from lands other than the Reserve in question.

24. Form of license:—

LICENSE TO CUT TIMBER ON INDIAN RESERVES IN THE DOMINION OF CANADA EXCEPTING THOSE SITUATE IN THE PROVINCE OF BRITISH COLUMBIA

No......

File.....

By authority of Chapter 81 of the Revised Statutes of Canada, and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:—I do hereby give unto

and unto Agents and Workmen full power and License to cut

upon the Location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:—**from** 19 to 19, and no longer; with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this License the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this License is subject to the following conditions, viz.:

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That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:—

Under a sworn return furnished by a licensed scaler and on or before the 30th of November following the season in which the timber is cut:

That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this License, excepting in so far as Pine and Spruce merchantable timber are concerned, which this License will continue to control until all conditions of sale have been fulfilled:

That any person or persons may, under authority of the Superintendent General of Indian Affairs, at all times, make and use Roads upon, and travel over, the ground hereby licensed:

That nothing herein shall prevent any person or persons, having authority from the Superintendent General of Indian Affairs to do so, from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works:

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for
or by permission.

And further upon condition that the said Licensee or representatives shall comply with all regulations that are or may be established by Order in Council, and shall submit all the Timber cut under this License to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized,—otherwise the said timber will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

GIVEN UNDER MY HAND at Ottawa, this day of
in the year of Our Lord one thousand nine hundred and

.....
Deputy of the Superintendent General of Indian Affairs.

Amount payable on giving this License

Bonus,	$	
Deposit,	$	
Ground Rent,	$	
License fee,	$	

The above named Licensee shall be bound before or when paying the ground rent and renewal fee—if the License is renewed—to declare on oath whether still the *bona fide* proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.

We have read and comprehend the nature of the obligations contained in this License, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this License, in the event of the above named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

SIGNATURE OF LICENSEE:—
.....
.....

The timber limit or berth covered by this License No...../..comprises the following lands:—

Dues payable:—

Pine logs	per M. f.b.m.	$2.50
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and basswood	" " "	2.00
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, hemlock, fir and tamarac	" " "	1.50
Logs cut from trees of deciduous species, softwood varieties i.e., poplar and balm of gilead	" " "	1.00
Shingle bolts	per cord of 128 cu. ft.	.75
Pulpwood	" " " " " "	.40
Cordwood (hardwood)	" " " " " "	.30
Cordwood (softwood)	" " " " " "	.20
Ties	each	.04
Posts	"	.02
Poles, piling, spars, pit props, etc., per lineal ft.		.02

All other forest products not enumerated, 15 p.c. ad valorem.

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Stumpage payable:—

This license No.....renewable yearly, under the provisions of section No. 13 of the Regulations governing the disposal of timber on Indian Reserves in the province of British Columbia, for a period of..... years.

Timber-mark to be placed on timber cut under authority of this License No.....thus:—

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LICENSE

No.....

AUTHORIZING

TO

CUT TIMBER ON INDIAN LANDS

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

W. W. CORY,
DEPUTY MINISTER
ROY [redacted]BSON,
[redacted]STANT DEPUTY MINISTER

30,001

DEPT. OF INDIAN AFFAIRS
NOV 7 1923
RECORDS

OFFICE OF
THE DEPUTY MINISTER OF THE INTERIOR
OTTAWA, CANADA.

14.

R

5th November, 1923.

Dear Dr. Scott,-

The Forestry Branch of this Department is continuing the work started by the Commission of Conservation in estimating the forest resources of the Province of Ontario. I understand that Mr. James White wrote you on July 20, 1920, your file 488001, requesting your co-operation in this work, and that a reply was received from you dated 23rd July, 1920, acceding to his request.

It is understood that the matter of co-operating in this service has been kept in mind in your Department, and that a large amount of valuable, but as yet uncompiled, data in regard to the stand of timber, etc, on the one hundred and fifty-seven Indian Reserves in Ontario has now been collected. If you are still willing to co-operate in the assembling of this data I would be much obliged if you would authorize your Mr. Bury to consult with Mr. R.D. Craig of the Forestry Branch of this Department, as to the procedure to be followed. I shall be glad to hear from you in this connection.

Yours very truly,

D.C. Scott, Esq., F.R.S.C., Litt.D.,
Deputy Superintendent General,
Department of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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F. ~~22-55~~ 30001

Nov.14th.1923.

Dear Mr.Cory:-

In reply to your letter of the 5th.inst.regarding the compilation of statistical data showing the forest resources of Indian Reserves in the province of Ontario,I have authorised Mr.H.J. Bury,Supervisor of Indian Timber Lands to consult with Mr.R.D.Craig of the Forestry Branch with a view to the preparation of a full report in the form that is required.

I may say that although we have on record in the Department fairly comprehensive information regarding the quantity and distribution of the various species of timber on Indian Reserves yet this data will have to be checked,collated and re-arranged so as to be of value to the Forestry Branch.This work will entail considerable additional work and time in order to complete so that if you will advise me how soon this report should be furnished I will arrange to have it ready in due course.

Yours very truly,

Duncan C. Scott

~~Deputy Superintendent General.~~

W.W.Cory Esq.,C.M.G.
Deputy Minister
Dept.of the Interior
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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30001

DEPT. OF INDIAN AFFAIRS
NOV 20 1923
RECORDS

OFFICE OF
THE DEPUTY MINISTER OF THE INTERIOR
OTTAWA, CANADA

noted

16th November, 1923.

Dear Dr. Scott,

In reply to your letter of the 14th instant, your file F.30001, we are anxious to have the data with reference to the timber on Indian Reserves available by the end of March next.

I understand that Mr. R. D. Craig, of the Forestry Branch of this Department, is taking the matter up in detail with your Mr. Bury.

LANDS BRANCH
NOV 22 1923

Yours very truly,

Deputy Minister.

D. C. Scott, Esq., F.R.S.C., Litt.D.,
Deputy Superintendent General,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPARTMENT OF INDIAN AFFAIRS

CANADA

Ottawa. Dec.19th.1923.

Memorandum.

Mr.Caldwell:

In reference to the preparation of a report for the Forestry Branch of the Department of the Interior, showing the forest resources of the Indian Reserves in the province of Ontario, I have had this in hand for about 5 weeks now, devoting such time as my departmental duties would permit.

So far I have prepared estimates and reports of 105 reserves there being 52 additional ones to complete. This work of the preparation of estimates is only preliminary to the main work of tabulating the information gathered and arranging it in such form as will be suitable to the requirements of the Forestry Branch.

I can forsee that I shall have some difficulty in getting out these statistics and completing the report before the date mentioned by Mr.Cory unless I can get temporary assistance of a clerical nature to compile the various tabular statements, and I will be glad if you could arrange to provide for a clerk to be assigned to this work.

A. F. Bury

Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

Province
ONTARIO.

LAND & TIMBER CLASSIFICATION
of
INDIAN RESERVES
Year 1923

Drainage Basin
LAKE WINNIPEG.

Name of Reserve.	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land.	Total timber estimate Board measure feet in M.	Cords.	Estimate class
Agency Reserve.....	166	150	15	-	35	100	X
Manitou Rapids.....	5.674	4.000	1.000	500	750	1.150	X
Rainy Lake 16A.....	152	20	80	50	110	340	X
Rainy Lake 16D.....	11.200	1.000	8.200	2.000	2.130	4.100	X
Niacatchewin 17A.....	3.711	500	2.000	1.200	420	1.030	X
Niacatchewin 17B.....	2.439	1.200	700	500	590	1.450	X
Couchiching.....	4.554	2.700	1.350	500	680	900	X
Stangecoming.....	3.861	700	2.160	1.000	3.600	20.000	X
English River.....	10.244	1.000	7.740	1.500	5.350	10.500	Y
Wabauskang.....	8.042	1.200	6.040	800	3.490	8.900	Y
Lac des Milles Lacs..	3.750	300	3.000	500	3.280	5.300	Y
Seine River 22A.....	8.476	500	7.700	200	3.850	7.150	X
Sturgeon Falls.....	6.236	200	5.500	700	890	770	Y
Seine River 23A.....	4.345	500	3.400	400	440	620	Y
Seine River 23B.....	2.234	100	1.400	700	980	2.760	Y
Lac la Croix.....	15.355	2.500	11.800	1.000	26.050	41.000	X
Rainy Lake 26A.....	4.815	200	2.600	2.000	1.500	3.100	X
Rainy Lake 26B.....	2.610	200	1.200	1.200	840	1.600	X
Rainy Lake 26C.....	2.777	500	1.000	1.200	2.000	810	X
Wabigoon Lake.....	12.872	1.200	6.600	5.000	3.750	4.900	X
Eagle Lake.....	8.882	1.000	5.400	2.500	2.050	3.650	X
Lac Seul.....	49.000	9.000	36.000	4.000	63.100	137.000	X
Islington.....	20.954	3.000	13.000	5.000	7.250	17.100	X
Swan Lake.....	3.277	500	1.780	1.000	1.370	4.650	X
One Man Lake.....	668	50	100	500	270	550	Y
Sabaskasing.....	640	50	500	100	390	700	Y
Naongashing.....	2.560	500	1.600	400	1.885	1.300	X
Portage Bay.....	726	50	520	150	725	1.050	X
Birch Island.....	800	75	600	100	350	1.050	X
Big Island 31D.....	925	400	320	200	225	2.000	X
Big Island 31E.....	1.920	150	1.400	400	190	1.350	X
Big Island 31F.....	875	300	550	50	1.045	1.150	X
NorthWest Angle 31G..	275	-	80	200	350	450	Y
Big Island 31H & 31G.	2.381	300	1.360	500	1.600	2.400	X
Shoal Lake 31J.....	1.280	200	800	300	1.000	1.400	X
Whitefish Bay 32A....	4.865	2.300	1.900	700	7.100	14.500	X
Yellow Girl Bay.....	4.454	1.000	2.000	1.500	3.650	5.900	X
Sabaskong Bay 32D &35H.	1.920	300	1.200	500	1.275	3.050	X
Whitefish Bay 33A....	3.091	1.200	1.300	600	3.150	3.450	X
NorthWest Angle 33B..	3.299	1.800	1.000	500	4.125	6.600	X
Lake of Woods 34.....	641	50	400	180	470	520	Y
Whitefish Bay 34A....	1.529	1.200	100	200	1.420	1.680	X
Shoal Lake 34B.....	1.066	200	560	300	1.220	1.420	X
North West Angle.....	1.959	900	900	100	5.050	1.450	X
Obabikong..35B.....	1.760	150	1.100	500	600	700	Y
Sabaskong Bay 35C....	1.920	600	1.100	200	2.630	1.800	X
Grow Portage 35D.....	1.280	400	580	300	2.000	1.300	X
Little Grassy River 35E	2.880	1.200	1.500	200	1.265	450	Y
Big Grassy River 35G.	8.960	1.700	6.700	500	4.040	1.800	X
Sanguishomiouming Is.	3.481	1.200	1.800	500	1.050	900	X
Big Island 37.....	1.946	200	1.500	300	820	1.150	X
Windfall Is etc.....	2.839	200	1.800	800	900	1.500	X
Rat Portage 38A.....	8.064	2.000	4.500	1.500	1.070	1.150	X
Kenora 38B.....	5.289	1.200	3.300	800	480	430	Y
The Dalles 38C.....	8.064	900	6.600	500	2.690	2.920	X
Shoal Lake 39.....	874	300	500	100	600	1.200	X
Shoal Lake 39A.....	8.850	1.000	4.800	2.000	2.550	7.150	X
Shoal Lake 40.....	1.033	800	200	30	3.170	9.450	X
Pekangekum.....	2.240	300	1.100	800	1.300	1.900	Y
English River.....	7.680	800	5.400	1.500	2.300	5.800	X
Totals:-	297.690	56.145	189.375	51.460	197.460	370.450	

Province ONTARIO.

LAND & TIMBER CLASSIFICATION of INDIAN RESERVES Year 1923

Drainage Basin ALBANY RIVER

Name of Reserve.	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land	Total timber estimate. Board measure feet in M.	Cords.	Estimate class
Osnaburg 63A.....	12.800	1.000	6.800	5.000	1.300	5.700	Z
Osnaburg 63B.....	33.920	1.200	15.000	17.700	4.300	10.000	Z
Fort Hope.....	64.000	2.000	27.000	35.000	2.800	6.200	Z
Marten Falls.....	19.200	1.800	9.400	8.000	4.850	8.300	Z
Fort Albany.....	89.600	2.000	37.600	50.000	2.500	3.700	Z
Long Lake.....	17.280	2.000	6.300	9.000	10.800	38.000	Z
Totals:-	236.800	10.000	102.100	124.700	26.550	71.900	

Province ONTARIO.

LAND & TIMBER CLASSIFICATION of INDIAN RESERVES Year 1923

Drainage Basin MOOSE RIVER.

Name of Reserve.	Total area acres.	Area suitable for cultivation after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land.	Total timber estimate. Board measure feet in M.	Cords.	Estimate class
Moose Factory.....	42.240	3.000	19.200	20.000	7.500	15.800	Z
New Post.....	5.120	300	2.600	2.000	1.400	2.700	Z
Abitibi.....	19.200	1.500	12.700	5.000	4.600	7.200	Z
Mattagami.....	12.800	1.000	6.800	5.000	19.200	72.000	X
Matachewan.....	10.276	2.000	2.300	6.000	4.350	7.500	Z
Flying Post.....	14.720	1.500	7.200	6.000	6.400	14.500	Z
New Brunswick House	17.260	1.700	7.600	8.000	4.700	7.200	Z
Totals:-	121.636	11.000	58.900	52.000	48.150	126.900	

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Province ONTARIO.

LAND & TIMBER CLASSIFICATION of INDIAN RESERVES. Year 1923.

Drainage Basin LOWER OTTAWA RIVER

Name of Reserve.	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land	Total timber estimate. Board Measure Feet. M.	Cords.	Estimate class.
Golden Lake.	1560	1000	360	200	465	1850	Y
Totals:-	1560	1000	360	200	465	1850	

Province ONTARIO

LAND & TIMBER CLASSIFICATION of INDIAN RESERVES. Year 1923.

Drainage Basin SOUTHERN ONTARIO 1A

Name of Reserve.	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land	Total timber estimate Board measure feet M.	Cords.	Estimate class
Tuscarora.....	38.775	30.000	8.275	500	4.600	2300	Y
New Credit.....	6.000	5.000	400	600	1.070	460	Y
Oneida.....	5.271	4.000	500	771	700	355	Y
Caradoc.....	10.800	8.000	2.100	700	110	1200	Y
Stony Point.....	2.555	1.500	555	500	700	400	Y
Kettle Point.....	2.224	1.200	824	200	620	200	Y
Sarnia.....	4.810	2.500	2.010	300	220	170	Y
Walpole Island.....	40.480	30.000	2.980	7.500	5.050	1710	Y
Orford.....	31.030	25.000	5.030	1.000	730	450	Y
Totals:-	141.945	107.200	22.674	12.071	13.800	7245	

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Province ONTARIO.

LAND & TIMBER CLASSIFICATION
of
INDIAN RESERVES.
Year 1923.

Drainage Basin SOUTHERN ONTARIO 1B.

Name of Reserve.	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land	Total timber estimate Board measure feet in M.	Cords	Estimate class
Rama	2.274	1.200	874	200	2.140	870	I
Georgina Island	3.574	2.000	1.374	200	3.675	750	I
Scugog	800	700	100	-	270	220	I
Mud Lake	1.664	1.200	414	50	700	220	I
Rice Lake	1.860	1.500	210	150	275	620	I
Trent Islands	246	50	94	102	575	140	I
Alnwick	3.048	2.000	548	500	1.180	285	I
Sugar Island	100	60	30	10	95	100	I
Totals:-	13.566	8.710	3.644	1.212	8.910	3.205	

Province ONTARIO

LAND & TIMBER CLASSIFICATION
of
INDIAN RESERVES.
Year 1923

Drainage Basin SOUTHERN ONTARIO 1C

Name of Reserve	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land	Total timber estimate. Board measure feet in M.	Cords	Estimate class
Tyendinaga	17.604	12.000	5.404	200	320	1.140	I
Cornwall Island	2.050	1.700	300	50	250	375	I
Totals:-	19.654	13.700	5.704	250	570	1.515	

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Province ONTARIO.

LAND & TIMBER CLASSIFICATION of INDIAN RESERVES. Year 1923.

Drainage Basin LAKE HURON

Name of Reserve.	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land	Total timber estimate. Board measure feet in M.	Cords.	Estimate class.
Naganatawan.....	11.694	2.000	3.700	6.000	420	12.200	X
Henvey Inlet.....	23.810	2.000	14.800	7.000	1.025	12.500	X
Point Grondine.....	10.100	2.000	6.600	1.500	3.730	37.000	X
Whitefish River....	10.600	2.000	5.600	3.000	1.590	12.500	X
Spanish River.....	28.000	4.000	22.000	2.000	9.320	22.700	X
Whitefish Lake.....	43.755	7.000	24.700	12.000	6.205	20.500	X
Serpent River.....	27.030	3.000	16.000	8.000	6.650	6.825	X
Mississaga River...	4.350	800	3.000	600	8.745	4.940	X
Dokis.....	30.300	7.000	20.300	3.000	3.345	10.900	Y
Nipissing.....	6.237	2.300	3.400	500	1.275	1.125	Y
Wahnapitae.....	2.560	500	1.000	1.000	545	350	Y
Thessalon.....	2.307	500	1.100	700	3.730	850	X
French River.....	4.410	700	2.900	800	2.800	1.900	X
Garden River.....	28.510	4.800	17.700	6.000	11.775	26.500	X
Goulais Bay.....	1.595	300	1.000	250	1.225	2.000	Y
Parry Island.....	18.482	2.500	10.000	6.000	23.730	18.700	X
Shawanaga.....	8.373	1.700	5.600	1.000	2.210	2.700	X
Naiscoutaing.....	2.635	300	1.300	1.000	950	1.350	X
Cockburn Island....	864	100	500	250	1.620	1.150	Y
Sheshegwaning.....	5.000	1.000	3.200	800	1.150	5.300	Y
Obidgewong.....	732	200	430	100	870	800	Y
West Bay.....	8.399	1.500	5.700	1.200	3.530	8.300	Y
Sucker Creek.....	1.665	500	960	200	980	600	Y
Sheguiandah.....	5.106	1.200	3.200	700	1.205	750	Y
Sucker Lake.....	599	150	400	50	380	300	Y
Manitoulin Is.(Unceded)	105.300	17.000	38.300	50.000	5.850	50.000	X
Cape Croker.....	15.586	3.000	6.500	6.000	2.300	8.700	X
Chief's Point.....	1.280	100	980	200	250	200	Y
Saugeen.....	9.020	800	7.000	1.200	1.150	850	Y
Christian Islands..	13.264	1.200	11.200	800	8.430	18.000	X
Gibson.....	14.795	3.000	10.600	1.200	34.130	5.200	X
Saugeen (Ind.Huntg Grd)	3.800	700	2.100	1.000	1.200	950	Y
Chapleau No.61.	220	50	120	50	300	550	Y
Moose Point.....	619	120	440	50	290	370	Y
Chapleau No.75.....	267	50	70	150	500	1.000	Y
Totals:-	451.264	74.070	252.400	124.300	153.805	298.590	

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Province
ONTARIO

LAND & TIMBER CLASSIFICATION
of
INDIAN RESERVES.
Year 1923

Drainage Basin
LAKE SUPERIOR

Name of Reserve.	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land	Total timber estimate. Board measure feet in M.	Cords.	Estimate class
Michipicoten.....	178	100	20	60	140	380	I
Gros Cap.....	10.180	1.000	3.200	6.000	1.100	3.600	I
Pic River.....	800	100	500	200	460	700	I
Pays Plat.....	605	150	400	50	140	650	I
Fort William.....	12.300	1.200	5.100	6.000	1.050	3.200	I
Red Rock.....	468	320	50	100	1.130	2.200	I
McIntyre Bay.....	585	100	300	200	200	1.100	I
Gull River.....	9.825	150	8.700	1.000	1.700	22.000	I
Caribou Is.Point..	135	20	90	30	-	200	I
Long Lake.....	612	75	300	200	420	670	I
Missinaibi.....	216	50	120	50	350	720	I
Sand Point.....	236	50	150	40	320	120	I
Whitesand River...	276	120	100	50	350	320	I
Totals:-	36.416	3435	19.030	13.980	7.360	35.860	

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

DETAIL ESTIMATE OF TIMBER ON INDIAN RESERVES
in the
PROVINCE OF ONTARIO
Year 1923

Reserve.	Pine W. M.f.b.m.	Pine R. M.f.b.m.	Pine J. M.f.b.m.	Spruce. Mfbm.	cds.	Balsam. M.f.bm.	cds	Hemlock. M.fbm	Tamarac. Mfbm.	cds	Cedar. Mfbm	Maple Mfbm.	cds	Birch. Mfbm.	cds	Poplar. Mfbm.	cds	Oak. Mfbm.	cds	Ash. Mfbm.	cds	Elm. Mfbm.	cds	Beech. Mfbm.	cds	O.Spec. Mfbm.	cds.	M.fbm.	Total. cds.
Golden Lake.....				75	120							40	150	80	600	120	900			50	80					100		465	1850
Tuscarora.....	200	100	250	300	500			100			200	600	300	1000	500	700	600	50		100	50	300	150	200	200	500		4600	2300
New Credit.....	50			100	50			70			50	100	60	200	100	300	200					200	50					1070	460
Oneida.....				50	30							100	50	200	100	150	100					200	75					700	355
Caradoc.....					50							10	300			50	500	20	50			30	100				200	110	1200
Stony Point.....				100	50						50	50		100	50	200	100					100				100	200	700	400
KettlePoint.....	20		50	70	30			50			20	60	20	100	50	100	100					50				100		620	200
Sarnia.....												20	30	50	50	100	70					50	20					220	170
Walpole Island....	100		150	200	100			50				50	10	100	50	300	200	500	300	100	50	2800	800	100		600	200	5050	1710
Orford.....				50	50						20	60	20	100	80	300	200					100	50			100	50	730	450
Rama.....	100			200	400			500			100	500	150	250	200	120		20		50		200	120			100		2140	870
Georgina Island...	50				400			1375			100	30	50	50	100					20		1800	200	100		150		3675	750
Scugog.....				50	100			60			20	50	30	40	50							50	40					270	220
Mud Lake.....				50	100			200				50	20	150	50							100	50			150		700	220
Rice Lake.....				75	100							20	100	50	150	60	70					70	200					275	620
Trent Islands.....	50			100	40			75			120	60	20	80	30	20	10					70	40					575	140
Alnwick.....	20			150	75			120				200	70	300	80	120	20	50		20		80	40			120		1180	285
Sugar Is.				20	30						25	10	20	20	30							20	20					95	100
Tyendinaga.....				50	300							100	140	120	200			100				50	400					320	1140
Cornwall Is.....												200	150		50								100			50	75	250	375
Maganatwan.....	50		100		900	20	500							505	800	200	5800											420	12200
Henvey Inlet.....	100	200	150	70	1500	100	2000	125						806	000	200	3000											1025	12500
Point Grondine....	750	500	600	250	9000	50	5000	300			280	300	5000	600	9000	100	9000											3730	37000
Whitefish River...	100	200	50	200	8000	75	1000	180	80		75	150		250	2000	180	1500			50								1590	12500
Spanish River.....	200	300	100	1000	9000	400	2000	600	20		300	1800	2000	800	3000	1130	4000			500		820	1200	1350	1500			9320	22700
Whitefish Lake....	300	500	600	1200	9000	500	2000	750	50		350	280	800	500	3000	800	5000			75		200	500	100	200			6205	20500
Serpent River.....	300	500	200	500	4000	300	1000	500	500		250	1100	300	1000	500	250	700			350	50	800	200	100	75			6650	6825
Mississaga River..	300	570	200	400	3000	100	500	1800			125	2650	300	1500	500	600	400	50		100	40	300	200	50				8745	4940
Dokis.....	480	650	300	700	8000	200	800	100			50	350	1500	280	600	100		85		50								3345	10900
Nipissing.....	50	100	150	120	700		75	350			180			100	200	50	150			75						100		1275	1125
Wahnapitae.....		20	75	100	200						50			100	50	200	100											545	350
Thessalon.....	800	300	100	50	500			1100			300	410	150	320	200	200										150		3730	850
French River.....	100	200	150	200	500	50	100	300			150	50		400	300	500	700	50		100		250	100			400	200	2900	1900
Garden River.....	300	450	200	1250	7000	700	800	1000			850	3200	9000	2700	9000	800	700	75		100		150						11775	26500
Goulais Bay.....			50	100	1000	75		300			50	100	200	200	300	300	500			50								1225	2000
Parry Island.....	450	600	250	1100	1200	300	500	1400	400		280	6000	7000	2200	3000	2000	4000	400		1100	1200	1300	800	5200	1000	750		23730	18700
Shawanaga.....	250	200	150	40	1000	10	200	500	70		120	200	500	350	700	100	300			50		100		70				2210	2700
Naiscoutaing.....	50	100	80	100	200	70	50							250	500	300	600											950	1350
Cockburn Island...	50	100	70	200	500	50	100	120			250	200		100	250	200	300	50		60		70				100		1620	1150
Sheshegwaning.....				500	4000	200	500				150			100	300	200	500											1150	5300
Obidgewong.....				200	500	50	100		60		200	60		50		100	200			50						100		870	800
West Bay.....	50	100	150	200	3500	100	100	500			250	780	1000	800	800	200	2500	50		50		100	400			200		3530	8300
Sucker Creek.....				200	200		50	50			250	50		100	150					50		180	200			100		980	600
Sheguiandah.....	150	100	70	100	200			75			200	100	50	150	300		200	10		50		200						1205	750
Totals forward:-	5420	5790	4245	10420	76125 od	3350	17375	12650	1180		5415	20090	29490 od	15970	48170 od	11350	43220 od	1480	450	3250	1470	10740	6655 od	7270	2975 od	3850	925	122470	226255

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Reserve. Brt.Ford	PineW M.f.b.m.	PineR M.f.b.m.	PineJ. M.f.b.m.	Spruce.		Balsam.		Hemlock.	Tamarac.	Cedar.		Maple.		Birch.		Poplar.		Oak.		Ash.		Elm.		Beech.		O.Spec.		Total.	
				10420 Mfbm		3350 Mfbm		Mfbm	Mfbm	Mfbm	cds	20090	M	15970	M	11350	M	Mfbm	cds	Mfbm	cds	10740	M	7270	M	Mfbm	cds	Mfbm	cds
	5420	5790	4245	76125	cd	17375	cd	12650	1180	5415		29490	cd	48170	cd	43220	cd	1410	450	3200	1470	6055	cd	2975	cd	3970	925	122470	226255
Sucker Lake				50	200									100	50					70		100	50			60		380	300
Man.Is.Unceded	450	300	600	12002	0000		2000			2000				600	8000	500	16000					2004	000					5850	50000
Cape Croker....				200	2000							500	2000	300	1000							2002	500	500	1200	600		2300	8700
Chief's Point...												50		100	200							100						250	200
Saugeen.....	50	100		200	500							150	80	300	200					50		200	100			100		1150	880
Christian Islds.	200		300	280	7000			800		350		2000	5000	800	2000	500	700	100		200	200	200	700	1200	2400	1500		8430	18000
Gibson.....	200		250	500	1200	80	200	28000	180	450		800	1000	2000	1200	500	600	50		300		500	500	100	200	300	300	34130	5200
Saugeen Htg.Grd.	50			200	500	50				250		150	200	200	150					50		200	100	50				1200	950
Chapleau.....			50	100	200		50							50	100	100	200											300	550
Moose Point....	120	50		50	120		40					20	50	50	60		100											290	370
Chapleau No.75..			50	150	300										100	300	600											500	1000
Michipicoten....				20	20							10	10	50	150	60	200											140	380
Gros Cap.....				300	2000	100	500							500	600	200	500											1100	3600
Pic River.....				120	200	40	50							100	150	200	300											460	700
Pays Plat.....				120	300		50			20					100		200											140	650
Fort William....	50	60	40	250	2000	50	500		20	180				300	500	100	200											1050	3200
Red Rock.....				300	1500	10	200			120				100	200	600	300											1130	2200
McIntyre Bay....				100	500		100								200	100	300											200	1100
Gull River.....			600	5001	7000	100	1000							200	1000	300	3000											1700	22000
Caribou Is.Pt.					50		10								40		100												200
Long Lake.....				120	300		50			50				100	120	150	200											420	670
Missinaibi.....			50	100	200		70			50				50	200	100	250											350	720
Sand Point.....	20	50		100	50									50	20	100	50											320	120
Whitesand River.	40	60		100	200		50							50	20	100	50											350	320
Agency Reserve..	5		10	20	50										20		30											35	100
Manitou Rapids/ .	50	100	70	250	500	50	50		10	50				20	100	150	500											750	1150
Rainy Lake 16A..				50	150		20							10	70	50	100											110	340
Rainy Lake 16D...	200	500	300	500	3000	100	500			150				80	100	300	500											2130	4100
Niacatchewin....	10	50	60	100	800		70			50				30	10	120	150											420	1030
Niacatchewin 17B	50	70	100	200	700		50		20	50					200	100	500											590	1450
Couchiching.....	50	100	50	200	300				50	50				60	100	120	500											680	900
Stangecoming....	100	1500	1200	1001	0000									200	3000	500	7000											3600	20000
English River...	500	1200	800	1600	8000	200	800		100	500				150	500	300	1200											5350	10500
Waubauskang.....	120	500	800	1200	7000	120	500			150				100	200	500	1200											3490	8900
Lac des Milles Lac	200	500	700	1200	4000		500		50	180				100		350	800											3280	5300
Seine River 22A.	200	600	1300	800	6000	100	800		50	200				100	50	500	300											3850	7150
Sturgeon Falls.	50	150	200	200	500		50			50				60	20	180	200											890	770
Seine River.23A	20	50	100	120	200		20			50					100	100	300											440	620
Seine River 23B	150	300	100	50	500		60		100	1000		80				200	1200											980	2760
Lac la Croix...	3100	4800	8000	1500	30000	200	800		200	1000		1450		800	1200	6000	8000											26050	41000
Rainy Lake 26A.	100	200	400	350	1200		100					50		100	300	300	1500											1500	3100
Rainy Lake 26B.	20	100	200	150	300		50		50	200		120		50	250	150	800											840	1600
Rainy Lake 26C.	120	300	300	220	400	60	50					100		100	60	800	300											2000	810
Wabigoon Lake.	200	500	1200	700	3000		200		150	800		200			500	800	1200											3750	4900
Eagle Lake.....	120	300	500	600	2000		150		80	100		50			200	400	1200											2050	3650
Lac Seul.....	600	700	10000	1700	50000	2000	7000		300			500		2000	10000	30000	70000											63100	137000
Islington.....	500	1200	1500	2000	12000	200	1000		150	500		200			600	1500	3000											7250	17100
Swan Lake.....	20	100	250	500	3000		100		500			150			50	300	1500											1370	4650
One Man Lake...			50	120	300										50	100	200											270	550
Sabaskasing....			20	100	150							20			50	250	500											390	700
Naongashing....	50	75	50	300	500	80			10			120			200	1200	600											1885	1300
Portage Bay....		50	100	50	200					150		25			100	500	600											725	1050
Totals forward:	13135	20355	34545	45660	277215	6890	35115	41450	2670	2950		13430	23770	25930	82560	61030	170950	1560	450	3870	1670	12440	9120	6775	6530	322385	630745
													37830 cd									14005 cd			1225 cd			

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Totals brt.ford:-	Pine W.	Pine R.	Pine J.	Spruce.		Balsam.		Tamarac.		Cedar.	Birch.		Poplar.		Total.	
	13135	20355	34545	[illegible]	277215	6890	35115	2670	2950	13430	25930	82560	61030	170950	322385	630745
Reserve.				45660												
Birch Island.....			50	100	200				50	50		300	150	500	350	1050
Big Island 31D....		25		30	600			40		50		200	80	1200	225	2000
Big Island 31E....		10		25	200			15	100	50		250	90	800	190	1350
Big Island 31F....	150	200	300	150	400			50	100	75		150	120	500	1045	1150
NorthWest Angle 31G			50	100	300		50						200	100	350	450
Big Island 31H &31G	100	250	300	500	1200		100	50	100	100		200	300	800	1600	2400
Shoal Lake 31J....	50	150	200	300	800		50	50	100	100		50	150	400	1000	1400
Whitefish Bay 32A.	75	175	250	500	4000		200		300	100		3000	6000	7000	7100	14500
Yellow Girl Bay...	100	300	500	400	2000		200		700	350		1000	2000	2000	3650	5900
Sabaskong Bay 32C 35H	50	100	75	50	200		50		300			500	1000	2000	1275	3050
Whitefish Bay 33A.	50	200	300	400	1000	80	150	70		200	50	300	1800	2000	3150	3450
NorthWest Angle 33B			200	750	3000	100	300	400	1200	350	75	300	2250	1800	4125	6600
Lake of Woods 34..			100	120	70				50	50		100	200	300	470	520
Whitefish Bay 34A		100	150	250	600	50	80	20		100		200	750	800	1420	1680
Shoal Lake 34B.	50	150	250	300	800	50	70	20		100		50	300	500	1220	1420
North West Angle.				2000	700			750	200	300		50	2000	500	5050	1450
Obabikong 35B.....			150	100	300			50		100			200	400	600	700
Sabaskong Bay 35C.	300	500	200	700	1200	50				280	100		500	600	2630	1800
Crow Portage 35D	100	300	50	400	900					150			1000	400	2000	1300
Little Grassy R.35E			200	75	100	40		25		150	75	50	700	300	1265	450
Big Grassy R.35G,,	20	50	120	200	500	50		50	200	250	160	100	3200	1000	4040	1800
Sanguishomiouming Is.	50	100	200	150	300			50	100	200			300	500	1050	900
Big Island 37.....	20	50	150	200	500				50	100			300	600	820	1150
Windfall Is.....				200	700	50	100	100	200	200	50		300	500	900	1500
Rat Portage 38A...	50	100	120	250	400	50		50	150	50			400	600	1070	1150
Kenora 38B.....	50	100	150	50	180			10	50	20			100	200	480	430
The Dalles 38C....	200	500	600	450	1200	100		50	120	150	80	100	560	1500	2690	2920
Shoal Lake 39.....		50	100	150	500					50	50	100	200	600	600	1200
Shoal Lake 39A....	50	100	500	600	2000	50	200	50	150	250	100	800	850	4000	2550	7150
Shoal Lake 40.....	20	50	750	500	3000		250		100	50	300	100	1500	6000	3170	9450
Pekangekum.....			300	500	1000							200	500	700	1300	1900
English River.....		150	500	750	3000						100	300	800	2500	2300	5800
Osnaburg 63B.....			1000	1200	3000						100	2000	2000	5000	4300	10000
Fort Hope.....		100	500	1300	4000						100	200	800	2000	2800	6200
Marten Falls.....		150	600	2400	5000						200	300	1500	3000	4850	8300
Fort Albany.....		200	800	300	1200							500	1200	2000	2500	3700
Long Lake.....		200	2700	3400	17000						500	1000	4000	20000	10800	38000
Osnaburg 63A.....		[illegible]	300	[illegible]00	1700							1000	500	3000	1300	5700
Moose Factory.....		500	1500	2200	7000						500	800	2800	8000	7500	15800
New Post.....			500	300	1000							200	600	1500	1400	2700
Abitibi.....		250	600	1500	3000					50	200	200	2000	4000	4600	7200
Mattagami.....	8250	1300	6450	800	12000					150	500	20000	1750	40000	19200	72000
Matachewan.....	50	200	800	1200	3000					100	200	500	1800	4000	4350	7500
Flying Post.....	100	500	1600	1700	8000					200	300	500	2000	6000	6400	14500
New Brunswick House		300	800	1200	3000					200	200	200	2000	4000	4700	7200
Totals:-	23020	27765	59510	74910	377965	7560	36915	4570	7270	18105	29810	118360	112780	315050	456770	917515

Hardwoods. etc.

Hemlock:-	41450	Mfbm
Maple :-	23770	"
"	37830	cds.
Oak...:-	1560	Mfbm
"	450	cds.
Ash...:-	3870	Mfbm
"	1670	cds.
Elm...:-	12440	Mfbm
"	14005	cds.
Beech.:-	9120	Mfbm
"	6775	cds.
Other spec	6530	Mfbm
" "	1225	cds.

Hardwoods as above.

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STATEMENT

showing extent of cutting and fire loss of timber

on INDIAN RESERVES
in the PROVINCE OF ONTARIO.

Reserve.	Drainage Basin.	Cutting Years.	Areas acres	Quantity F.B.M.	Species.	Fire Loss. Years.	Areas acres	Quantity destroyed F.B.M.	Reproduction.
Walpole Island.	South Ont.1A.	1916-22	5000	200.000	Oak.				
Rama.....	South Ont.1B.	1921-22	1000	1.220.000	Hardwoods.				
Georgina Is....	" " "	1914-22	500	150.000	"				
Point Grondine.	Lake Huron.	1915-22	2000	1.300.000	Pine,Spruce.	1916	80	150.000	Poplar & birch.
Whitefish River.	" "	1915-22	3000	6.000.000	Mixed conifers				
Spanish River...	" "	1916-22	1000	3.500.000	Spruce & balsam				
Whitefish Lake..	" "	1917-22	700	1.800.000	Mixed conifers				
Serpent River...	" "	1916-22	800	1.200.000	" "	1902	7000	2.000.000	Practically none.
Mississaga R....	" "					1903	300	400.000	Poplar & birch.
Dokis.....	" "	1908-22	20000	50.000.000	Pine.				
Nipissing.....	" "	1915-22	1000	375.000	Mixed conifers.				
Wahnapitae.....	" "					1904	1500	1.250.000	Nil
Thessalon.....	" "	1915-22	500	120.000	Hemlock.	1918	70	200.000	Birch,poplar and pine.
French River....	" "	1918-22	3000	5.500.000	Mixed timber.				
Garden River....	" "	1915-22	2000	1.200.000	Mixed conifers.	1915	1200	2.200.000	Birch,poplar,cedar,hemlock.
Goulais Bay.....	" "	1915-22	500	250.000	Hemlock				
			300	750.000	Spruce.				
Parry Island ...	" "	1918-22	1000	1.380.000	Hardwoods.				
Shawanaga.....	" "	1916-22	5000	8.500.000	Mixed conifers.	1916	1200	2.800.000	Poplar,birch and white pine.
Cockburn Island.	" "	1915-22	800	780.000	Mixed timber				
Sheshegwaning...	" "	1917-22	500	6.000.000	Spruce.				
West Bay.....	" "	1915-22	1000	750.000	Mixed timber.	1919	120	400.000	Nil
Sucker Creek....	" "	1920-23	300	100.000	" "				
Sheguiandah.....	" "	1916-23	500	300.000	" "				
Sucker Lake.....	" "	1914-23	300	70.000	Hardwoods.				
Manitoulin Island	" "	1915-22	5000	2.500.000	Mixed conifers	1918	700	1.300.000	Poplar,birch
Christian Islands	" "	1917-22	7000	7.200.000	Mixed timber				
Gibson.....	" "	1915-22	8000	4.700.000	Hemlock.	1917	200	620.000	Birch & poplar.
Fort William....	Lake Superior	1916-22	700	2.300.000	Spruce.				
Red Rock.....	" "	1920-22	300	400.000	Spruce.	1921	30	30.000	NIL.
Gull River.....	" "	1922-23	3000	2.500.000	Jack Pine.				
Manitou Rapids..	Lake Winnipeg.	1917-22	300	250.000	Mixed conifers	1916	200	120.000	Birch & poplar
Niacatchewan 17B	" "	1916-17	500	340.000	Pine.				
Couchiching.	" "					1923	400	180.000	Birch,poplar,spruce.
Sturgeon Falls.	" "					1910	3000	1.500.000	" "
Seine River 23B..	" "	1917-20	1000	2.000.000	Conifers				
Lac la Croix...	" "	1922-23	3000	2.800.000	Mxd.Conifers	1920	200	1.250.000	Birch,poplar,pine.
Rainy Lake 26A.	" "	1914-15	1000	750.000	Jack Pine.				
Rainy Lake 26C.	" "	1920-21	1500	700.000	Mxd.Conifers				
Wabigoon Lake.	" "	1914-16	2000	1.850.000	" "				
Lac Seul.....	" "	1918-19	1000	1.250,000	Jack Pine.				
Naongashing....	" "	1919-22	2000	2.600.000	Mxd.Conifers.				
Big Island 31F.	" "	1922-23	800	480.000	" "				
Whitefish Bay 32A	" "	1916-21	1000	700.000	" "				
Yellow Girl Bay.	" "	1920-23	3000	2.300.000	" "				
Whitefish Bay 33A	" "	1922-23	2000	380.000	" "				
Whitefish Bay 34A	" "	1922-23	1000	700.000	" "				
Sabaskong Bay...	" "	1917-20	1500	4.600.000	Pine				
Crow Portage 35D	" "	1918-20	1000	1.550.000	Pine				
Big Grassy R.35G	" "	1919-23	3000	2.500.000	Mixed conifers	1919	500	750.000	Birch,poplar
Sanguishomiouming	" "	1922-23	500	75.000	Pine				
Rat Portage.....	" "	1916-23	4000	3.000.000	Mxd.Conifers	1916	2000	2.150.000	Practically none
Kenora 38B.....	" "	1919-23	2000	1.200.000	Pine				
The Dalles.....	" "	1918-23	3000	800.000	Mxd conifers	1916	400	600.000	Birch & poplar
Shoal Lake 39A	" "					1912	1200	1.500.000	Nil
Marten Falls....	Albany R.					1922	1500	500.000	Nil
Totals:-			109800	141.870.000			21800	19.900.000	

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TIMBER RESOURCES
of
INDIAN RESERVES
in the
PROVINCE OF ONTARIO.
1923.

The total area of Indian Reserves in the province of Ontario is approximately 1.320.500 acres exclusive of 111.031 acres of unsold Indian Lands. These reserves comprise 141 in number and are grouped under 26 agencies.

The great majority of the Indians of Ontario belong to the Ojibwa tribe, the Oneidas, Mohawks, Six Nation, Pottawattamies and Delawares representing the minority. Those Indians living on Reserves in the older portion of the province for the most part follow the same pursuits as the white population such as agriculture and lumbering, but in the north or newer section of the province they still rely on hunting, fishing and trapping as a means of livelihood. There are approximately 21.000 Indians resident in the province, being 20% of the total Indian population of the Dominion.

Of the total area of land set aside as Indian Reserves andarea of 285.300 acres is suitable for agriculture, 654.200 acres is suitable for the growth of forest crops whilst 381.000 acres is waste land.

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An area of 119.561 acres is reported to be fenced, of which 64.339 acres is at present under cultivation. The total value of the land under Indian Reserves is placed at $4.983.230.00.

The present timber stand comprises approximately 456.700.000 f.b.m. of saw-log timber and 917.500 cords of pulp and fuel wood. This has a present day value of approximately $2.250.000.00.

Table "A" shows the land classification and timber estimate of reserves according to the various drainage basins or watersheds, that of the Lake Huron and Lake Winnipeg watersheds having 50% of the total area and 80% of the total timber stand. Land classified as suitable for agriculture comprises not only land already cleared and cultivated but also timbered land which would be suitable for agriculture after the timber has been removed, whereas land suitable for the growth of forest crops is land that would produce more valuable returns by lumbering under proper methods of forestry than it would if cleared and placed under cultivation.

The estimates of timber have been prepared in three classes. Class X comprises 65 Reserves which have been actually cruised by officers of the Department, and the cruise carefully checked and corrected to the present year. Class Y comprising 61 Reserves represents estimates that have been compiled by Indian agents, forest rangers and timber bailiffs or other reliable persons who have an intimate knowledge of the Reserves

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and their estimates have been checked and compared with the records of the Department so as to eliminate the possibility of error. Class Z representing 12 Reserves shows estimates based on such knowledge as is procurable of the general forestry conditions and chief topographical features with the result that the estimate shown is considered to be approximately correct.

Estimates appear in both Board Measure timber that is suitable for sawlogs and cordage timber suitable for the manufacture of pulp or fuel wood.Trees having a minimum diameter of 10 inches at a distance of 15 inches from the ground are classified as sawlog timber whilst timber of lesser growth down to 4 inches in diameter is regarded as suitable for pulp or fuel wood.In the case of the Pine,Hemlock and Cedar species it is considered that trees of less diameter than 10 inches are best regarded as non-merchantable and are therefore not included in the estimate.The column shown as "other Species" comprises Basswood for the most part but also small quantities of Butternut and Hickory.

Table "B" shows the kinds and quantities of timber on each Reserve,the softwoods representing 70% of the total stand of sawlog timber and 76% of the cordage timber.

Table "C" shows the total quantity of each species of timber on Reserves in the various watersheds.

Table "D" shows the extent of cutting and fire loss of timber on the various reserves in recent

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CANADA

years.

In so far as the cutting of timber is concerned, consideration has only been given to the cutting done for sale. In addition to this it must however be remembered that a large quantity of timber is cut each year on Reserves by the Indians for their own use, being approximately 30% of the quantity cut for sale. For example, in the year 1923 a quantity measuring 6.500.000 f.b.m. and 6.500 cords was cut for sale whilst it is computed that an additional 1.250.000 f.b.m. and 18.000 cords was cut by the Indians for their domestic use, either for fencing, building or fuel purposes and for the native manufacture of axe-handles, baskets, snow-shoe bows and hockey sticks.

The total consumption of timber each year is approximately 8.000.000 f.b.m. and 24.000 cords, whilst the annual incremental growth can be conservatively estimated at 15.000.000 f.b.m. and 40.000 cords. It will therefore be seen that the Forest Capital is being preserved intact and it is confidently anticipated that by encouraging the Indians to utilise their damaged, dead and mature timber to the best advantage and impressing upon them the importance of conserving the younger growth, their timber resources will be ample for their needs in the future.

During the past 10 years a quantity of timber measuring 143,000.000 f.b.m. was cut for sale having an approximate value of $1.200.000.00 but a loss

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CANADA

of 20.000.000 f.b.m. valued at $120.000 was sustained by forest fires during the same period.It is significant to note however that whereas the annual wastage due to this cause prior to the year 1916 was 3.000.000 f.b.m.it has since that year been reduced to an average yearly loss of 1.200.000 ,f.b.m.

Indian fire rangers are uniformly employed by the Department in protecting the timber on reserves where the fire hazard is great and timber licensees are required by the regulations to defray half the cost of adequate fire guardianship,dispose of brush and other logging debris under the supervision of the Department,practise close utilisation of all timber cut down and exercise every precaution to prevent the origin and spread of forest fires.

The Indians operate 5 portable sawmills on their reserves and 27 Reserves are under timber license.The proceeds from the sale of timber last year amounted to the sum of $66.221.79,these being credited to the funds of the bands who owned the Reserves from which the timber was cut.The sum of $7.000 is expended each year on forest protection and by means of fire notices printed in the Ojibwa dialect and circulated in un-organised territories the Indian is being continually impressed with the importance of regarding the forest as invested capital equally with their trust fund and that besides representing actual value in material and possibilities of profitable work,it acts also as

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a necessary screen for the preservation of game and fur-bearing animals.

(H.J.Bury.)
Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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TIMBER ESTIMATE
in detail

of INDIAN RESERVES in the various DRAINAGE BASINS of the PROVINCE of ONTARIO.

SPECIES.	Lower Ottawa River.		Southern Ontario 1A.		Southern Ontario 1B.		Southern Ontario 2B.		Lake Huron.		Lake Superior.		Lake Winnipeg.		Albany River.		Moose River.	
	M.f.b.m.	Cds.	M.f.b.m.	Cds	M.f.b.m.	Cds	M.f.b.m.	Cds.	M.f.b.m.	Cds.	M.f.b.m.	Cds.	M.f.b.m.	Cds.	M.f.b.m.	Cds.	M.f.b.m.	Cds.
PINE White...			370		220				5900		110		8020				8400	
PINE Red.....			100						6140		170		17655		650		3050	
PINE Jack....			450						5045		690		35175		5900		12250	
SPRUCE.....	75	120	870	860	645	1245	50	300	11710	108620	2130	24320	[illegible]	176.600	9100	31900	8900	37000
BALSAM.....									3480	19665	300	2580	3760	14.670				
HEMLOCK.....			270		2330				38650									
TAMARAC.....									1280		20		3270	7.270			700	
CEDAR.....			340		365				7760		420		8520					
MAPLE.....	40	150	1050	790	920	460	300	290	21450	36130	10	10					1900	22400
BIRCH.....	80	600	1850	980	940	690	120	250	17480	58710	1500	3300	5040	26.430	900	5000	12950	67500
POPLAR.....	120	900	2200	2070	320	100			10610	58350	2010	5650	74570	145.480	10000	35000		
OAK.....			570	350	70	[illegible]		100	920									
ASH.....	50	80	200	100	90				3530	1490								
ELM.....			3830	1245	2390	710	50	500	6170	11550								
BEECH.....			300	200	100				8720	6575								
OTHER SPECIES	100		1400	650	520		50	75	4460	500								
	465	1850	13800	7245	8910	3205	570	1515	153505	298590	7360	35860	197460	370450	26550	71900	48150	126900

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPT. OF INDIAN AFFAIRS
JAN 30 1924
RECORDS

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa. Jan.25th.1924.

Memorandum.

Mr. Scott:

I beg to submit herewith, Report on the Timber Resources of the Indians of the Province of Ontario as requested by Mr.W.W.Cory, Deputy Minister of the Department of the Interior.

H. P. Bary
Supervisor Indian Timber Lands.

This appears to be a very comprehensive report. J.S.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Jan.26th.1924.

Dear Mr.Cory:-

I have much pleasure in transmitting to you the Report on the Timber Resources of the Indians of the province of Ontario referred to in your letter of Nov.5th.last.

This has been prepared by our Supervisor of Indian Timber Lands,Mr.H.J.Bury,and I trust that the Report itself together with the tabular statements attached will be found very useful to the Forestry Branch.

Yours very truly,

Deputy Superintendent General.

W.W.Cory Esq.,C.M.G.
Deputy Minister
Dept. of the Interior
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPT. OF INDIAN AFFAIRS
FEB 6 1924
RECORDS

OFFICE OF
THE DEPUTY MINISTER OF THE INTERIOR
OTTAWA, CANADA

1st February, 1924.

Dear Dr. Scott,

I beg to acknowledge receipt of your letter of the 26th ultimo, transmitting report on the timber resources on Indian Reserves in the province of Ontario, prepared by your Supervisor of Indian Timber Lands, Mr. H. J. Bury.

The Acting Director of Forestry advises me that this comprehensive and very excellent report will be of great value in the compilation of the report on the forest resources of Ontario. I desire to express my appreciation for the trouble which has been taken in preparing this report.

Yours very truly,

Deputy Minister.

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

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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SUMMARY

LAND & TIMBER CLASSIFICATION of INDIAN RESERVES in the PROVINCE OF ONTARIO

Year 1923.

Drainage Basin.	No. of Reserves.	Total area acres.	Area suitable for agriculture after removal of timber.	Area suitable for growth of forest crops only.	Area of waste land.	Timber estimate. Board measure feet in M.	Cords.
Lower Ottawa River.	1	1.560	1.000	360	200	465	1.850
Southern Ontario 1A	9	141.945	107.200	22.674	12.071	13.800	7.245
Southern Ontario 1B	8	13.566	8.710	3.644	1.212	8.910	3.205
Southern Ontario 1C	2	19.654	13.700	5.704	250	570	1.515
Lake Huron	35	451.264	74.070	252.400	124.300	153.405	298.590
Lake Superior.	17	36.416	3.435	19.030	13.980	7.360	35.860
Lake Winnipeg.	60	297.690	56.145	189.375	51.460	197.460	370.450
Albany River.	6	236.800	10.000	102.100	124.700	26.550	71.900
Moose River.	7	121.636	11.000	58.900	52.000	48.150	126.900
Totals:-	141	1.320.531	285.260	654.187	380.173	456.870	917.515

Approximations:-

Total area:-1.320.500 acres.,Area suitable for agriculture:-285.300 acres.
Area suitable for forest growth:- 654.200 acres, Area of waste land :- 381.000 acres
Timber estimate:- 456.700.000 f.b.m. and 917.500 cords.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Department of Indian Affairs

File No. 30001

Canada

Lands and Timber Branch

Ottawa, Feb.15th.1924. 192

Memo. to the Deputy Minister.

Approved

Cutting of timber on lands held under the Indian Soldier Settlement Plan.

Several applications have recently been received from Indians for permission to cut timber for sale from lands purchased by the Department under the Soldier Settlement Act.

The Department has up to the present taken the position that as the timber on these lands represents part of the security for the original loan made to the occupant of the land, all proceeds arising out of the sale of timber must be applied to the reduction of the loan.

The agreement to purchase the land includes a clause whereby the Indian returned soldier agrees to cut timber only for his own use and not for sale, without the special permission of the Department.

It will however often occur that an Indian agent may have some difficulty in securing from the Indian settler a statement showing what the proceeds of the sale of timber amounted to, and even more difficult for him to collect such proceeds from the Indian.

Again it is quite conceivable that an Indian should desire to cut some timber for sale, in order to realise funds to use for the maintenance of his buildings, the purchase of seed grain and other useful purposes, so that in my opinion, permits might well be issued to cut a reasonable quantity of timber for such purpose, but a portion at least of the value received by the Indian from the sale should be applied to the reduction of his loan.

I would therefore recommend that the following ruling be established in such cases. That permits to cut specified quantities of timber for sale from Indian Soldier Lands be granted on the condition that the proceeds from the sale shall be devoted to some useful purpose on the land and that dues at the tariff rates established under the regulations governing timber on Reserves, shall be paid before removal of the timber, such dues to be credited to the individual and applied to the reduction of his loan.

H. J. Bury

Supervisor Indian Timber Lands.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001

Ottawa. Feb.19th.1924.

Sir:-

I have to inform you that it has been decided to adopt the following procedure in the case of Indians desiring to cut timber for sale from lands which they hold under the Indian Soldier Settlement plan.

The applicant should apply to the local agent for permission to cut a specified quantity of timber for sale and shall state for what purpose he requires this permit. In the event of permission being given, dues at the usual tariff rates must be collected before the timber is removed from the land, such dues to be credited to the account of the individual Indian and used to reduce the amount of his loan.

The applicant shall further undertake to devote the remaining proceeds arising out of the sale of the timber to some useful purpose, such as the purchase of seed, implements or stock and the erection of additional buildings, all of which will tend to enhance the value of the property. It will be the duty of the agent to see that these proceeds are used for the above purpose and that the dues are collected in a proper manner.

Your obedient servant,

Asst. Deputy & Secretary.

R.H.Abraham Esq.
Agricultural Representative
Chatham
ONT.

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CANADA

30001

IN YOUR REPLY REFER TO

LETTER NO.....

DEPARTMENT OF INDIAN AFFAIRS

CANADA

OFFICE OF THE INDIAN AFFAIRS
AGRICULTURAL REPRESENTATIVE

FEB 26 1924

RECORDS

CHATHAM, ONT Feb. 25, 1924.

Dear Sir:

I wish to acknowledge receipt of your letter of Feb. 19, No. 300-1 in which you have outlined the procedure in connection with the timber cut on Soldier Settlers' property, and in reply I beg to say that I am very pleased indeed that you have decided to allow the proceeds from the sale of timber to be used in the way specified in your letter. I am confident that it will work out to the advantage of the Dept. and settler both.

Thanking you I remain,

Yours truly,

R. H. Abraham

R. H. ABRAHAM,
AGR. REP. DEPT. OF IND. AFF.

J. D. McLean, Esq.,
The Secretary,
Dept. of Ind. Aff.,
Ottawa, Ont.

ACCOUNTANTS
FEB 27 1924
CHATHAM

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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ARCHIVES PUBLIQUES
CANADA

File 10429.

COPY.

Department of Municipal Affairs,

Edmonton, April 3, 1924.

Sir:

Re Timber Berths.

I would like to getsome information as to the issuing of Timber Berths by the Department of the Interior. Does your Branch issue Timber Berths on lands located on Indian Reserves and in the Dominion Parks, and on lands held for School purposes? If not I would be pleased to get information as to where to apply in order to get this information.

The reason for asking this is because the Province of Alberta assesses all lands under the Timber Area Tax Act, and in order to have a complete list I must be in a position to get all the information required.

Trusting that you will advise me on this point at your earliest convenience.

Your obedient servant,

(sd) J. H. Lamb.

Deputy Minister.
Per A.A.T.

Department of the Interior,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001

DEPT OF INDIAN AFFAIRS
APR 19 1924
RECORDS

ADDRESS YOUR REPLY TO
THE CONTROLLER, TIMBER AND
GRAZING LANDS BRANCH
DEPARTMENT OF THE INTERIOR, OTTAWA

TB.

IN YOUR REPLY
PLEASE QUOTE
FILE No. 563[illegible]

DEPARTMENT OF THE INTERIOR
CANADA

TIMBER AND GRAZING LANDS BRANCH

OTTAWA, 15th April, 1924.

Copy for Department of Indian Affairs, with Encl.

Sir:

I beg to refer you to your File No. 10429, and to your letter of the 3rd instant, having reference to timber berths.

In this connection please be advised that the Timber and Grazing Lands Branch of the Department of the Interior do not grant timber berths on lands located on Indian Reserves, Dominion Parks or School Lands reservations, but a copy of your communication is being forwarded to each of these Branches with the request that they give you any information in this connection which is available.

LANDS BRANCH
APR 22 1924

Your obedient servant, YORK

Controller.

J. H. Lamb, Esq.,
Deputy Minister,
Department of Municipal Affairs,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

some cases only half the cost is demanded, this, of course depends on what arrangement or understanding has been made with the operator in the first instance.

I explained to Mr. Cain and his officials the conditions under which we occasionally dispose of timber areas on Indian Reserves pointing out that as a Department we are not in a position to employ the services of inspectors or timber scalers, but that there appeared to be some necessity for the employment on occasion of such officials. I inquired, should the occasion or necessity arise, whether we might obtain the services of their officials for a limited time, providing their services were available. I was informed that some such arrangement could very easily and conveniently be made and that the Provincial Department would gladly cooperate with us in every possible way. If and when we should require the services of any of the cruisers or scalers in the employ of the Provincial Department we will only be required to pay for their services at the rate paid them by the Provincial Government. Should any subsequent inter-Departmental arrangement be required I informed Mr. Cain, the Deputy Minister, that he would receive a communication from the Deputy Superintendent General of this Department intimating what was desired and was informed that upon receipt of any such communication the necessary instructions would issue to the Crown Timber Agent for the district affected to place at our service whatever employee or employees were required, should they be available and their services not otherwise be required at the time.

I am pleased to report that I obtained some valuable information in connection with the matters referred to above and have no doubt but that the results will be satisfactory.

Officer-in-Charge.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001

Department of Indian Affairs

File No.

Canada

Lands and Timber Branch

DEPT. OF INDIAN AFFAIRS
28 1924
RECORDS

Ottawa, August 27th, 1924

Memo. TO THE DEPUTY SUPERINTENDENT GENERAL:

Pursuant to your instructions I visited Toronto on Monday and Tuesday the 18th and 19th instant in consultation with officials of the Provincial Department of Lands and Forests for the purpose of obtaining an insight into their methods of administering the timber resources under their control

On the morning of the 18th I had an interview with Mr. W. C. Cain, the Deputy Minister, who treated me with every possible kindness and courtesy giving me a comprehensive verbal synopsis of their methods of administration, later introducing me to a number of officials of the Department who in subsequent interviews discussed the whole question with me in detail.

Owing to the immense extent and value of the timber resources of the province the work of the Department of Lands and Forests is in consequence of considerable importance requiring the services and employment of quite a number of officials and employees. The whole question of timber administration was explained to me by the officials of the Department and their methods outlined from the time the decision is reached to dispose of a timber limit to the final operation of the licensee. Invariably the timber limits disposed of by the province are of large area and their system of calling for tenders is practically identical with that followed in this Department. However, they employ continuously a staff of timber scalers and from the moment the licensee begins to operate until the conclusion of the operation these timber scalers remain on the ground carefully checking and rechecking, if necessary, the timber cut by the licensee. All dues and whatever other payments may be exacted are, therefore, payable on the basis of the returns made by the officially employed scalers. These scalers are employed under the direction of Crown Timber Agents of which there are about twelve (12) located at various points throughout the province. All scalers are paid a per diem rate of wages ranging from $4.00 to $7.50 per diem, according to their rank and capability. The provincial authorities in most cases charge the wages and expenses of the scaler to the operator, though in

some cases only

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001

Department of Indian Affairs

File No.

Canada

Lands and Timber Branch

DEPT. OF INDIAN AFFAIRS
28 1924
RECORDS

Ottawa, August 27th, 1924

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some cases only

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30000-1

DEPT. OF INDIAN AFFAIRS
MAR 18 1926
RECORDS

Regina, Sask., Mar. 15th, 1926.

No.100-4C.

Sir:-

I have your letter of the 9th inst. No.30127-5, with regard to the timber dues on wood cut on the various reserves in the three Western provinces, and reply to say that I am still of the opinion that it would be very inadvisable to insist on dues from Indians who cut the odd load of firewood for sale. The Indians, particularly the old ones, depend almost entirely on the proceeds of the sale of wood as a means of livelihood. This remark applies to all reserves in the three provinces. I may say, however, that there is no reason why all Agents should not keep a record of the number of cord or feet sold and send in a return to the Department quarterly. All wood cut and sold on reserves is sold under permit; this rule is strictly adhered to.

Your obedient servant,

W. M. Graham.

Indian Commissioner.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30,001-1.
HJB/

Ottawa, Sept. 16, 1926.

Sir:

With reference to your letter of the 15th of March last respecting the payment of dues on timber cut by Indians on the Western reserves, for sale, I note that instructions have been given to our agents to keep an accurate record of the kinds and quantity of timber cut and sold.

As you are aware under Section 15 of the Timber Regulations provision is made whereby the collection of dues on timber cut for sale may be waived as a measure of relief and, if in your opinion you consider that the provisions of this Section should be invoked with respect to timber cut on reserves in the three Western provinces, the Department is prepared to recognize the waiving of dues. Particular care, however, should be taken by each agent to see that timber cut for sale must be covered by a proper permit and a report sent in to the Department, for record purposes, of the actual kinds and quantities that have been disposed of.

Your obedient servant,

J. D. McLean,
Assistant Deputy and Secretary.

W. M. Graham Esq.,
Indian Commissioner,
REGINA, SASK.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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REGULATIONS

FOR THE

DISPOSAL OF TIMBER

IN THE

NORTHWEST TERRITORIES

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1921

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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REGULATIONS

FOR THE

DISPOSAL OF TIMBER

IN THE

NORTHWEST TERRITORIES

OTTAWA
THOMAS MULVEY
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1921

24439—1

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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REGULATIONS

FOR THE DISPOSAL OF TIMBER IN THE NORTHWEST TERRITORIES, APPROVED BY ORDER-IN-COUNCIL, DATED JUNE 1, 1921.

In the Northwest Territories the Crown Timber Agent may grant:—

1. Permits to owners of portable saw-mills to cut lumber, shingles and lath over a definitely described tract of land not exceeding one square mile in extent, on payment of Crown dues at rates fixed by Section 4, of these regulations, subject to the payment of rental at the rate of $100 per square mile per annum. A second and third permit covering the same territory may be issued to the grantee subject to the payment of rental and dues, but he shall have no further or other right of renewal. The permittee must have a mill in actual operation satisfactory to the Minister of the Interior within one year of the date of the permit, otherwise, the permit shall be subject to cancellation. In the event of the permittee not operating to a reasonable extent upon the lands covered by the permit during the continuance thereof of, which the Minister of the Interior shall be the sole and final judge, the permit shall become null and void. An application for a portable saw-mill permit can only be granted on receipt of a report from the proper officer of the department to the effect that the granting of the berth is a necessity in order to provide lumber for the people in the district.

Portable saw-mill one square mile.

$100 per Sq. M.

1 year to have mill.

(*a*) Permittees will be required in districts where there is a market for cordwood to cut the tops of trees taken into cordwood, on which dues will be chargeable at the rates set forth in Section 4, of these regulations. Brush and tops of trees, when not manufactured into wood must be disposed of in such a manner as to prevent the spread of fire and to the satisfaction of the Crown Timber Agent or officer of the department, appointed to examine into the matter. Failure on the part of the permittee will subject him to the penalty of having his manufactured timber seized, and his bush operations closed down.

To cut tops of trees into cordwood. Rates as per Sec. 4.

(*b*) An applicant shall not be granted more than one berth at a time, and such berth shall not be transferable.

1 berth only.

(*c*) The applicant shall be required to pay at the date of issue of permit 20 per cent in advance of the dues charged on the timber covered by the permit.

20 per cent dues in advance.

(*d*) If the land upon which the permit is applied for is surveyed, the boundaries must be the boundaries of adjoining quarter-sections or legal subdivisions. If the land is not surveyed, it will not be necessary to have a survey made by a Dominion land surveyor, provided the boundaries are defined on the ground to the satisfaction of the local timber inspector.

Re survey.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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(e) The applicant for a portable saw-mill permit must submit a statutory declaration to the Crown Timber Agent for the district in the following form:—

AFFIDAVIT

I,.. .. ..of.. .. ..the applicant for a portable saw-mill permit covering.. .. ..make oath and say:

1st. That I am the owner of a portable saw-mill having a capacity of.. .. ..

2nd. That the timber that may be cut under the authority of the permit applied for will all be manufactured into lumber, shingles or lath.

3rd. That I will render to the Crown timber agent having jurisdiction in the matter, sworn returns monthly or at such periods as the Minister of the Interior may direct, accounting for the number of pieces of round timber cut upon the berth and manufactured into lumber, shingles or lath and the quantity sold and on hand, and pay dues thereon at the prescribed rate.

4th. That no timber will be taken from trees of a diameter of less than 9 inches at the stump.

5th. That I am not the holder of any other permit berth.

Sworn before me at .. ..this.. .. day of.. .. .. 192..

.. ..

Timber 5 inches and under 9 inches in diameter at butt end. . . . . ¾ cents per lin. ft.
Timber under 5 inches in diameter at butt end. . . . . ½ cents per lin. ft.
Mine cross-ties 5 inches face and under. . . . ½ cents per lin. ft.

Office Fee.

5. An office fee of $1 shall be charged for each permit and all timber cut on Dominion lands under permit shall be manufactured within the Dominion of Canada.

Additional dues.

6. Besides the dues above specified, grantees of permits may be called upon to pay such additional sum as the Minister may judge necessary to meet their proportion of any expenses incurred or that may be incurred by the Department in making a survey or other demarcation on the ground of the boundaries within which such permits are to be operative.

Restrict cutting to limits of permit.

7. Permits shall set forth that those obtaining them must conform to the conditions, terms and requirements specified in the same, and carefuly restrict their cutting to the limits described therein, and any breach thereof will subject the offender to all the pains and penalties in that behalf prescribed by the Dominion Lands Act.

No waste.

8. The permittee shall cut up the whole of the trees felled in such a way that there shall be no waste, and to prevent the spread of prairie or bush fires the refuse (i.e., the tops and branches unfit either for rails or firewood) shall either be lopped off so that they will lie flat on the ground, or shall be piled together in a heap and burnt, and not left scattered through the bush.

Costs of fire-guarding.

Permits issued to holders of berths shall contain a clause to the effect that one-half the cost of fire-guarding the timber shall be defrayed by the holders thereof, the Crown defraying the other half.

Permits to steamboat owners.

Owners of steamboats plying on waters within the boundaries of the Northwest Territories may be granted permits to cut wood for consumption on their boats, on payment of dues as set out under Section 4.

Half-breeds and Indians do not require permits.

9. Half-breeds, Indians and Eskimos who are residents of the Northwest Territories do not require permits to cut timber for their own use.

Issue and renewal of permits.

10. The first permit issued under Section 1 or Section 2 shall cover one year from date of issue, and any renewals issued shall expire one year from the date on which the preceding permit expired. All other permits issued under these regulations shall expire on the 30th April following date of issue.

Free permits.

11. Free permits may be granted for the construction of educational, religious and charitable institutions.

Cutting in trespass and without authority.

12. If any person without authority or in contravention of these regulations, cuts or employs or induces any other person to cut or assist in cutting any timber of any kind on Dominion lands, or removes or carries away, or employs or induces or assists any person to remove or carry away any timber of any kind so cut, he shall not acquire any right to such timber, or any claim for remuneration for

cutting the same, preparing the same for market or conveying the same towards market; and when the timber has been removed out of the reach of the timber officers, or it is otherwise found impossible to seize it, he shall incur a penalty not exceeding three dollars for each tree which, or any part of which, he is proved to have cut or carried away, or assisted to cut or carry away; and such sum shall be recoverable with costs, at the suit and in the name of the Crown, in any court having jurisdiction in civil matters to the amount of the penalty; and in all cases the burden of proof of authority to cut and take the timber shall lie on the person charged; and the averment of the person seizing or prosecuting, that he is duly employed under the authority of the Dominion Lands Act, shall be sufficient proof thereof, unless the defendant proves the contrary. Penalty.

Right of Government officers to seize.

13. Whenever any timber agent or officer receives satisfactory information, supported by an affidavit or solemn declaration made before a justice of the peace or before any other competent officer or person, that any timber had been cut on Dominion lands without authority or in contravention of these regulations, or if any timber officer or agent, from other sources of information or his own knowledge is aware that any timber has been cut without authority on any such lands, he may seize or cause to be seized the timber so reported or known to be cut wherever it is found, and place the same under proper custody, until the matter is decided by competent authority.

Seizure when mixed with other timber.

14. If the timber reported or known to have been cut without authority or in contravention of the timber regulations has been made up with other timber into a crib, dam or raft, or in any other manner has, at any mill or elsewhere, been so mixed up with other timber as to render it impossible or very difficult to distinguish the timber so cut without authority from the other timber, the whole shall be held to have been cut without authority, and shall be liable to seizure and forfeiture accordingly unless the holder separates to the satisfaction of the timber agent the timber cut without authority from the other.

Seizure when in doubt about cutting without authority.

15. Whenever any timber agent or other officer or agent is in doubt as to whether any timber has or has not been cut without authority or in contravention of the timber regulations, or is or is not liable to dues on the whole or any part thereof, he may inquire of the person or persons in possession or in charge of such timber, as to when and where the same was cut, and if no satisfactory explanation, on oath or otherwise as he requires, is given to him, he may seize and detain such timber until proof is made to the satisfaction of the Minister of the Interior, or of such timber agent or officer that such timber was not cut without authority, and is not liable, either in whole or in part, to dues of any kind; and if such proof is not made within thirty days after such seizure, such timber may be dealt with as timber cut without authority, or on which the dues have not been paid, according to the circumstances of the case, and the dues thereon may be recovered as hereinbefore provided.

Case of seizure.

16. If any timber, or any product thereof is seized under the provisions of the Dominion Lands Act by any timber agent or officer, he may allow such timber or product thereof to be removed and disposed of on receiving sufficient security by bond or other-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

Treble dues. wise to his satisfaction, for the full value thereof, or, in his discretion, for payment of treble the rate charged as permit dues on the timber or product thereof so seized.

Seizure. 1 month's notice to contest.

17. (*a*) All timber seized under the Dominion Lands Act shall be doomed to be forfeited, unless the owner thereof or the person from whom it was seized, within one month from the day of the seizure, gives notice to the seizing officer or to the timber agent or officer under whose authority the seizure was made, that he intends to contest the seizure; and within fifteen days thereafter, the claimant has not instituted proceedings before a court of competent jurisdiction to contest the seizure, or if the decision of the court is against him, or if the claimant fails duly to prosecute such proceedings in the opinion of the judge before whom such case is tried, who may for that cause dismiss the suit on the expiration of three months from the date on which it was instituted, the timber may be confiscated and may, after thirty days notice posted up at the place where the same is confiscated, be sold at public auction, by order of the Minister of the Interior.

Confiscate timber.

Penalty instead of confiscating timber.

(*b*) The Minister of the Interior may, if he see cause for so doing, instead of confiscating timber cut on Dominion lands without authority or in contravention of the timber regulations, impose a penalty which, in addition to all costs incurred, shall be levied on such timber; and in default of payment of the whole on demand, he may, after a notice of fifteen days, sell such timber by public auction, and may, in his discretion, retain the whole proceeds of such sale, or the amount of the penalty and costs only.

(*c*) In the event of there being no bid equal to the amount due the Crown for timber put up at public auction under this section the Minister may dispose of the same by private sale.

Burden of proof of non-trespass or permittee.

18. Whenever any timber is seized for non-payment of dues, or for any cause of forfeiture, or any prosecution is instituted for any penalty of forfeiture under the Dominion Lands Act, and any question arises as to whether the said timber was cut on other than Dominion lands, the burden of proving payment, or of proving on what land the said timber was cut, shall lie on the owner or claimant of such timber.

Timber officer may call in necessary assistance.

19. Any officer or person seizing timber in the discharge of his duty under the Dominion Lands Act may, in the name of the Crown, call in any assistance necessary for securing and protecting the timber so seized.

R.C.M.P.

20. Members of the Royal Canadian Mounted Police located in the Northwest Territories are authorized to act under the direction of the Crown Timber Agent in administering and enforcing these regulations and are authorized to issue timber permits thereunder except those provided for by Sections 1 and 2.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

File 347 (N.W.T. & Y.)

AT THE GOVERNMENT HOUSE AT OTTAWA

Monday, the 29th day of June, 1925.

PRESENT:

THE DEPUTY OF HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

P.C. No. 1026.

WHEREAS applications have been received for the issue of permits to cut fire-killed and dry timber in the Northwest Territories for fuel purposes;

And whereas the regulations for the disposal of timber in the Northwest Territories, approved by Order in Council dated the 1st June, 1921, do not make any distinction as to the dues to be charged respectively on green timber and fire-killed timber:

Therefore, the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of the Interior, is pleased to order that Section 4 of the said regulations shall be and the same is hereby amended by inserting the following paragraph:

Cordwood, fire-killed or dry, twenty-five cents per cord.

The Deputy of His Excellency the Governor General in Council, on the same recommendation, is further pleased to order that Section 11 of the said regulations shall be and the same is hereby amended by adding the following paragraph:

Free permits may also be granted to such institutions to cut fire-killed or dry timber for fuel purposes, the quantity not to exceed fifty cords in a permit year.

(Signed) E. J. LEMAIRE,
Clerk of the Pirvy Council.

To the Honourable

The Minister of the Interior.

Published in *The Canada Gazette* of 1st August, 1925, Vol. 59, No. 5, for the fourth consecutive week.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30009-1

JPR:DC 347

DEPARTMENT OF THE INTERIOR
CANADA

NORTH WEST TERRITORIES AND YUKON

DEPT. OF INDIAN AFFAIRS
OCT 16 1926
RECORDS

LAND BRANCH
OCT 16 1926

OTTAWA,
14th October, 1926.

Dear Sir,

The Timber Regulations for the North West Territories do not provide for the issue of free permits to Government Institutions and it has recently been decided that officials of Government Departments, who act in certain capacities for this Department, should be granted free permits. The Medical Officers and Indian Agents appointed by your Department are entitled to free permits under this ruling and I should be glad if you would notify them accordingly.

Your officials should make application for the issue of a free permit to the Non-Commissioned Officer in Charge of the Royal Canadian Mounted Police Detachment in the settlement in which they are residing. It is necessary that a free permit be actually taken out by your officials so that we may have a record of the amount of timber cut under the authority of this ruling.

Three copies of our Timber Regulations are enclosed.

Yours truly,

O. S. Finnie,
Director.

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

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30,001.
HJB/

Ottawa, October 21, 1926.

Sir:

I beg to advise that Mr. O. S. Finnie, Director, North West Territories and Yukon, has notified the Department that his branch are prepared to grant free timber cutting permits to our officials in the North West Territories and Yukon, and that when they require timber for their own or Departmental use, they should make application for a free permit to the N. C. O. in charge of their nearest R. C. M. Police detachment.

Your obedient servant,

A. F. McKenzie,
Acting Assistant Deputy and Secretary.

C. Bourget Esq., M. D.,
Indian Agent,
Fort Resolution,
N. W. T.

SAME LETTER TO:
T. W. Harris Esq., Indian Agent, Fort Simpson, N. W. T.
John Hawksley Esq., Indian Superintendent, Dawson, Yukon Territory

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30,001.
HJB/

Ottawa, October 21, 1926.

Sir:

In reply to your letter of the 14th instant advising that free timber permits will be granted by your Branch to our Indian Agents in the North West Territories and Yukon, and enclosing the three copies of your Timber Regulations, I have to state that notice has been sent our officials accordingly.

Your obedient servant,

A. F. McKenzie,
Acting Assistant Deputy & Secretary.

O. S. Finnie Esq.,
Director, North West Territories & Yukon Branch,
Department of the Interior,
O T T A W A.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

30001

DEPT. OF INDIAN AFFAIRS
NOV 2 1926
RECORDS

R 347

[redacted]R:DC

DEPARTMENT OF THE INTERIOR
CANADA

NORTH WEST TERRITORIES AND YUKON

OTTAWA,
27th October, 1926.

LANDS BRANCH
NOV 3 1926

Dear Sir,

This will acknowledge receipt of your letter of the 21st instant, your file #30,001, having reference to the issue of free permits to cut timber in the North West Territories, to officials of your Department. It would appear, from your letter, that you are under the impression that this ruling also applies to the Yukon Territory, but I would point out that we have separate Timber Regulations for the Yukon Territory and that the ruling given in my letter to you of the 14th instant, does not apply to that Territory.

Yours truly,

O. S. Finnie,
Director.

A. F. McKenzie, Esq.,
Acting Assistant Deputy & Secretary,
Department of Indian Affairs,
Ottawa.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001

INDIAN OFFICE File 1490-

DEPT. OF INDIAN AFFAIRS
DEC 24 1926
RECORDS

At DAWSON, Y. T.

R. November 20th, 1926.

Sir:- I have the honor to acknowledge the receipt of your letter dated October 21st, file No 30.001, in reference to the granting of free timber cutting permits to officials in the North West Territories and Yukon when required for their own and Departmental use. Application for such permits to be made to the nearest detachment of the R.C.M.P.

The above arrangements, I presume, apply to the cutting of timber for firewood for use in the Carcross Indian Residential School. The school authorities are responsible for supplying the firewood for the institution.

Your obedient servant.

John Hawksley.

John Hawksley.
Indian Superintendent.

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

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001

Sault Ste Marie, Ont. Jan. 5th. 1926

J.C. Caldwell, Esq.
In charge of Lands & Timber
Department of Indian Affairs
Ottawa, Ontario

DEPT. OF INDIAN AFFAIRS
JAN 7 1927
RECORDS

LANDS BRANCH
JAN 8 1927

Dear Sir:- Kindly send me a copy of the Indian Timber regulations with schedule of dues on timber cut from Surrendered Indian Lands under License. I am

Yours truly

John L. Kennedy

John L. Kennedy

151 Woodward Ave

Sault Ste Marie, Ont.

Sent Jan 7th 27

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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30001-1

DIRECTOR OF FORESTRY.
E. H. FINLAYSON, B.Sc.F.

CANADA

DEPARTMENT OF THE INTERIOR

FILE DESIGNATION
45921

DEPT. OF INDIAN AFFAIRS
MAR 4 1927
YOUR FILE
RDS

Forest Service,

Ottawa, March 2, 1927.

GAM/KMC

LANDS BRANCH
MAR 4 1927

Dear Sir,

We have received a request from Doctor C.D. Howe, Dean of the Faculty of Forestry, Toronto University, for a number of publications, among which is one entitled, Regulations Governing Disposal of Timber on Indian Reserves, 1921; 1923, Established under the Provisions of Section 73 of the Indian Act. We have advised Dr. Howe that we have asked you to forward this publication if it is available. Please forward it to him direct.

Yours very truly,

E.H. Finlayson

Director.

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

PREVENT FOREST FIRES – IT PAYS

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001-1

Ottawa. Mar.5th.1927.

Sir:-

With reference to your recent inquiry of the Director of Forestry for copies of Indian Timber Regulations, I enclose herewith regulations governing the disposal of timber on Indian Reserves in the Province of British Columbia (1921) and also regulations pertaining to reserves in the remaining provinces (1923).

Your obedient servant,

In charge
Lands & Timber Branch.
(J.C.Caldwell)

C.D.Howe Esq.
Dean of Forestry Faculty
Toronto University.
Toronto. ONT.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

Poor Copy

30001-1

University of Toronto
TORONTO 5, CANADA

FACULTY OF FORESTRY

8 March, 1927

Mr. J. C. Caldwell,
In charge Lands & Timber Branch,
Department of Indian Affairs,
Ottawa, Ontario

DEPT. OF INDIAN AFFAIRS
MAR 10 1927
RECORDS

Dear Sir:

We are today in receipt of your letter of 5 March and of copies of "Regulations governing the Disposal of Timber on Indian Reserves in the Dominion of Canada," which you have sent us in response to a request through the Dominion Forest Service. We thank you for your courtesy in this matter.

Yours truly,

FACULTY OF FORESTRY

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001-1

University of Toronto
TORONTO 5, CANADA

FACULTY OF FORESTRY

20 December, 1927

DEPT. OF INDIAN AFFAIRS
DEC 21 1927
LANDS BRANCH
DEC 23 1927

Deputy of the Supt. General of Indian Affairs,
Department of Indian Affairs,
Ottawa, Ontario

Dear Sir:

Would you be good enough to send me three copies each of the following pamphlets:

1. Regulations governing the disposal of timber on Indian Reserves in the Province of British Columbia, established under the provisions of Section 73 of Indian Act, by order of His Excellency in Council, dated the 5th day of May, 1921.

2. Regulations governing the disposal of timber on Indian Reserves in the Dominion of Canada with the exception of those situated in the Province of British Columbia, under the provisions of section 73 of the Indian Act, by Order of His Excellency in Council, dated the 1st day of May, 1925, P.C. 752.

Sent Dec 23rd '27

Yours truly,

W.N. Millar

W.N.Millar,
Associate Professor of Forestry.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001-1

DIRECTOR OF FORESTRY.
E. H. FINLAYSON, B.Sc.F.

FILE DESIGNATION

CANADA

R

48148 For

DEPARTMENT OF THE INTERIOR

DEPT. OF INDIAN AFFAIRS
MAY 3 1928
RECORDS
YOUR FILE

JRD-D Forest Service,

Ottawa, April 28th 1928

Dear Sir, Attention Mr.Bury

Several years ago you kindly prepared for us a comprèhensive and most valuable statement or report covering the timber resources etc., of the Indian Reserves in the Province of Ontario. Briefly this comprised a land classification table,timber estimates by Reserves and by species,and a tabular statement showing cutting and fire loss.

Inasmuch as there is a total area of some 5,000,000 acres in Indian Reserves in the various provinces and this Service acts as a sort of central clearing house for information and statistics on the general forest resources of Canada,it would be a great advantage if you could provide us at your convenience,with similar reports to the above,dealing with each of the other provinces. Just at present for instance,we have in hand a revision of our general report on the Forests of Canada,and such a summary of the Indian Lands,if available,would be most useful.

Yours very truly,

E.H. Finlayson

Director of Forestry.

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

PREVENT FOREST FIRES—IT PAYS

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001.

Ottawa, May 15, 1928.

Dear Sir,-

In reply to your letter of the 28th ultimo regarding statistical information as to the kinds and quantities of timber on Indian Reserves in the various provinces of Canada, other than Ontario, I have to state that at the present time full information is not available for any other province than Ontario, which has already been supplied to you.

However, it is expected that in the near future a fairly complete record of the timber resources in the Maritime Provinces and Quebec will be completed and if such is received the Department will be pleased to supply you with the information required.

Your obedient servant,

A. F. MacKenzie
Acting Assistant Deputy and Secretary.

E. H. Finlayson, Esq.,
Director of Forestry,
Department of the Interior,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

30.000-1

Ottawa. Dec.13th.1928.

Sir-

The Department would be pleased if you could furnish a set of samples of Canadian woods also charts showing the chief diseases of trees and the main defects in wood or lumber.

These are required for departmental use and if you should also have a chart showing the available timber resources of Canada by species, this would also be of use for reference purposes.

Your obedient servant,

Asst. Deputy & Secretary.
(J.D.McLean)

T.A.McElhanney Esq.
Superintendent
Forest Products Laboratories
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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Dominion Forestry Branch

FOREST PRODUCTS LABORATORIES OF CANADA

MONTREAL

Hand-Specimens of Canadian Woods

1 Pitch Pine
2 Red Juniper
3 Hemlock
4 Black Cherry
5 White Oak
6 Tamarack
~~7 White Pine~~
8 Red Oak
9 Engelmann Spruce
10 Chestnut
11 Black Gum
12 Sassafras
13 Black Oak
14 Cottonwood
15 Large toothed aspen
~~16 Black Willow~~
~~17 Flowering Dogwood~~
~~18 White Ash~~
19 Black Walnut
20 Tulip Tree
21 Pin Oak
22 Basswood
~~23 Sugar Maple~~
24 Silver Maple
25 Red Maple
~~26 Beech~~
27 White Elm
28 Bur Oak
29 Paper Birch
30 Balsam Fir
31 Rock Elm
32 Cedar
33 Red Elm
34 Bitternut Hickory
35 White Spruce
36 Ironwood
37 Black Ash
38 Butternut
39 Red Spruce
40 Black Spruce
41 Jack Pine
~~42 Douglas Fir~~
43 Aspen
44 Red Pine
45 Yellow Birch
46 Balsam Poplar
~~47 Western White Pine~~
48 Western Yellow Pine
49 Western Hemlock
~~50 Lodgepole Pine~~
~~51 Alpine Fir~~
52 Rocky Mtn. Juniper
53 Western Cedar
54 Western Larch
55 Western Yew
56 Sitka Spruce
~~57 Yellow Cypress~~
58 Broadleaf Maple
59 Red Alder
60 Black Cottonwood
61 Mountain Birch
~~62 Sitka Alder~~
63 Lowland Fir
64 Western Birch
65 Vine Maple
66 Cascara Buckthorn
67 Western Dogwood
68 Madrona
69 Garry Oak
70 Mountain Ash
71 White Birch
72 Sweet Birch
73 Manitoba Maple
74 Green Ash
75 Shagbark Hickory
76 Pignut — " —

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

300001

Ottawa, Dec.28th.1925.

Sir:-

I beg to acknowledge with thanks,the receipt of 64 samples of Canadian Woods,but note from your list that 12 samples which usually complete the set,are missing.These are as follows:-

No. 7	White Pine,	No. 47	Western White Pine
" 16	Black Willow	" 50	Lodgepole Pine
" 17	Flowering Dogwood	" 51	Alpine Fir
" 18	White Ash	" 57	Yellow Cypress
" 23	Sugar Maple	" 62	Sitka Alder
" 26	Beech		
" 42	Douglas Fir		

Before the Department has these mounted,I shall be pleased to know if you will be able to furnish hand samples of the above numbers which are missing,(especially the more common woods comprised in Nos.7,18,23,26,42,47 &50)

I may explain that the complete set is required for the Timber & Lands Branch of the Department, and not for school purposes.

Yours very truly,

Asst. Deputy & Secretary.
(J.D.McLean)

T.A.McElhanney Esq.
Superintendent
Forest Products Laboratory
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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ADDRESS REPLY TO
THE SUPERINTENDENT
FOREST PRODUCTS LABORATORIES
OTTAWA
TAMcE-R.

CANADA

FILE DESIGNATION

DEPT. OF INDIAN AFFAIRS
DEC 27 1928
RECORDS

YOUR FILE DESIGNATION

DEPARTMENT OF THE INTERIOR
FOREST SERVICE

FOREST PRODUCTS LABORATORIES OF CANADA

OTTAWA, December 26th, 1928.

R

Dear Sir:-

I have your letter of the 13th instant, regarding certain information which you desire with respect to lumber.

A set of samples of Canadian woods will be furnished to you in a few days.

Regarding a chart showing the chief diseases of trees, I might say that we have never prepared anything of this nature. Our Timber Pathologist is at present away on annual leave, but I will see what can be done about this on her return.

Regarding main defects in wood or lumber, we have never published anything of a general nature in this connection. I might say we have practically completed the manuscript of a very comprehensive bulletin on "Natural Defects in B.C. Softwoods". This, however, will not be available for distribution for some months.

Regarding a chart showing the available timber resources of Canada by species, I have referred this to our Head Office which deals with such matters.

Yours very truly,

L.D. McLean, Esq.,
Assistant Deputy Minister,
Dept. of Indian Affairs,
OTTAWA.

J.G.M. Elkington
Superintendent.

PROMOTE FOREST CONSERVATION BY EFFICIENT UTILIZATION

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30000-1

ADDRESS REPLY TO
THE SUPERINTENDENT
FOREST PRODUCTS LABORATORIES
OTTAWA
GM-R.

CANADA

FILE DESIGNATION

EXHIBITS
Hand Specimens

YOUR FILE DESIGNATION

DEPARTMENT OF THE INTERIOR
FOREST SERVICE

FOREST PRODUCTS LABORATORIES OF CANADA

DEPT. OF INDIAN AFFAIRS
JAN 3 1929
RECORDS

OTTAWA, December 31st, 1928.

Dear Sir:-

I have received your letter of the 28th instant, in which you acknowledge receipt of a collection of Canadian woods.

With respect to your question about the specimens which are missing from the complete set as shown in our list, I am glad to advise you that we will be able to furnish you with most of them as soon as suitable material is available. There are several, however, which will probably be left out on account of their relative unimportance, such as Alpine fir and Sitka alder.

Yours very truly,

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

J. A. McElhanney
Superintendent.

PROMOTE FOREST CONSERVATION BY EFFICIENT UTILIZATION

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

ADDRESS REPLY TO
THE SUPERINTENDENT
FOREST PRODUCTS LABORATORIES
OTTAWA

CANADA

FILE DESIGNATION

Pathology.

YOUR FILE DESIGNATION

H.X'D.

DEPARTMENT OF THE INTERIOR
FOREST SERVICE
FOREST PRODUCTS LABORATORIES OF CANADA
COR. ISABELLA & METCALFE STS.
OTTAWA, February 27,1929.

DEPT. OF INDIAN AFFAIRS
MAR 1 1929
RECORDS

CWF/K

Dear Sir:-

I regret that your letter of December 13th, re charts showing the chief diseases of trees has not received attention. Unfortunately no such charts are available.

I might suggest that the "Manual of Tree Diseases" by W.H.Rankin, furnishes in compact form much useful information re tree diseases prevalent in North America.

Yours very truly,

Gaud W. Fisher

for Superintendent.

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

PROMOTE FOREST CONSERVATION BY EFFICIENT UTILIZATION

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

Canada Lumberman
June 1927

Important Judgment on Timber Case

An important judgment has just been given by the Supreme Court of Canada, Ottawa, in connection with the licensing of Crown lands and the liability of the Crown for damage in connection therewith. The judgment of the court, consisting of the Chief Justice and Judges Duff, Mignault, Newcombe and Rinfret, confirmed a judgment given by Mr. Justice Audette, of the Exchequer Court. It was for compensation for a fire on the O'Brien limits alleged to have been caused by parties for whom the Crown was responsible. The action was dismissed because the fire occurred in June whereas the licenses expired by their terms on the preceding April thirtieth and had not at the time of the fire been renewed.

The judgments rest upon a finding, as a matter of law, that inasmuch as the Statute says that "no license shall be granted for longer than twelve months from the date thereof"—the regulation which provides that "the licensee who has complied with existing regulations is entitled, up to the first of September following, to a renewal of his license" is a nullity and beyond the power of the executive. The result is that a licensee, after the thirtieth of April and up to the time of renewal, has no title whatsoever to the limits and can claim no right in respect to them.

The following is the judgment of the Court as delivered by Mr. Justice Duff:

"On the 12th of September, 1918, MacDonell & O'Brien, contractors, acquired from the Province of Quebec, under the authority of Art. 1309, R.S.Q., a license to cut timber in the Township of Bazin, on the line of the Transcontinental Railway Company, a timber license which, according to its terms, expired on the 30th of April, 1919. This license was transferred in December, 1918, to O'Brien & Doheney, and the petition is brought by O'Brien, the survivor of the firm, and the Capital Trust Company, Executors of Doheny.

"The license was renewed on the 11th of December, 1919, and by the action damages are claimed for destruction of timber on the limit arising from a fire alleged to have occurred owing to negligence of the servants of the Transcontinental Railway Company.

"Section 3598, R.S.P.Q., 1909, declares, in reference to such licenses, that "no license shall be granted for longer than twelve months from the date thereof." It is settled law that under such a provision as this the licensee cannot be given the right by any departmental or executive regulation to a renewal of his yearly license. Booth v. The King, 51 S.C.R. p. 20; Edwards v. D' Halewyn, 1 Q.R.; 15 K.B. 419; Gillies v. Railway Commission, 10 Ont., W.R. 971; Smylie v. The Queen, 27 O.O.R. 172. The appellants clearly had no title to the timber which was destroyed by the fire in June at the time the fire occurred, and there is no evidence that at that time they were in possession of the limit, nor is such possession alleged. In these circumstances, one cannot see on what ground retroactive effect can be given to the license subsequently issued in December in such a way as to confer upon them rights as against the Transcontinental Railway Company.

"The appeal should be dismissed with costs."

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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JUL 4 1929
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C. E. S. SMITH, AGENT
38 NIAGARA ST.

BUFFALO, N. Y. July 2, 1929.

Mr Caldwell

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

Dear Sir:

I have an inquiry regarding the cutting of timber on Indian Reserves.

Would you be kind enough to give me full information on this subject?

Yours very truly,

C. E. S. Smith.

CANADIAN GOVERNMENT AGENT

CESS/S

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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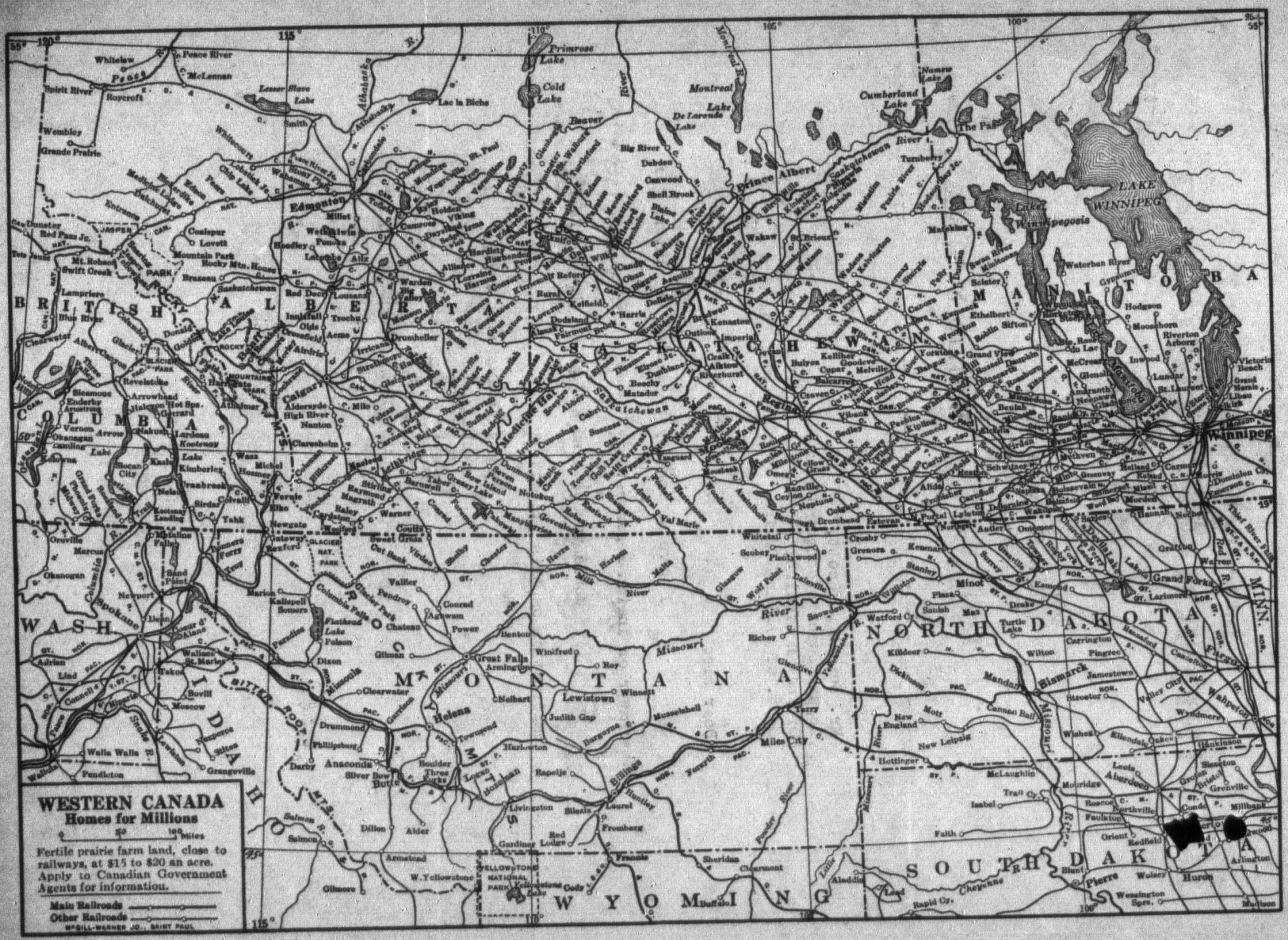
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Columbus
Laurel
Billings
Hardin
Crow Agency
Custer
Hysham
Forsyth
Miles City
Terry
Glendive
Wibaux
Beach
Baker
Ekalaka
Broadus
Alzada
Camp Crook
Buffalo
Whitefish
Kalispell
Somers
Flathead Lake
Polson
Dixon
Ronan
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Paradise
Hot Springs
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Butte
Boulder
Three Forks
Whitehall

30001

Ottawa. July 6th.1929.

Sir:-

In reply to your letter of the 2nd. inst.making inquiry as to the cutting of timber on Indian Reserves,I enclose herewith copy of Timber Regulations,which gives full information on this subject.

Your obedient servant,

D.C.Caldwell.
Director of Indian Lands & Timber.

C.E.S.Smith Esq.
Canadian Govt.Agent
38 Niagara St.
Buffalo. N.Y.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPT. OF INDIAN AFFAIRS
SEP 16 1929

THE SECRETARY,
DEPARTMENT OF INDIAN AFFAIRS,
OTTAWA, ONT.

September 14th., 1929.

Dear Sir;

Would you be so kind as to let us know what are the conditions under which timber or pulpwood properties are leased by your Depart - ment, - for what length of time, - what is the annual charge and what are the stumpage rates, - together with any other information you will be good enough to send us.

We are inquiring on behalf of some clients of ours who are considering a property of this character, and would like to know before- hand just what Government conditions they would be obliged to comply with in the event of their effecting a transfer of the property in question, which I might say is situated in the Province on Ontario, District of Algoma.

Thanking you in anticipation,

We are,

Yours very faithfully,

Frank Thompson & Co

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Ottawa. Sept.17th.1929.

Gentlemen:-

I beg to acknowledge receipt of your letter of the 14th.inst.making inquiry as to terms and conditions governing timber licenses issued by this Department,and in reply to state that these vary according to the circumstances of each license.

Of course all licenses are governed by the Timber Regulations,a copy of which is enclosed herewith,but stumpage rates vary according to tenders received,the time limit varies according to the quantity of timber which is estimated to be on the limit,and the annual rental depends on the area covered by the license.

Each timber license shows the conditions governing that license,whilst the general working conditions respecting the proper operation of the limit,are as previously stated fully covered in the regulations.

Your obedient servant,

Frank Thompson & Co.
388 St.James St.
Montreal. Que.

Actg. Asst.Deputy & Secretary.
(A.F.MacKenzie)

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Canada Lumberman

Feb 15th 1930

41 x 13

Indians Stop Cutting Down Pine Trees

THE Ontario Forestry Department, has thrown out a new warning to the Indians of the North—and, particularly, to those who make their homes along the north shore of Georgian Bay—to cease their practice of cutting down pine trees to gather cones, unless they desire the department to stop buying tree seeds from them altogether.

The placard which the department prepared for distribution, was in the Indian language and translated it reads:

"Persons who pine seeds gather, must not cut down the trees, and must not cut off branches, and must not wound the trees for the sake of seed on land of the King. The King, he is angry, and will punish, according to law. On land private, pine seeds gathered from trees, which are cut down or wounded, for the sake of seeds to be gathered, them the Branch Forestry will not accept."

Placards of a similar kind have been used by the forestry authorities for a number of years, and in the majority of districts have had good effect. But there were instances last year, it is reported, where Indians literally raised "hob" with pine timber for the sake of a few seeds, and it is such cases that the department is trying to check up.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa. Nov.20th.1926.

Memorandum.

Dr.Scott:

Hon.Peter Heenan asked me to see him at his office to discuss the question of the effect of the proposed waiving of prohibition of pulpwood export from Indian Reserves in the province of Ontario as outlined in draft Order in Council dated Oct.13th.last.

I explained that Indian Reserveswere distinct from Crown Lands in that they were privately owned and administered for the benefit of the Indians,by the Department.

I further pointed out that the embargo in force in Ontario did not affect deeded lands in the province but only open Crown Lands,and that the action of this embargo on pulpwood from Indian Reserves,resulted in the Indians being forced to sell their pulpwood in a closed market so that the price received by them for their pulpwood was $2.00 per cord less than if this timber was sold in a open market i.e.free for export.

He intimated that after realising that Indian Reserves should not be classed in the same category as the Crown domain,his previous objection to the Order in Council,was withdrawn,and stated that he would advise Hon.Charles Stewart accordingly.

A. E. Perry

Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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PRIVATE PAPERS
From 20/11/26
To 14/12/29

30001

112

December 14, 1929.

Memorandum:

Mr. Pratt.

I have to return herewith the two memoranda to Council which were sent back for further consideration. The Timber Supervisor has made a report on the conditions and Mr. Caldwell saw Mr. Heenan. You will note that as a result of this conversation Mr. Heenan stated that he would withdraw all objection to the two applications. I trust now that they will be approved.

Del

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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30001

MONTREAL April 7th 193 0.

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DEPT. OF INDIAN AFFAIRS
APR 8 1930
BRANCH

THE CONSULATE GENERAL OF THE NETHERLANDS, ROOM 1103 CASTLE BUILDING, 1410 STANLEY STREET, MONTREAL, P.Q., BEGS TO REQUEST the Department of Indian Affairs, Ottawa.

TO KINDLY FORWARD FOR OFFICIAL PURPOSES THE FOLLOWING PUBLICATIONS, FOR WHICH IT EXPRESSES ITS SINCERE THANKS:

NUMBER OF COPIES	TITLE
1	Regulations for the Disposal of Timber on Indian Reserves

CONSULAAT GENERAAL DER NEDERLANDEN MONTREAL CANADA

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

April 8th. 1930;

Sir,

In compliance with your request I am enclosing herewith copies of the Regulations for the Disposal of Timber on Indian Reserves in Canada.

Your obedient servant,

A. F. MacKenzie.
Acting Asst. Deputy and Secretary.

The Consulate General
of the Netherlands,
Room 1103 Castle Building,
1410 Stanley St.,
Montreal, Que.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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File No. 30000-1

Department of Indian Affairs

Canada

Lands and Timber Branch

Ottawa, June 30th 1930 192

Memo. Dr.Scott:-

Disposal of timber on small reserves in British Columbia, of value not exceeding $500.

From time to time, requests have been received through several B.C.agents, on behalf of Indian bands, for the Department to sell the timber on small reserves, for their benefit, such timber being as a rule not valued at more than $500.00.

The Department has for example, at present under consideration the following requests:-

Burley Bay	Reserve, Area	10	acs.	Value	$400	Kwawkwelth	Agency
Koskemo	"	" 9	"	"	$450	"	"
Glenglaouch	"	" 14	"	"	$500	"	"

In each of these cases, the Indian band concerned have given a formal resolution empowering the agent to sell the timber to the best advantage, provided half the proceeds are distributed to the band, and I am of the opinion that such resolution constitutes a "release" of the timber under the terms of the Indian Act.

It is a matter of some difficulty and expense for the agent to visit these remote reserves for the purpose of taking a formal surrender, and in any event further expense for advertising etc. would not be warranted.

I would therefore recommend that when a resolution is received, which constitutes a "release", sale be proceeded with under the regulations, without a formal surrender, provided there is a demand for the timber, and provided also that the agent solicit offers by way of local publicity.

H. Bury

Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Memorandum from Mr. R. Meldrum Stewart

Director, Dominion Observatory, Ottawa, Ontario.

respecting Sun-Spot Cycles.

For some years attention has been given at the Dominion Observatory, Ottawa, to the investigation of terrestrial consequences of solar variations, particularly to the effects of long period variations in the sun. Some interesting relationships to the eleven-year sun-spot cycle have been found in rainfall, tree-growth, dates of arrival of birds, and numbers of varying hares, grasshoppers and grouse. The results are such that it seems very desirable to extend the study of these long periods in living conditions and living things,- insects, vegetation, birds and animals--not only for their scientific importance but for their value to man and other living things. Already it would seem that in some parts of Canada at least, varying hares and grouse should be specially protected during the years when sunspots are numerous to prevent their complete disappearance, and again it appears that certain insects are more numerous and destructive at times of few sunspots. These cycles affect water-fowl because of changes of water supply in the small ponds and marshes where they breed, particularly in Western Canada.

For the extension of this work more records are needed. Freshly cut sections of old trees from various parts of Canada are desired, especially for the investigation of the phase of the sunspot influence. If anyone can supply such material readily or any long period records of other living things, he is requested to communicate with Dr. Ralph E. De Lury, Assistant Director, Dominion Observatory, Ottawa, Canada.

1706A-IR.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30000-1

J. B. HARKI
COMM

NATIONAL PARKS
MIGRATORY BIRDS CONVENTION ACT
HISTORIC SITES

DEPT. OF INDIAN AFFAIRS
JUL 8 1930
RECORDS

DEPARTMENT OF THE INTERIOR

NATIONAL PARKS OF CANADA
OTTAWA JUN 19 1930

DEPT. OF INDIAN AFFAIRS
8 1930
RECORDS

IN YOUR REPLY REFER TO FILE.....

M.B. 14

R

Dear Sir,-

EXTRACT
ON 600245

The attached copy of "American Game" containing an article by Mr. Hoyes Lloyd of this Branch, entitled "Water and Waterfowl," is sent to you because it is believed that you are interested in the waterfowl question.

The memorandum given below has been prepared under the direction of Mr. R. Meldrum Stewart, Director of the Dominion Observatory, Ottawa. You will notice that the Dominion Observatory is anxious to secure cross-sections of tree trunks and other data to assist them in gathering information respecting the important question of sun spot cycles. Your co-operation with the Dominion Observatory would be appreciated, and any queries relating to the investigations of the Observatory should be addressed to the Director or the Assistant Director at Ottawa.

Copied E. P. Nolet

Encl.

Yours faithfully,
J. B. Harkin,
Commissioner,

Per π.
.....

D. C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

1706A-IR

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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DEPT. OF INDIAN AFFAIRS
NOV 24 1930
RECORDS

DEPARTMENT OF INDIAN AFFAIRS
CANADA

INSPECTOR OF INDIAN AGENCIES
WESTERN NOVA SCOTIA

Windsor, N.S. November 21st, 1930.

Sir:-

I have had requests from several Indians, in different parts of the Province , for "Timber Permits" giving them the privilege of cutting a certain amount of timber , etc., from the Reserves .

Kindly advise me if this matter is entirely under the jurisdiction of the Indian Agent's and myself.

I would be pleased to receive a few copies of "Schedule of Dues", showing the rates that are in effect in Nova Scotia at the present time.

Your obedient servant,

J.W. Maxner

Inspector of Indian Agencies.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001-1

Ottawa. Nov.26th.1930.

Sir:-

In reply to your letter of the 21st.inst. making inquiry as to the procedure governing the issue of timber permits,I have to state that when an Indian requires a permit to cut timber for sale,from his reserve,as a means of livelihood,the agent should make the usual application on behalf of the Indian,such application should be sent you for approval,and you should then request the usual Departmental authority for the issue of the permit.

All sale permits are subject to the payment of dues at tariff rates,except under special circumstances, and several copies of the tariff are herewith enclosed.

Your obedient servant,

A. F. MacKenzie

Secretary.
(A.F.MacKenzie)

J.W.MacNer Esq.
Inspector of Indian Agencies
Windsor. N.S.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

Montréal, 8 décembre 1930.

DEPT. OF INDIAN AFFAIRS
DEC 9 1930
RECORDS

Ministère des Affaires Indiennes,
Ottawa, Ont.

Messieurs, Voulez-vous m'expédier la publication gratuite suivante, en français si possible:

"Timber, Regulations for the Disposal of, Indian Reserves."

Avec mes remerciements,

Votre dévoué,
Jean Chevrier
3774 rue St-Hubert,
Montréal, Qué.

Translation

Gentlemen,
Will you kindly send me the following free publication, in French if possible:
"Timber, regulations for the Disposal of, Indian Reserves"
with thanks
(sgd) Jean Chevrier
3774 St Hubert St.
Montreal. Que.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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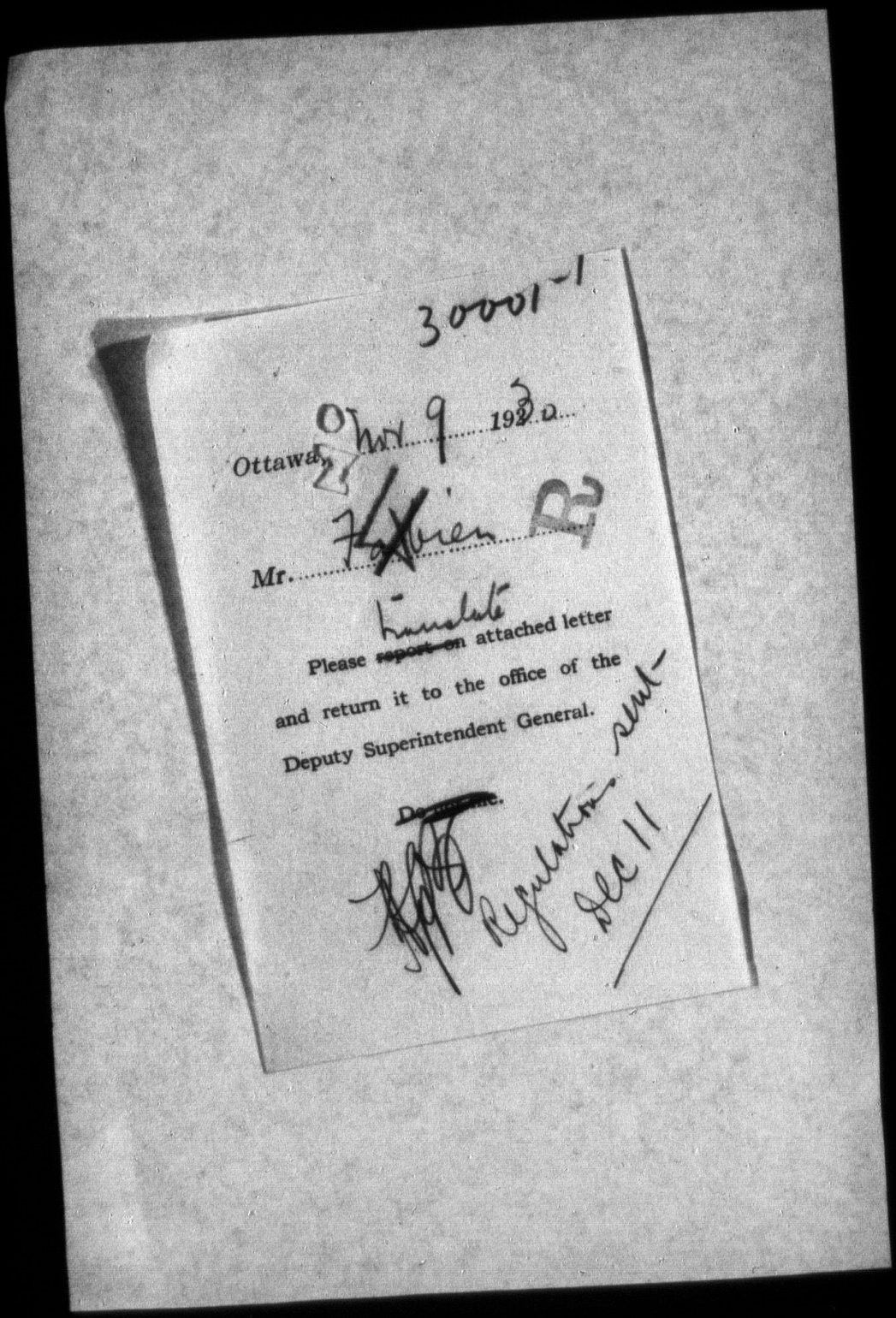
ARCHIVES PUBLIQUES
CANADA



30001-1

Ottawa, Nov 9 1930

Mr. Fabien

Please ~~report on~~ translate attached letter and return it to the office of the Deputy Superintendent General.

~~Do not file.~~

Regulations sent Dec 11

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa. Jan.5th.1930.

Sir:-

With further reference to your letter of December 31st.1928 your file designation "Exhibits,Hand Specimens" I shall be pleased to learn if you now have samples of the missing woods mentioned in our letter of Dec.28th.1928.

The most important of these which are lacking to complete our set are:- White Pine,White Ash,Sugar Maple, Beech,Douglas Fir,Western White Pine,Lodgepole Pine and Yellow Cypress.

Yours very truly,

Secretary.
(A.F.MacKenzie).

T.A.McElhanney Esq.
Superintendent
Forests Products Laboratory.
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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ADDRESS REPLY TO
THE SUPERINTENDENT

30001

CANADA

FILE DESIGNATION

Ex.-H.8.

DEPARTMENT OF THE INTERIOR

FOREST SERVICE

DEPT. OF INDIAN AFFAIRS
YOUR FILE DESIGNATION
JA

FGM:H.

FOREST PRODUCTS LABORATORIES OF CANADA

ISABELLA AND METCALFE STS.

OTTAWA. January 9, 1931.
CANADA

Read Jan 10

Dear Sir:

I have received your letter of the 5th instant, file number 30001, with reference to your collection of Canadian woods.

I am pleased to advise you that I can now supply you with most of the specimens which you lack, namely: White Pine, White Ash, Sugar Maple, Beech, Douglas Fir, Western White Pine, Lodgepole Pine and Yellow Cypress. These will be sent to you, in the near future.

Yours very truly,

F. H. Marriott
for Superintendent.

A. F. MacKenzie, Esq.,
Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

PROMOTE FOREST CONSERVATION BY EFFICIENT UTILIZATION

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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LOS ANGELES PUBLIC LIBRARY
530 SO. HOPE STREET

30001

JAN 1931

Gentlem

Please send this Library the publication noted on attached slip, if available for free distribution. If there is a charge, kindly notify us before sending.

Your courtesy in this matter will be appreciated.

Very truly yours,

Los Angeles Public Library,
Serials Division,
Los Angeles, California.

SUPPLY
JAN 24 1931
BRANCH

DEPT. OF INDIAN AFFAIRS
JAN 24 1931

Canada. Dept. of Indian Affairs.

Timber, Regulations for Disposal of (Indian Reserves.)
1 copy

Sent 24/1/31

Cat. 4/'30 P. 77 Sci.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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ARCHIVES PUBLIQUES
CANADA

30001 Apr A/31

1931
REGISTRATION BRANCH
DEPT. OF INDIAN AFF.
APR 8 1931
RECORDS

Dear Sir-

In the province of Ontario where the timber on the Indian Reserves is controlled by your dept - Can a Settler in that province - (who hasnt sufficient building material on his own land) buy logs etc to be cut off these reserves.

If so Can you give me price which you charge for same.

Yours very truly
Cal Amundson
Care Victor Hotel
321 west first St
Duluth Minn

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

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30001

Ottawa. April 14th.1931.

Sir:-

In reply to your letter of the 4th.inst. making inquiry as to permission being given a settler to cut logs on Indian reserves,when he has no building material on his own land,I have to state that as Indian Reserves are not a part of the public domain,no permission can be given white men to cut logs for building purposes.

Cutting of timber.of any kind,on an Indian reserve,by others than Indians of the band,is an act of trespass,and is liable to the penalties provided for under the terms of the Indian Act.

Your obedient servant,

Secretary.
(A.F.MacKenzie)

Cal Amundson Esq.
Victor Hotel
321 West First St.
Duluth. MINN.
U.S.A.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

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30000-1

North Augusta Ont.
Dec 12 1931

Dear Sirs: I would like to know if an Indian living in our locality can cut trees for his own use in making baskets on the other farmer's lands without permission or pay. He says that, that is his priviledge but I did not think that it was true.

Yours truly
Kenneth Checkley, North Augusta Ont.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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30000-1

EXL.

Ottawa. Dec.23rd.1931.

Sir:-

I beg to acknowledge receipt of your letter of the 12th.inst,making inquiry as to the right of an Indian to cut trees for basket making,from privately owned property,and in reply to state that the Indians have no privileges of this nature,but are just as amenable to the laws of trespass on private property as the white men.

Your obedient servant,

T.R.L. Mac...

Actg Secretary.
(T.R.L. MacInnes)

Kenneth Checkley.Esq.
North Augusta.
ONT.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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30001

OFFICERS:—
JOHN BLACK,
PRES[illegible].
W. S. BARNHART, M.D.
SEC[illegible]OFT.
R. L. [illegible]ANT,
SEC[illegible]TREASURER.
R. F. MILNE
M. W. MacPHAIL,
INSPECTORS.

LUMBERMEN'S SAFETY ASSOCIATION

AUTHORIZED BY ONTARIO CHARTER, AND BY THE ONTARIO WORKMEN'S COMPENSATION BOARD AS REPRESENTING THE LUMBER TRADE OF THE PROVINCE.

16, 17, & 18 FRASER BUILDING
OTTAWA, ONT.

DIRECTORS:—
JOHN BLACK, OTTAWA, ONT.
D. A. GILLIES, BRAESIDE, ONT.
W. R. BEATTY, PEMBROKE, ONT.
W. H. MILNE, NORTH BAY, ONT.
L. G. CARPENTER, BLIND RIVER, ONT.
W. J. BELL, SUDBURY, ONT.
E. APPLETON, OSAQUAN, ONT.
M. A. MALONE, FORT FRANCES, ONT.

R. E. HAZLEWOOD,
SPECIAL REPRESENTATIVE.

March 19th, 1932.

DEPT. OF INDIAN AFFAIRS
MAR 21 19[illegible]
RECORDS

Mr. A.F. MacKenzie, Secretary,
Department of Indian Affairs,
Booth Building,
O T T A W A.

Dear Sir:-

We would appreciate very much receiving from your Department a list of Indian Reserves, and their location, in Ontario, together with the names of timber operators who are licensees in connection therewith.

This information will be of great assistance to us in preparing our programme of safety work, which covers the activities of the lumber operators in the Province of Ontario.

The Association is authorized by the Ontario Workmen's Compensation Board for accident prevention, safety work etc., and is in no way concerned or connected with any commercial enterprise. The information requested, therefore, would not be used for any commercial purpose but entirely in the work of the Association.

Assuring you of our appreciation of your assistance in this connection, we are

Yours very truly,

LUMBERMEN'S SAFETY ASSOCIATION

R. E. Hazlewood
Sec'y-Treas.

REH/JT

R. E. Sargent

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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30001

Ottawa. Mar.24th.1932.

Sir:-

In reply to your letter of the 19th.inst. making inquiry as to our timber licensees in the Province of Ontario,in connection with your campaign for the Lumbermen's Safety Association,the following are in active operation at present:-

Licensee.	Address.	Reserve.
Keewatin Lbr.Co.	Kenora. Ont.	Lac Seul.
Fesserton Tbr.Co.	15 Toronto St. Toronto.	Mattagami
Border Lbr.Co.	Fort Frances.	Lac la Croix
Driftwood Lds & Tbr.	Port Arthur.	Long Lac
McGibbon Lbr.Co.	Penetanguishene	Gibson
C.W.Cox.	Port Arthur.	Pt.Lac Seul
Jas.Ludgate.	Parry Sound.	Whitefish Lake
Lyons Fuel Co.	Sault Ste.Marie.	Gros Cap.
" " "	" "	Garden River
C.W.Cox.	Port Arthur.	New Brunswick H.

Your obedient servant.

A. F. MacKenzie.

Secretary
(A.F.MacKenzie).

R.L.Sargant Esq.
Sec.Treasurer
Lumbermen's Safety Association
16 Fraser Bldg. OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

May 18th. 1932.

Mr. Burr,

The Minister would like to have a memorandum setting forth what the usual practice is in the matter of the disposal of timber on Indian reserves. I should like to get the memorandum as soon as possible.

A. S. Williams

Acting D.S.G.I.A.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

File No.....

Department of Indian Affairs

Canada

Lands and Timber Branch

Ottawa, May 15th.1932. 193

Memo. Mr.Williams,Actg.D.S.G.I.A.

DISPOSAL OF TIMBER ON INDIAN RESERVES.

With reference to your memo.of the 15th.inst.regarding disposal of timber on Indian Reserves,it is presumed that this has particular bearing on the method of procedure connected with the sale of Indian timber for the purpose of cutting by others than the Indians of the band.

Exhibit A The attached circular letter "TIMBER ON INDIAN RESERVES" outlines fully the policy of the Department with respect to the administration of the timber resources of the Indians,and the present memorandum only deals with public sale to white men.

The first step in our procedure arises out of the expressed wish of the Indian band to have their timber sold for their benefit so that they may enjoy the proceeds arising out of the sale,or from an inquiry from some lumber concern to purchase the timber on a reserve.

If the former,the local agent is asked to report as to the kinds and quantities of timber (approx) and the present day value.He is also asked to report as to the forest fire hazard, maturity of growth,local demand for standing timber,ability or willingness of the Indians to assist in the logging,and any other factors which would bear on the question of the advisability of a sale being made.

If the latter,the agent is asked to determine the wishes of the band of Indians who own the timber,and report if they desire to give the necessary formal surrender in order that it may be offered for sale.

Assuming that the Department is satisfied that a sale of the timber would be in the best interest of the Indians

(concerned

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Indian Affairs.-(RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

Exhibi[illegible] concerned, the agent is authorised by the Deputy Superintendent General to submit a surrender to the Indians in accordance with the provisions of section No.50 of the INDIAN ACT.

If and when such surrender is assented to by a majority of the voting members of the band, the surrender is sent to the Privy Council, with the consent of the Superintendent General, for approval.

When such approval is given, steps are taken to dispose Exhibit C " D of the timber under the provisions of the TIMBER REGULATIONS..

(Note:- As timber species and logging operations are radically different in the province of British Columbia from those in the rest of the Dominion, it was found necessary to adopt separate regulations for timber on reserves in that province.).

These steps may be briefly summarised as follows:-

1. Should the timber be valued at less than $500 sale can be made without public advertisement, the agent merely being requested to solicit offers from local lumbermen or other interested parties. Such offers are forwarded to the Department and submitted to the Superintendent General for approval or otherwise.

2. If the timber is valued at more than $500 the timber is cruised and valued by the Timber Supervisor of the Department or by a cruiser appointed by the Department for that purpose Exhibit E and the report or cruise thus obtained is used as a basis for determining the relative value of the tenders that may be received.

3. The advertisement of sale is then drafted, and direction is requested from the Superintendent General as to the newspapers in which such advertisement shall be published and when this is received the necessary instructions are Exhibit F/ sent to the Advertising Branch of the King's Printer, for publication.

4. Tenders for the purchase of the timber must be submitted Exhibit G on the proper form, and when these are received, they are analysed by the Timber Supervisor, and a report or recommendation is sent to the Deputy Superintendent General.

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CANADA

Exhibit H.

5. This report is then transmitted to the Superintendent General for his consideration and approval, and when such approval of sale is given, a license is granted to the successful tenderer.

H. J. Bury

Supervisor Indian Timber Lands.

Documents attached to this memorandum:-

Exhibit A Circular "Timber on Indian Reserves"
" B Form of Timber surrender
" C Timber Regulations (Reserves not in B.C.)
" D " " (Reserves in B.C.)
" E Report on Lands & Timber.
" F Demand for advertising, and specimen advertisement.
" G 1&2 Form of tender for purchase of timber.
" H 1&2 Form of Timber License.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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30001 -1

File

May 18th. 1932.

MEMORANDUM

Mr. Buskard -

The Minister has asked for a memorandum dealing with the disposal of timber on Indian reserves and I now enclose a memorandum prepared by Mr. Bury, Supervisor of Indian Timber Lands, which goes into the matter very fully.

A.W.

D.S. Williams

Acting D.S.G.I.A.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DIRECTOR OF FORESTRY,
E. H. FINLAYSON, B.Sc.F.

CANADA

DEPARTMENT OF THE INTERIOR

FILE DESIGNATION

YOUR FILE

JRD/HMB

Forest Service,

Ottawa, August 29, 1932

Dear Mr. Bury,

Thanks for the paragraphs and regulations re forest policy which you kindly sent me.

Could you also let me have a statement showing the present area of Indian Reserves in each province, and the territories? *just the total in each case.*

For inclusion in the bibliography of enabling legislation, at close of my article, I would also appreciate having a citation of the more important laws with their approximate dates which authorized the setting up of Indian Reserves and in general the work of your Department.

Yours very truly,

Jas R. Dickson

Economics and Resources Division

H. I. Bury, Esq.,
Supervisor Indian Timber Lands,
Department of Indian Affairs,
O t t a w a.

PREVENT FOREST FIRES—IT PAYS

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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FILE DESIGNATION

DIRECTOR OF FORESTRY.
E. H. FINLAYSON, B.Sc.F.

CANADA

DEPARTMENT OF THE INTERIOR

DEPT. OF INDIAN AFFAIRS SEP 3 1932 RECORDS

SUPPLY SEP 6 1932 BRANCH

JRD/HMB

YOUR FILE

Forest Service,

Ottawa, September 2, 1932

20

Dear Sir,

In connection with an article we are preparing for the Empire Forestry Journal, I applied to Mr. Bury for some information with respect to the existing area of Indian Reserves, by provinces, and also regarding the history and policy of the Department.

As you will observe by his notation on my letter he has referred me to you. Will you kindly therefore let me have what data you can at your early convenience?

Yours very truly,

Annual Report - 1927
" 1931
Schedule of Ind. Reserves
Census of Indians
Indian Act -

Jas R. Dickson

Economics and Resources Division.

Sent 6/9/32

A. F. MacKenzie, Esq.,
Secretary,
Dept. of Indian Affairs,
Ottawa, Ont.

PREVENT FOREST FIRES—IT PAYS

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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30000-1

DIRECTOR OF FORESTRY,
E. H. FINL[illegible]SON, B.Sc.F.

CANADA

DEPARTMENT OF THE INTERIOR

Forest Service,

Ottawa, 7th September, 1932

FILE DESIGNATION
DEPT. OF INDIAN AFFAIRS
SEP 9 1932
RECORDS
YOUR FILE

Secy R

JRD:E

Dear Sir,

I wish to thank you for the several documents or reports affecting Indian Affairs in Canada, which you have forwarded.

Nowhere in these blue books, however, does there appear a summary statement showing the area of Indian Reserves by provinces. It is true that in Mr. Robertson's bulletin there is a detailed tabular statement showing the area of Indian Reserves by counties in the various provinces, but no total figure for the province appears and moreover no mention is made of British Columbia.

Could you kindly procure these provincial totals from Mr. Robertson's office. It also seems probable that Mr. Bury might be able to provide us with an estimate of the proportion of the total area in each case that is forest land. If so, it would be appreciated.

Yours very truly,

Jas R. Dickson

Economics & Resources Division.

A. F. MacKenzie, Esq.,
Secretary,
Department of Indian Affairs,
Ottawa, Ontario

PREVENT FOREST FIRES—IT PAYS

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

EX'D.

30000-1

September 9,1932.

Sir:- Re Area of Indian Reserves by Provinces.

I have to acknowledge receipt of your letter of the 7th instant, and in reply to your second paragraph I would refer you to page 34 of the last Annual Report of this department which I am enclosing herewith.

Your obedient servant,

T.R.L. MacInnes

T.R.L.MacInnes.
Acting Secretary.

J.R.Dickson,Esq.,
Economics and Resources Division,
Forest Service,
Department of the Interior,
Ottawa.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001

Hudson's Bay Company.

INCORPORATED 2ND MAY 1670.

Mattice Post.

DEPT. OF INDIAN AFFAIRS
TO BE ADDRESSED TO THE MANAGER
SEP 28 1932
RECORDS

Mattice, Ontario.

September 26th. 1932

To The Secretary,
Department of Indian Affairs,
OTTAWA, Ontario.

Dear Sir :-

It has been brought to my attention that in some section of this country some one is desiring to buy " Jack Pine Cones " for the purpose of replanting deforested areas.

I cannot tell you if this is done in a commercial basis or not, if it is done by the Governments for experimental purposes only in a small way, however the object in mind is this, there is many Posts that lot of these " cones " could be picked by the Indians and it would relieve them at those points from their present distress, with this in mind, I take the liberty to draw your kind attention to this, if it was possible to secure further information from any of the Departments at Ottawa, it would be gladly received here and passed on to the other Posts, Etc., as we are very keen to try to discover some means of providing these Indians with a source of revenue to live by themselves.

Hoping that my inquiry will receive from your Department your kind support and that you will co-operate with us to secure the proper informations from the Deparrments if same can be got, in the meantime I am making inquiries outside and immediate results could be obtained it would help considerably at some Posts were the Indians are badly in need of revenue.

Yours very truly,

H. Lariviere,
In Charge-Mattice Post.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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30001

EXD.

Ottawa. Sept.30th.1932.

Sir:-

In reply to your letter of the 26th. inst.regarding the gathering of pine cones for seed purposes by the Indians,you should address your inquiry as to sale of these cones to Dr.Zavitz,Deputy Minister Forestry Dept. Toronto.

The Federal government does not customarily purchase pine cones in eastern Canada.

Yours very truly,

A. F. MacKenzie

Secretary.
A.F.MacKenzie.

H.Lariviere
Hudson Bay Co.
Mattice. ONT.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

File No. .....

Department of Indian Affairs

Canada

Lands and Timber Branch

Ottawa, Oct.5th.1932. 193.....

Memo. Mr Caldwell

Computation of interest on arrears of timber dues, royalties etc.

Section No.13 of the Timber Regulations provides that arrears of payment of dues on timber cut under license or permit shall be "subject to interest at the rate of six per cent per annum" and it has been the custom to compute such interest, as simple interest and not compound.

An Order in Council provides for the payment of interest compounded on arrears of payment for land sales only, and although it may be the custom in commercial use, to charge compound interest on outstanding debts, yet as far as I am aware in cases of arrears other than land sales, other Departments of the Government charge only the rate specified computed as simple interest on the amount of the debt.

I shall be plased to have a ruling on this question of the computation of interest on arrears of timber dues, rentals, royalties etc.

H. J. Bury

Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001

Hudson's Bay Company.

INCORPORATED 2ND MAY 1670.

Mattice Post.

ALL OFFICIAL CORRESPONDENCE TO BE ADDRESSED
DEPT. OF INDIAN AFFAIRS
OCT 7 1932
RECORDS

Mattice, Ontario.

October 2nd. 1932.

To The Secretary,
Department of Indian Affairs,
OTTAWA, Ontario.

Dear Sir :-

I have yours of the 30th. ult., # 30001 many thanks for the information. I am taking the matter up with our Headoffice, and we hope with time that we will discover some means of getting some sources of new revenue for the Indians.

For your information we are investigating also many other lines, keeping in mind all will have the tendency to help to recover from the present distress our Indians in Canada, so far the results are almost nil.

Again thanking your for the information.

Yours very truly,

H. Lariviere,
Mattice, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001 pt 1

DIRECTOR OF FORESTRY,
E. H. FINLAYSON, B.Sc.F.

CANADA

DEPARTMENT OF THE INTERIOR

FILE DESIGNATION

DEC 19 1932

RECORDS

YOUR FILE

Forest Service,

Ottawa, December 10, 1932.

JRD/K.

Attention - Mr. Caldwell

Dear Sir,

Each year-end, for the information of the Canadian Society of Forest Engineers, it is my duty to prepare a progress statement showing any changes made during the year by the various Forest Authorities in Canada, in respect to their timber disposal regulations. Any changes made in rates of stumpage dues, methods of payment, plans of protection, or conditions of logging, and possible effect of same on the general objective of a sustained yield, are among the main points considered.

Will you kindly advise me in this regard with respect to your Timber Regulations in 1932?

Yours very truly,

Jas R. Dickson

(For C. S. F. E. Committee)

The Deputy Superintendent General,
Department of Indian Affairs,
Booth Building, Ottawa.

PREVENT FOREST FIRES—IT PAYS

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001-

E A L.

December 16th, 1932.

Sir,-

In reply to your letter of the 10th instant, making enquiry as to any changes that may have been made in our timber regulations during the past year, I may say that no amendments or new regulations have been passed. We have, of course, invoked the provisions of Section No. 15 of the Timber Regulations during the past year to enable the Indians to cut timber, for sale, without the payment of dues, as a measure of relief.

Your obedient Servant,

Director.

J. R. Dickson, Esq.,
Forest Service,
Department of the Interior,
O T T A W A.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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30001-1

T. F. HALL, B.A.
BARRISTER, SOLICITOR, NOTARY, ETC.
SOLICITOR FOR STANDARD BANK OF CANADA
COBOURG, CANADA

DEPT. OF INDIAN AFFAIRS
MAR 36 1923
RECORDS

Cobourg, Ont., March 4th, 1923

Department of Indian Affairs,
Lands and Timber Branch,
Booth Building,
Ottawa,
Canada.

Dear Sirs:-

Will you please send me a copy of Form No. 202 - Regulations for the disposistion of timber on Indian Reserves, and oblige.

Yours very truly,

Thomas F. Hall

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

Poor Copy

30001-1 EX'D.

Ottawa. March.8th.1933.

Sirt-

In reply to your letter of the 4th.inst. I enclose herewith copy of Timber Regulations as requested.

Yours very truly,

Secretary.
A.F/MacKenzie.

Thomas F.Hall
Barrister etc.
Cobourg. ONT.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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RESOLUTION RE THE WHITE PINE BLISTER RUST MENACE

Whereas the destructive inroads of this insidious tree disease continue to deplete the actual and potential White Pine resources of Canada, and,
Whereas practically no effective action has as yet been taken by any Forest Authority, looking to the control of this rust through Ribes eradication.
Therefore be it resolved by this Society that the governments specially concerned be urged to institute action on this pressing problem without further delay.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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30000-1

CANADIAN SOCIETY OF FOREST ENGINEERS

DEPT. OF INDIAN AFFAIRS
FEB 17 1934
RECORDS

President: G. C. Piche
Quebec Forest Service
Quebec, P.Q.

Vice President: W. A. Delahey
Canadian International Paper Co.
Maniwaki, P.Q.

Secretary: A. H. Richardson
Ontario Forestry Branch
Toronto (5), Ont.

Treasurer: D. R. Cameron
Dominion Forest Service
Ottawa, Ont.



Toronto, Ont.,
February 15th, 1934.

Deputy Superintendent General
of Indian Affairs,
Ottawa, Ont.

Dear Sir:-

File: Soc.

I take pleasure in sending you herewith a copy of a resolution regarding the white pine blister rust which was passed at the annual meeting of our Society held in Montreal, January 25th and 26th.

Yours faithfully,

Arthur Herbert Richardson

AHR/M.
Encl.1.

Secretary.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO
No.....
ALSO TO THE DATE OF THIS LETTER
PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

CIRCULAR. DEPARTMENT OF INDIAN AFFAIRS CANADA OTTAWA

May 7th.1934.

Supplementary to Circular

TIMBER ON INDIAN RESERVES
(Jan.26th.1916)

INDIAN TIMBER PERMITS.

In order to achieve better regulation and closer supervision of the cutting of timber for sale by Indians from their reserves under authorised permit (Form No.86), the practice of issuing "Band Permits" must be discontinued.

In future all cutting permits must be issued to individual Indians and carbon copies of each permit issued by an agent must be forwarded to headquarters.

As such permits are at present numbered consecutively, the permit form bearing the even number must be sent to the Department, and in this manner every timber permit must be accounted for.

All permits expire on the 30th.day of April of each year and any permits not utilised by that date become automatically cancelled.

Where an agent is of the opinion that the limited quantity of timber remaining on a Reserve precludes the cutting of timber for sale, except under the closest supervision, he should report the circumstances and authority will be given him to adopt the system of "SALE PERMITS" (Form No.94) to be used in conjunction with the usual cutting permits (Form No.86)

Harold W. Hill.

Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL
OTTAWA

RULES GOVERNING THE CUTTING OF TIMBER

on the

.....Indian Reserve.

WHEREAS the timber remaining on the..... Reserve is barely sufficient for the future needs of the Indians of the band,so as to provide adequate material for their requirements by way of building,fencing and fuel,

AND WHEREAS in the interest of the said Indians it is deemed advisable to safe-guard their timber resources by restricting the quantity cut for sale,

NOW THEREFORE,under the provisions of section No.119 of the Indian Act and of section No.15 of the Timber Regulations, the following rules must be observed with respect to the cutting of timber on the.....Reserve.

1. Cutting for Individual Use.

An Indian has an implied right to cut timber from his location,or from unlocated land on his reserve,for his own use, i.e.for building,fencing and fuel purposes,without the consent of the Indian council or permission from the Department; cutting timber for sale,however,is prohibited except with special permission in writing from the Superintendent General or other officer deputed by him.

2. Application for Permit to Cut for Sale.

An Indian who desires to cut timber for sale must submit his application to the Council of the band at a regular council meeting,and such application must distinctly state (a) the name of the applicant,(b) the quantity and kind of timber that it is desired to cut,and (c) the location from which such timber is to be removed.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

3. Consent of Council.

The Indian Council shall register consent or otherwise to each application by way of resolution, except in emergency cases as outlined hereunder, and such resolution shall be promptly forwarded to the Department through the Indian Agent.

4. Sanction of the Department.

When the sanction of the Department is obtained, the Indian Agent shall issue a TIMBER PERMIT in duplicate on form No.86, provided for that purpose, the original to be handed to the permittee and the duplicate to be kept on record in the office of the Indian Agent.

5. Emergency Permits.

It shall be permissible at the discretion of the Indian Agent to issue an interim Timber Permit, to any Indian who being in necessitous circumstances, is unable to secure the consent of the Indian Council beforehand, but such interim permit must be promptly reported to the Department.

6. Payment of Dues.

All Timber Permits shall be subject to the payment of dues at Permit Tariff Rates, unless special exemption from the payment of such dues, is approved by the Department.

7. Exemption from Payment of Dues.

Exemption from payment of dues may be requested by the permittee, when it is shown to the satisfaction of the Indian Council and the Department that:-

(a) the permittee has actually planted the trees from which the timber is to be cut.
(b) the permittee has carefully preserved the said trees which were planted by his predecessors since the time the Reserve was originally set aside for the use of the Indians.
(c) the permittee is in such necessitous circumstances that the imposition of dues would work a hardship.

Exemption from payment of dues must in all cases be sanctioned by the Department.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

8. Sale Permits.

When an Indian desires to sell timber which has been cut by another Indian under a duly authorised TIMBER PERMIT, the original permittee shall make application to the Indian Agent or other officer deputed by him, for a sale permit to be issued in favor of the applicant, and a record shall be kept of all Sale Permits issued in connection with each original TIMBER PERMIT.

9. Timber sold illegally.

Timber of any kind that is sold or offered for sale by an Indian who does not hold an original TIMBER PERMIT or a corresponding Sale Permit shall be deemed to have been cut without authority and is liable to the penalties provided under the Indian Act and the Timber Regulations.

The foregoing rules to go into effect on and after .....19...

Harold McGill

Deputy Superintendent General.

ho b 30-2

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

30000-1

ADDRESS REPLY TO THE
SECRETARY, DEPT. OF INDIAN AFFAIRS,
OTTAWA

IN YOUR REPLY REFER TO

No.....

ALSO TO THE DATE OF THIS LETTER

PLEASE WRITE ON ONLY ONE SUBJECT
IN EACH LETTER

DEPARTMENT OF INDIAN AFFAIRS
CANADA

RULES GOVERNING THE CUTTING OF TIMBER

on the

.....Indian Reserve

WHEREAS the timber remaining on the..... Reserve is barely sufficient for the future needs of the Indians of the band, so as to provide adequate material for their requirements by way of building, fencing and fuel,

AND WHEREAS in the interest of the said Indians it is deemed advisable to safe-guard their timber resources by restricting the quantity cut for sale,

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2. Application for Permit to Cut for Sale.

An Indian who desires to cut timber for sale must submit his application to the Council of the band at a regular council meeting, and such application must distinctly state (a) the name of the applicant, (b) the quantity and kind of timber that it is desired to cut, and (c) the location from which such timber is to be removed.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

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(a) the permittee has actually planted the trees from which the timber is to be cut.
(b) the permittee has carefully preserved the said trees which were planted by his predecessors since the time the Reserve was originally set aside for the use of the Indians.
(c) the permittee is in such necessitous circumstances that the imposition of dues would work a hardship.

Exemption from payment of dues must, in all cases, be sanctioned by the Department.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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The foregoing rules to go into effect on and after .....19....

Harold W. McGill

Deputy Superintendent General.

C30-2

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

Stairs, Dixon & Claxton

Barristers & Solicitors

Cable Address "Montgibb"

DEPT. OF INDIAN AFFAIRS
JUN 7 1934
RECORDS

231 St. James Street W.

Gilbert S. Stairs, K.C.
Brooke Claxton
D. M. Johnson
S. G. Dixon, K.C.
Jacques Senecal
Hugh H. Turnbull
C. G. Claxton, K.C.

7/M

Montreal 6th June, 1934.

The Superintendant-General of Indian Affairs,
Parliament Buildings,
Ottawa, Ont.

Dear Sir,-

A client of this office holds a license to cut timber upon an indian reserve in the Province of Quebec issued by the Department of Indian Affairs of the Dominion of Canada. Our client is also lessee under a lease by His Majesty represented by the Superintendant-General of Indian Affairs for the term of twenty years, covering certain property in Quebec.

Our client wishes to assign his interest under his license and lease and has consulted us as to what the costs, if any, would be.

Would you please let us have copies of any orders-in-council relating to fees payable on such an assignment and relating to registrations, filing, etc., on such assignment.

Our client is anxious to get this information at the earliest opportunity and any courtesy you could extend would be appreciated.

Yours faithfully,
Stairs, Dixon & Claxton.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001.

Ottawa, June 8th, 1934.

Dear Sirs,-

I desire to acknowledge receipt of your letter of the 6th instant, and in reply to say that if you will furnish the Department with the name of your client and the Indian Reserve affected the information which you desire will be given without delay.

Lacking this information, it is impossible for the Department to reply more definitely to your letter.

Your obedient servant,

A. F. MacKenzie.
Secretary.

Messrs. Stairs, Dixon & Claxton,
Barristers, &c.,
231 St. James Street West,
Montreal, Que.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001-1

DEPARTMENT OF INDIAN AFFAIRS
CANADA

DEPT. OF INDIAN AFFAIRS
AUG 25 1934
RECORDS

IN YOUR REPLY REFER TO
No. 136/36038
ALSO TO DATE OF THIS LETTER

COMMISSIONER'S OFFICE
P.O. BOX 666
VICTORIA, B.C., August 17, 1934.

Sir:

The Department will be aware there has recently been advertised in the press in British Columbia certain timber sales in connection with which prospective tenderers have been invited to apply to this office for forms of tender, plans of the Reserve and a copy of the timber regulations. Copies of the advertisement and a few tender forms have usually been received from the Department for distribution to tenderers but no plans of the Reserves or copies of the timber regulations have accompanied the tender forms and consequently I have been unable to furnish plans except sketchs especially made from our local reserve blue prints. I would therefore be obliged if the Department could make it convenient when advertising timber in the future to supply me with plans as well as copies of the timber regulations as we have only a few of the latter on hand. Should the Department prefer, however, to furnish me with a supply of timber regulations this could be done.

Sent 100 Aug 27

Your obedient servant,

C. C. Perry,
Asst. Indian Commissioner for B.C.

P/AC

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

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

CIRCULAR LETTER
to
All Indian Agents.

Ottawa.
Oct.31st.1934.

INDIAN TIMBER PERMITS.

Some uncertainty appears to exist as to the proper procedure with respect to the cutting of timber for sale by Indians from their reserves, and as the Department is charged with the duty of conserving the timber resources of the Indians and of controlling the revenue derived from the sale thereof, it is desirable that all agents should strictly adhere to the following instructions:-

1. An Indian has an implied right under the Indian Act to cut timber for his own use, for building, fencing and fuel purposes, but the cutting of timber for sale can only be permitted with the consent of the council of the band and the sanction of the Department.
2. Where the visible timber resources of the Indians are not large, cutting for sale is curtailed, if not entirely prohibited, as it would be detrimental to the interest of the Indians if they are allowed to sell their timber and thereby endanger the future supply for their own use.
3. The provisions of Section No.15 of the Timber Regulations must be closely followed and carbon copies of all Indian Timber Permits must be sent to the Department.
4. The dues as established by Section No.20 of the Timber Regulations must be collected on all timber cut for sale by Indians, unless the collection of such dues is waived by the Superintendent General as a measure of relief.
5. Timber of any kind, including fuel wood which is cut by Indians for Indian Schools or for any purpose relating to administration, such as for the use of the agency, hospital, employee's residence etc. is subject to the payment of dues, unless the council of the band petition the Department to waive collection, and authority is given to do so by the Superintendent General.
6. Timber dues, together with an affidavit showing the kinds and quantities of timber cut for sale, must be sent in promptly to the Department, for credit to the funds of the band, particular care being taken to see that the dues are paid before the timber is removed from the reserve.
7. Copy of the Timber Regulations, Indian Timber Permit Form No.86 and Affidavit Form No.70a can be had on application to the Department.

Harold W.McGill
Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

File No. .....

Department of Indian Affairs

Canada

Lands and Timber Branch

Ottawa, Oct.31st.1934. 193.....

Memo. Dr.McGill:

It has been reported by Mr.H.B.Raynor,Travelling Auditor,that in the course of his recent visit to several of the western Indian agencies,he has found that certain agents have apparently issued permission verbally to Indians to cut timber for sale from their reserves,without the sanction or knowledge of the Department.

In consequence the Department has no means of controlling the cutting of timber for sale,nor,apparently, are any dues collected.

He further states that in several cases,Indians have cut large quantities of fuel wood for sale to the various Indian Schools,agencies,hospitals,also without departmental control or sanction.

It would appear desirable therefore to fully inform the western agents generally,as to the proper procedure which should be followed when Indians desire to cut timber for sale,and I have therefore drafted,for your approval, a circular letter covering the salient points of this phase of administration.

H. L. Bury

Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C30-2

CIRCULAR LETTER
to
All Indian Agents.

Ottawa.
Oct.31st.1934.

INDIAN TIMBER PERMITS.

Some uncertainty appears to exist as to the proper procedure with respect to the cutting of timber for sale by Indians, from their reserves, and as the Department is charged with the duty of conserving the timber resources of the Indians and of controlling the revenue derived from the sale thereof, it is desirable that all agents should strictly adhere to the following instructions:-

1. An Indian has an implied right under the Indian Act to cut timber for his own use, for building, fencing and fuel purposes, but the cutting of timber for sale can only be permitted with the consent of the council of the band and the sanction of the Department.
2. Where the visible timber resources of the Indians are not large, cutting for sale is curtailed, if not entirely prohibited, as it would be detrimental to the interest of the Indians if they are allowed to sell their timber and thereby endanger the future supply for their own use.
3. The provisions of Section No.15 of the Timber Regulations must be closely followed and carbon copies of all Indian Timber Permits must be sent to the Department.
4. The dues as established by Section No.20 of the Timber Regulations must be collected on all timber cut for sale by Indians, unless the collection of such dues is waived by the Superintendent General as a measure of relief.
5. Timber of any kind, including fuel wood which is cut by Indians for Indian Schools or for any purpose relating to administration, such as for the use of the agency, hospital, employee's residence etc. is subject to the payment of dues, unless the council of the band petition the Department to waive collection, and authority is given to do so by the Superintendent General.
6. Timber dues, together with an affidavit showing the kinds and quantities of timber cut for sale, must be sent in promptly to the Department, for credit to the funds of the band, particular care being taken to see that the dues are paid before the timber is removed from the reserve.
7. Copy of the Timber Regulations, Indian Timber Permit Form No.86 and Affidavit Form No.70a can be had on application to the Department.

Harold W.McGill
Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001

30001.

DEPARTMENT OF INDIAN AFFAIRS

CANADA

CIRCULAR NO. 630-2.

Ottawa, November 7th, 1934.

Sir:-

RE: INDIAN TIMBER PERMITS.

Some uncertainty appears to exist as to the proper procedure with respect to the cutting of timber for sale by Indians from their reserves, and as the Department is charged with the duty of conserving the timber resources of the Indians and of controlling the revenue derived from the sale thereof, it is desirable that all Agents should strictly adhere to the following instructions:

1. An Indian has an implied right under the Indian Act to cut timber for his own use, for building, fencing and fuel purposes, but the cutting of timber for sale can only be permitted with the consent of the council of the band and the sanction of the Department.

2. Where the visible timber resources of the Indians are not large, cutting for sale is curtailed, if not entirely prohibited, as it would be detrimental to the interest of the Indians if they are allowed to sell their timber and thereby endanger the future supply for their own use.

3. The provisions of Section No.15 of the Timber Regulations must be closely followed and carbon copies of all Indian Timber Permits must be sent to the Department.

4. The dues as established by Section No.20 of the Timber Regulations must be collected on all timber cut for sale by Indians, unless the collection of such dues is waived by the Superintendent General as a measure of relief.

5. Timber of any kind, including fuel wood which is cut by Indians for Indian Schools or for any purpose relating to administration, such as for the use of the agency, hospital, employee's residence, etc., is subject to the payment of dues, unless the council of the band petition the Department to waive collection and authority is given to do so by the Superintendent General.

6. Timber dues, together with an affidavit showing the kinds and quantities of timber cut for sale, must be sent in promptly to the Department, for credit to the funds of the band, particular care being taken to see that the dues are paid before the timber is removed from the reserve.

7. Copy of the Timber Regulations, Indian Timber Permit Form No.86 and Affidavit Form No. 70A can be had upon application to the Department.

Yours very truly,

Harold W. McGill.

Harold W. McGill.
Deputy Superintendent General.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

DEPARTMENT OF INDIAN AFFAIRS
CANADA

30001 R

OFFICE OF
INDIAN AGENT

Balcarres, Sask.,

Nov. 13, 1934.

DEPT. OF INDIAN AFFAIRS
NOV 16

Dear Sir, Re Indian Timber Permits.

With regard to your Circular letter 30001, dated the 7th instant, I would be pleased if you would forward to me two copies of the Timber Regulations, A supply of Indian Timber Permit Form No. 86 and Affidavit Form No. ~~70~~ 71.

Sent 17/11/34 W.M.B.

Your obedient servant,

George Dodds

Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001-1

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
NOV 16 1934
RECORDS

Touchwood Agency,
Punnichy, Sask.
Nov 13th 1934.

13A.

Dear Sir;-

In reference to circular #30001 and # C30-2 of the 7th inst regards timber permits I am in doubt as to whether these instructions apply to this Agency through the fact that no dues seem to have been collected here in past years and perhaps the Department does not classify the poplar stuff grown here as timber.

In order to keep out of trouble I would be obliged for definite instructions as to whether I should endeavor to collect timber dues on the firewood sold off the reserves here, it is mostly dead poplar stuff having little commercial value, and most of it is traded off in the winter for food to the farmers; personally I would be inclined to let matters stand as at present it would be quite difficult to collect dues when the transactions are all in trade with people who have no cash.

Your obedient servant,

Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001-1

Ottawa, Nov.16th.1934.

Sir:-

With reference to your letter of the 13th.inst.advising that the Indians are in the habit of disposing of dead and fallen poplar to farmers living adjacent to the reserve,in exchange for food,there is no objection to this practice,if the Indians have ample supplies of this dead timber for their own use.

The cutting of green timber is however prohibited except under the conditions set forth in circular 30001 G.30-2.

Yours very truly,

A. F. MacKenzie

Secretary.
A.F.MacKenzie.

J.W.Waddy Esq.
Indian Agent
Punnichy. SASK.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001-1

Selkirk.Man,20th.November,1934

DEPT. OF INDIAN AFFAIRS
NOV 23 1934
RECORDS

Dear Dr.McGill:-

Re- Indian Timber Permits

Your latest circular,No.630-2, File No. 30001,of 7th.November,specifies that in accordance with the provisions of section 15 of the Timber Regulations, carbon copies of all Indian Timber Permits,must be sent to the Department. In this connection,kindly advise if it is intended to prepare a different form of permit, such for instance as those supplied to cut hay on Indian Lands,see Form No.182,in triplicate. Here we have the permit proper and duplicate stub,all numbered alike and with three places for the Agent's signature. This type of form would enable us to give the Indian his permit, forward a copy to the Department and at the same time retain a copy in the office.

Form No.86 is numbered in duplicate only and does not provide for a third copy,such as required by the Department.

I cannot see how we could keep our consecutive numbers straight in form 86 if we tried to make carbon copies,unless we made a pencil change in the number of the duplicate copy,otherwise the Indian's permit would be No.1 and the Department copy No.2.

Kindly advise what procedure would be in order,if form No.86 is to be continued.

Your obedient servant

Andrew Irwin.
Indian Agent.

Dr.Harold W McGill
Deputy Superintendent General.
Department of Indian Affairs.
Ottawa.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001-1

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
NOV 21 1934
RECORDS

Fort St.John B.C. Agency
November 15th.1934

Sir,-

I beg to acknowledge receipt of your Circular Letter # C-30-2 re Indian Timber Permits, dated Nov.7th.1934.

Will you kindly forward me a copy of the Timber Regulations, Indian Timber Permit Form # 86 and the Affidavit Form # 70 A.

Yours truly,

H.A.W.Brown M.D.
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Sent. 4/12/34

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

30001

DEPT. OF INDIAN AFFAIRS
NOV 26 1934
RECORDS

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
NOV 24 1934
RECORDS

Kootenay Agency,
Cranbrook, B.C.,
November 21, 1934.

10/3568.

Sir:

I beg to acknowledge receipt of Departmental Circular letter No. C30-2 of November 7th, 1934, file No. 30001, with reference to Indian Timber Permits.

Will the Department please supply this office with a copy of the Timber Regulations, also a supply of Indian Timber Permit form No. 86 and Affidavit form No. 70A for use in this Agency.

I sha ll appreciate it also if the Department will advise me as to whether or not it is necessary to have a permit to cut green timber in the case of an Indian clearing land for agricultural purposes.

Respectfully submitted.

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

F. S. Ryckman

F. S. Ryckman,
Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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30001-1

DEPT. OF INDIAN AFFAIRS
DEC 1 1934
RECORDS

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

Crooked Lake Agency
Broadview Sask.

November 26th. 1934

Sir:-

I beg to acknowledge receipt of Department circular 6-30-2 of the 7th. instant re timber permits.

In connection with the collection of dues for timber sold I beg to say that the only timber sold on any of the reserves of this Agency is scrub poplar for firewood and the greater part of that which is sold is dry wood.

The selling of dry wood does not in any affect the timber supply with the exception that it clears up dead-falls or dead trees that will soon fall thereby somewhat reducing the fire menace and in view of the present financial conditions of the Indians I would be glad if the Department would waive the collection of any dues for the present.

Your obedient servant,

J. P. B. Ostrander
Indian Agent.

The Secretary
Department of Indian Affairs
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001-1

DEPARTMENT OF INDIAN AFFAIRS
CANADA

DEC 1 1934
RECORDS

OFFICE OF
INDIAN AGENT
Duck Lake, Sask.
November 21st, 1934.

9983-61.T

Sir;-

Reference your Circular letter #G30-2 File #30001 dated the 7th instant, Re TIMBER PERMITS, I have the honour to request that I be supplied with six (6) further copies of same for distribution to the Farming Instructors of this Agency.

I would also request that I be supplied with the following;-

6 Copies of Timber Regulations
6 Books Permit #86
100 Affidavit Forms #70A
6 Copies of ~~Schedule~~ of Dues. Permit Tariff

for the use at this Agency.

Sent. 4/12/34

I have the honour to be
Sir
Your obedient servant,

C.P.Schmidt,
Indian Agent.

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

GPC/

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

Poor Copy

30001

Ottawa. Dec.5th.1934.

Sir:-

In reply to your letter of the 21st. ult.making inquiry if an Indian must have a permit to cut green timber for sale,from land that he is engaged in clearing,I have to state that a permit is necessary and dues must be paid on all timber cut for sale in this way.

If within three years from the time the timber is cut,the Indian actually clears the land and places it under cultivation,the dues collected in the first place,will be refunded to him.

Yours very truly,

A. F. MacKenzie

Secretary.
A.F.MacKenzie.

F.S.Ryckman Esq.
Indian Agent
Cranbrook, B.C.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001-1

Ottawa. Dec.5th.1934.

Sir:-

In reply to your letter of the 26th.ult.regarding the cutting of dead or fallen timber on Reserves in your agency by the Indians, I have to state that collection of dues may be waived on this class of material,but dues must be collected on all green timber cut for sale under duly authorised permit.

Yours very truly,

Secretary.
A.F.MacKenzie.

J.P.B.Ostrander Esq.
Indian Agent
Broadview. SASK.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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ARCHIVES PUBLIQUES
CANADA

30001-1

Ottawa. Dec.7th.1934.

Sirt-

With reference to your letter of the 20th.ult.pointing out some little difficulty respecting the duplicate permit issued to Indians to cut timber for sale from their reserves,I have to state that a reprint of Form No.86 will be made later,when proper provision will be made for a duplicate copy.

In the meantime however,and until the present supply of forms No.86 is exhausted,you should issue the odd numbered permit to the Indian and the even number should be sent to the Department.

In this way,by placing a carbon paper under each sheet,you will be able to furnish the Department with a copy of each permit granted.

Yours very truly,

A. F. Mackenzie
Secretary.
A.F.MacKenzie.

Andrew Irwin Esq.
Indian Agent
Selkirk. MAN.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

30001-1

EX'D.

Ottawa. Dec.8th.1934.

Sir:-

In reply to your letter of the 13th. ult.No.13A regarding the procedure with respect to the cutting of dead poplar wood from reserves in your agency,I have to state that it is not required to collect dues on dead and fallen timber, but where cutting of green timber is proposed, the instructions contained in circular No.8 30-2.

Yours very truly,

A. F. MacKenzie

Secretary.
A.F.MacKenzie.

J.W.Waddy Esq.
Indian Agent
Punnichy. SASK.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

RG 30001-1

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
DEC 10 1934
RECORDS

Selkirk.Man.7th.December,1934

Dear Mr.McGill:- Re- Indian Timber Permits

Further to my letter of November 20th I beg to advise that I had inadvertently placed your supplimentary to circular regarding timber on Indian Reserves (January 26th,1916) addressed to this office on May 7th.1934 in the wrong file.

It contains all the information I require. You wish form No.86 to be continued. The odd numbered permit to be given to the Indians and the even number,carbon copied forwarded to the Department.

I very much regret this oversight on my part.

Your obedient servant

Andrew Irwin.
Indian Agent.

Harold W.McGill,Esq.
Deputy Superintendent General
Department of Indian Affairs.
Ottawa.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

30001

DEPARTMENT OF INDIAN AFFAIRS
CANADA

DEPT. OF INDIAN AFFAIRS
DEC 15
OFFICE OF
INDIAN AGENT

38-77

Duck Lake, Sask.
December 11th, 1934.

Sir;-

Re Indian Timber Permits.

I have the honour to request that I be supplied with Ten (10) further copies of Circular #3002 dated November 7th, 1934, letter #30001, for distribution to the officials of this Agency.

Sent Dec 17th 1934

I have the honour to be
Sir
Your obedient servant,

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

C.P.Schmidt,
Indian Agent.

GPC/

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

Duplicate.

DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

203-6 Rogers Bldg.,
Vancouver, B.C.,
April 8, 1935.

Re Circular C30-2-30001.
Indian Timber Permits.

Dear Sir:-

I beg to refer to the above circular with a view to enlightenment on one or two points.

On many of the reserves in this agency, the land has been logged off by operators and the funds of the Band credited with the proceeds. Any logs the operators leave are unsuitable for commercial lumber, but there is a sale for a certain quantity of such discarded logs as fuel, but the cost of getting these scattered logs to the buyers makes it scarcely a paying proposition. My opinion is that once a Band has sold its timber on a reserve and received full payment of the stumpage, their Band interest ceases and individual members of the Band should be permitted to take the unmerchantable logs without payment of dues. I have checked up carefully on costs and prices and agree with the Indians that if they have to pay any dues it is impossible to handle this class of logs. In such cases I believe the Department would be well advised to give free permits as the Indians do not cut more than enough to support themselves and it saves relief. This would not refer to cutting timber on a reserve which has not been logged off by operators. Another permit which might be issued free of dues is in cases of reserves where there is no merchantable log timber. I refer to woods such as maple, alder, etc. The maple in British Columbia is not the same kind of wood as in the East. It is usually referred to as vine maple and although it has been cut on Capilano Reserve as a test for furniture making, was found to be worthless. Some of the Indians keep off relief by cutting this wood and there is so little in it that I have never attempted to collect any dues. These local reserves were logged off many years ago and what is left has practically no value.

I have encouraged the Indians who are otherwise unemployed to try and sell firewood and it seems to be understood by the Bands that this wood is free to them providing they cut up trees from logged off land only and I would appreciate your opinion in the matter.

As a matter of fact this class of wood is so dense over most of the Coast that it is considered a liability rather than an asset and if sold for fuel, the Indian is paid for his labour only as the tree itself is not considered to have any value. There is such a wide divergence in value between the various kinds of trees, merchantable and otherwise, that it would almost appear that any circular dealing with

timber.....

The Secretary,
Dept. of Indian Affairs,
O t t a w a.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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ARCHIVES PUBLIQUES
CANADA

timber should specify what kind of tree is referred to. If "fuel wood" means fir, spruce, pine or cedar, then of course dues should be paid if standing trees are cut from unlogged land, but where such trees as maple, alder and similar swamp woods are cut, the regulations are scarcely applicable. A last point regarding these soft woods is that it is more than probable that they grow so fast that what the Indians cut is less than the natural increase.

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

Fredk J. Ball

(F.J.C.Ball).
Indian Agent.

B/HM.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF
INDIAN AGENT

DEPT. OF INDIAN AFFAIRS
APR 13 1935
RECORDS

203-6 Rogers Bldg.,
Vancouver, B.C.,
April 8, 1935.

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Indian Timber Permits.

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The Secretary,
Dept. of Indian Affairs,
O t t a w a.

timber.....

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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

Fred J.C. Ball

(F.J.C.Ball).
Indian Agent.

B/HM.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

30001-1

Ottawa. April 16th.1935.

Sir:-

I beg to acknowledge receipt of your letter of the 8th.inst.regarding certain phases of the cutting of timber and the collection of dues thereon, as outlined in Circular C30-2-30001.

The fact that the timber on a reserve has been surrendered,logged off and later re-cut by the Indians does not alter the fact that any timber that might remain after a licensed operation,is still the property of the band in common.Consequently no individual Indian has the right to cut any timber for sale,unless the band interest therein is recognised by the payment of dues,for credit to the funds of the band.

However in the circumstances mentioned in your letter,the situation can be met by the council of the band petitioning the Department to waive collection of the dues,as a measure of relief,and in this way,the band fore-go their interest,when the Department approves of their resolution.

The proper procedure therefore,when Indians desire to cut fuel wood for sale or salvage timber that has been left from a previous logging operation,is for the council of the band who own the reserve to forward a resolution through you,asking that the collection of dues be waived,for some specific and satisfactory reason.This resolution,with your recommendation should be sent to the Department for approval or otherwise as the case may be.Such resolution should distinctly state the reserve or reserves to which this remission of dues is intended to apply.

Yours very truly,

A. F. MacKenzie

Secretary.
A.F.MacKenzie.

F.J.C.Ball Esq.
Indian Agent
203 Rogers Bldg.
Vancouver. B.C.

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No.....

Date.....

.....
Name of Band.

to

THE KING

SURRENDER

OF MERCHANTABLE TIMBER

on the

.....
Reserve.

Endorsement of Registration

Recorded.....day of.....19..

Lib..... Fol.....

.....
Deputy Registrar General of Canada.

Ref.No.....

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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Dominion of Canada

Province of.....

County of.....

To Wit:

PERSONALLY APPEARED BEFORE ME,

.....
(Name of Agent)

of the.....of.....

in the Province of.....

and.....
(Names of Indians)

and Principal men
Chiefs of the.....Band of Indians.....

And the said.....
(Name of Agent)

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 full age of twenty-one years entitled to vote, all of whom were present at the meeting or council.

That such assent was given at the meeting or council of the said Band summoned for that purpose and according to its rules or the rules of the Department.

That the terms of the said surrender were interpreted to the Indians by an interpreter qualified to interpret from the English language to the language of the Indians.

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 Deputy Superintendent General of Indian Affairs.

That no Indian was present or voted at said council or meeting who was not a member timber of the band or interested in the [redacted] mentioned in the said release or surrender.

And the said.....

.....
(Names of Indians)

say:—

That the annexed release or surrender was assented to by them and a majority of the male members of the said band of Indians of the full age of twenty-one years.

That such assent was given at a meeting or council of the said band of Indians summoned for that purpose as hereinbefore stated, and held in the presence of the said

.....
(Name of Agent)

habitually reside That no Indian was present or voted at such council or meeting who does not [redacted] on the reserve of the said band of Indians and interested in the is not timber mentioned in the said release or surrender.

That the terms of the said surrender were interpreted to the Indians by an interpreter qualified to interpret from the English language to the language of the Indians.

That they are.....
(Chiefs or Principal Men)

of the said band of Indians and entitled to vote at the said meeting or council.

SWORN before me by the deponents

at the.....of.....

in the County of.....

this.....day of.....

A.D. 19...

.....
Signature of Commissioner, Justice of the Peace or other officer commissioned to take affidavits.

.....
Signature of Indian Agent

.....

.....

.....

.....
Signatures of Indians

Form No. 66

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

30007-1

File

COAT OF ARMS

DEPARTMENT OF INDIAN AFFAIRS :

CANADA

R

S U R R E N D E R O F T I M B E R

File No.....

KNOW ALL MEN BY THESE PRESENTS, THAT WE, the undersigned Chief and Principal men of the.....Band of Indians, resident of our Reserve at.....in the district or county of.....province of.....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, the merchantable TIMBER on our Reserve known as.....in the district or county of.....province of.....Dominion of Canada, which comprises an area of.....acres, more or less

TO HAVE AND TO HOLD the same unto HIS MAJESTY THE KING, his Heirs and successors forever, IN TRUST to SELL 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 upon the condition that all moneys received from the sale thereof shall be credited to the funds of our Band, and interest thereon paid to us in the usual manner:

PROVIDED HOWEVER that not exceeding fifty per cent of the moneys derived from the sale of the said TIMBER, shall be distributed to us in accordance with the provisions of Section No.92 of the Indian Act.

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AND WE,THE SAID CHIEF AND PRINCIPAL MEN of the.....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 done in connection with the SALE of the said TIMBER and the disposition of the moneys derived therefrom.

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.....

SIGNED,SEALED AND DELIVERED in the presence of

.....

.....

Signature of Indian Agent.

..... Seal

..... Seal

..... Seal

..... Seal

..... Seal

..... Seal

..... Seal

.....

Signatures of Indians.

Specimen Seal

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

PUBLIC ARCHIVES
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CANADA

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SIGNED,SEALED AND DELIVERED in the presence of

.....

.....

Signature of Indian Agent.

.....Seal

.....Seal

.....Seal

.....Seal

.....Seal

.....Seal

.....

Signatures of Indians.

Specimen Seal

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CABLE ADDRESS "RESEARCH"

NATIONAL RESEARCH COUNCIL
CANADA

DIVISION OF RESEARCH INFORMATION
DIRECTOR, F. E. LATHE

OTTAWA,

Department of Indian Affairs,
O T T A W A.

R

Gentlemen:

Acting on a recommendation made at the summer meeting of the Woodlands Section of the Canadian Pulp and Paper Association and the Canadian Society of Forest Engineers, the National Research Council has agreed to call a Forestry Research Conference. The object of this conference is to review the research problems of the forest industries and to consider the advisability of reorganizing the Council's Associate Committee on Forestry, with a view to the early initiation of co-operative research in this field.

The conference will be held in the National Research Laboratories building, Ottawa, on Monday, November 18, 1935, beginning at 9.00 a.m. Both morning and afternoon sessions are contemplated.

A Preparatory Committee, under the chairmanship of Mr. D. Roy Cameron, Associate Director of the Dominion Forest Service, has recommended that you be invited to send a representative to that conference, and it is hoped that you will be able to arrange this. The committee takes the liberty of suggesting the name of

as your representative, but desires to make it clear that you are entirely at liberty to name someone else, if for any reason you prefer to do so.

You are also invited to list the major forestry research problems of interest to your organization, and to forward these to the undersigned. This list of problems, and also the name of your representative, should preferably be submitted by October 20, in order to facilitate preparations for the meeting. Will you also kindly convey to your representative the wish of the committee that he should come prepared to discuss these problems and present your views at the conference.

Yours very truly,

F. E. Lathe

F. E. Lathe, Secretary,
Associate Committee on Forestry.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

OCT 8 1935
DEPT. OF
CABLE ADDRESS "RESEARCH"

NATIONAL RESEARCH COUNCIL
CANADA

DIVISION OF RESEARCH INFORMATION
DIRECTOR, F. E. LATHE

OTTAWA, October 7, 1935.

Superintendent-General of Indian Affairs,
Ottawa.

Dear Sir:

I am sending you herewith a formal notice of a Forestry Research Conference which is being called for November 18. You will note from this that the arrangements for the conference are in the hands of a Preparatory Committee. In some cases the name of a suitable representative has been suggested, but in the case of the Department of Indian Affairs we prefer to leave this entirely to your own discretion. We hope that you will be good enough to name a representative and that you will forward his name to us in the near future in order that further details of the conference may be sent to him.

Yours very truly,

F. E. Lathe

FEL:VW
Enc.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

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CABLE ADDRESS "RESEARCH"

NATIONAL RESEARCH COUNCIL
CANADA

DIVISION OF RESEARCH INFORMATION
DIRECTOR, F. E. LATHE

OTTAWA, October 9, 1935.

This is an industrial conference not conservation. No useful purpose would be served by the attendance of representative.

Superintendent General,
Department of Indian Affairs,
Ottawa.

Dear Sir:

A few days ago you were notified that a Forestry Research Conference would be held in Ottawa on November 18. Since then a cablegram has been received from persons who are now returning from South Africa, stating that they will not arrive in Canada until November 23. The conference has therefore been postponed until November 26. Arrangements are being made to hold the conference at the Chateau Laurier, beginning at 9.00 a.m.

Yours very truly,

F. E. Lathe

F. E. Lathe,
Secretary, Associate Committee
on Forestry Research.

For Departmental action
J. G. M.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CANADA

CABLE ADDRESS "RESEARCH"

NATIONAL RESEARCH COUNCIL
CANADA

DIVISION OF RESEARCH INFORMATION
DIRECTOR, F. E. LATHE

OTTAWA, November 6, 1935.

Superintendent General,
Department of Indian Affairs,
Ottawa.

Gentlemen:

A few weeks ago you were invited to send a representative to a Forestry Research Conference being called by the National Research Council to meet at the Chateau Laurier, Ottawa, on Tuesday, November 26, at 9.00 a.m. Not having heard from you since then, I am writing to express the hope that you will appoint a representative to attend that meeting and that you will forward his name as soon as convenient in order that we may send him copies of the papers to be presented and of the draft agenda.

In the meantime, preparations for the conference have been actively going forward under the direction of a Preparatory Committee, with Mr. D. Roy Cameron as Chairman. A good attendance now seems assured. From the large list of problems already submitted, it is also evident that many important questions will be raised for discussion.

Yours very truly,

F. E. Lathe

FEL:VW

F. E. Lathe, Secretary,
Associate Committee on Forestry.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Minister's Office

A

MEMORANDUM

November 7, 1935

DR. MCGILL,
D.S.G. Indian Affairs

Re: Forestry Research Conference,
"Chateau", Ottawa, Nov. 26.

I am sending you, herewith, for departmental attention a letter addressed to the Superintendent General by the Secretary of the Associate Committee on Forestry, National Research Council, with regard to their request that a representative be sent to attend the above Conference.

W.J.F. Pratt
Private Secretary.

Encl. (Lr. Nov. 6)

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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F.30001

November 8th.1935.

Sir:-

With reference to your letter of the 6th.inst.regarding the forthcoming Forestry Research Conference,and suggesting that a representative of this Department be delegated to attend the same,I note from your letter of Oct.7th.last that the object of the conference is to review research problems of forest industries on the recommendation of the Canadian Pulp and Paper Association.

The Department although interested in problems of forest conservation,is not directly concerned with purely industrial questions,and it is therefore not considered necessary to delegate a representative from this Department to attend the conference in question.

Yours very truly,

Deputy Superintendent General.

F.E.Lathe Esq.
Secretary.
Associate Committee on Forestry
National Research Council
O T T A W A.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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CROSS REFERENCE SHEET

EXTRACT FROM, OR PRECIS OF, COMMUNICATION DATED 20/2/36
& subsequent correspondence re

WRITTEN BY Auditor General

TO Deputy Supt Gen'l

REGARDING Inspection of Timber Branch

REFER TO FYLE: 134-1

SUBJECT

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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FILE 30001

EX'D.

ONTARIO

DEPARTMENT OF LANDS AND FORESTS

Forests Branch, Toronto, May 7, 1936.

Dear Mr. Bury:-

Reference is made to your letter regarding restricted diameter limits on timber operations.

I beg to advise that no diameter regulations are in force at the present time.

Faithfully yours,

E. J. Zavitz.

Provincial Forester.

EJZ/R

Mr. H.J.Bury,
Supervisor Indian Timber Lands,
Department of Indian Affairs,
OTTAWA, Canada.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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30001-1

FILE No. R

ONTARIO

DEPARTMENT OF LANDS AND FORESTS
OFFICE OF
CROWN TIMBER AGENCY

DEPT. OF INDIAN AFFAIRS
JUL 25 1936
RECORDS

Box 859, Timmins, ONT. July 22nd, 1936.

Department of Indian Affairs,
Parliament Buildings,
OTTAWA . ONTARIO.

EX'D.

Dear Sir:-

If you have in stock a table showing the cubical contents of round timber will you kindly send me a copy of same. And oblige,

Copy of table sent Aug 4th

Yours very truly,
J. W. Cuddihey
Licensed Scaler.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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30001



CHATEAU FRONTENAC
QUEBEC

Canadian Pacific Hotels

.R

December 4th, 1936.

The Superintendent General
of Indian Affairs,
Ottawa, Ontario.

EX'D.
H.

Dear Sir,

Will you please send me two copies of Form 62a ,showing the rate of dues on cut timber on Indian lands.

Yours truly,

F. V. Anderson

2 copies of tariff of dues sent Dec 9th.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Minister's Office

MEMORANDUM

Dec. 7, 1936

D. McGill,
Director of Indian Affairs

DEC 9 1936

Referred for departmental attention, and reply.

W.J.F.Pratt

Priv. Secy.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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FILE No. 30001 VOL 1

DEPARTMENT OF INDIAN AFFAIRS

TIMBER - GENERAL

FROM 21/3/03.
TO 4/12/36

CENTRAL REGISTRY	REFERRED TO	DATE REC'D	INITIALS	CENTRAL REGISTRY	REFERRED TO	DATE REC'D	INITIALS

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RECORDS CENTRE

390875

FILE No. 30001 VOL. 1

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.1)

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Indian Affairs.
Headquarters Files

(RG 10, Volume 7798)

- File 29167-5-3	5	New Westminster Agency - Sale of portion of Kitsilano Reserve and dispute between the City of Vancouver, the Province of British Columbia and the Federal Government (clippings and maps enclosed). 1928 - 1947
- File 29167-5-3	6	New Westminster Agency - Sale of portion of Kitsilano Reserve and dispute between the City of Vancouver, the Province of British Columbia and the Federal Government (clippings, maps and photos enclosed). 1947 - 1948
_ File 30001	1	Canada - Issuing of permits and licenses to cut timber on Indian Reserves throughout Canada, and regulations governing the cutting of timber on reserves (detailed estimate of timber on reserves 1923, maps and clippings). 1903 - 1936
File 30001	2	Canada - Issuing of permits and licenses to cut timber on Indian Reserves throughout Canada, and regulations governing the cutting of timber on reserves (detailed estimate of timber on reserves 1923, maps, clippings). 1937 - 1944

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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No. 30001

VOL.2 VOL.1 CLOSED

INDIAN AFFAIRS BRANCH
DEPARTMENT OF MINES & RESOURCES

TIMBER

GENERAL

99244-3

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Memorandum:

Mr. Cory.

I am enclosing here
mation, copies, in triplicate, of

Department of Indian Affair
Petroleum and Natural Ga

Amendments to the Regulation
Oil and Gas Rights on Ind

Regulations for the disposal

Regulations for the disposal
Coal, Petroleum and Natura

Regulations for the disposal
(except in British Colu

lations for the disposal
(British Columbia)

T

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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20001-1

March 5th., 1937.

Memorandum:

Mr. Cory

Enclosed herewith is a copy of Indian Land Regulations and Timber Regulations.

T.R.L. MacInnes

T.R.L. MacInnes
Secretary.

TRLM

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

GENERAL ADMINISTRATIVE OFFICES

LEGAL DIVISION

R

Department of Mines & Resources
Indian Affairs Branch.
MAR 8 1937
RECORDS

OTTAWA. 5th March, 1937.

MEMORANDUM:

Dr. H. W. McGill,
Director,
Indian Affairs Branch.

Mr. T. R. L. MacInnes has forwarded this office copies of the following regulations -

1. Disposal of timber on Indian Reserves, British Columbia, authorized by His Excellency in Council 5th day of May, 1921;
2. Disposal of timber on Indian Reserves except in British Columbia, authorized by His Excellency in Council 1st day of May, 1923;
3. Disposal of Coal on Indian Reserves, authorized by His Excellency in Council 3rd day of September, 1924;
4. Disposal of minerals other than coal, petroleum and natural gas on Indian Reserves, authorized by His Excellency in Council 4th February, 1930;
5. Disposal of Petroleum and Natural Gas rights on Indian Reserves, authorized by His Excellency in Council 7th day of February, 1927;
6. Amendments to the regulations for the disposal of oil and gas rights on Indian Reserves, authorized by His Excellency in Council 12th day of March, 1929.

In order that this office may be furnished with all regulations passed under the Indian Act, I would be very glad if you would be good enough to advise me if the above cited are all the regulations, written or printed, and authorized under the provisions of the Indian Act. If there are any regulations which this office has not yet been supplied with, would you be good enough to furnish me with copies?

Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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INDIAN LAND REGULATIONS

AND

TIMBER REGULATIONS.

ADOPTED AND ESTABLISHED BY ORDERS OF HIS EXCELLENCY IN COUNCIL ON THE 15TH OF SEPTEMBER, 1888.

525

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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DEPARTMENT OF INDIAN AFFAIRS.

CHAPTER 29.

REGULATIONS FOR THE DISPOSAL OF INDIAN LANDS.

Government House, Ottawa,
The 15th day of September, 1888.

On the recommendation of the Superintendent General of Indian Affairs and under the provisions of Chapter 43 of the Revised Statutes of Canada, intituled "The Indian Act."

His Excellency in Council has been pleased to make and does hereby make the following regulations for the disposal of surrendered Indian lands, prescribing the conditions on which sales of the same may be made subject to the conditions of surrender and the provisions of the aforesaid Act.

REGULATIONS FOR THE DISPOSAL OF SURRENDERED INDIAN LANDS.

Number and size of lots.

Section **1.** Not more than four lots of 100 acres each, more or less, nor less than one such lot, or more than one section of 640 acres, more or less, or less than one-quarter of such section shall be sold to any one purchaser.

Purchase money, how and to whom to be paid.

Sec. **2.** Not less than one-fifth of the purchase money shall be paid at date of sale, and the balance must be paid in equal annual consecutive instalments with interest at six per centum on each instalment from date of sale to date of payment;—payment to be made into a branch of any chartered bank of Canada, to the credit of the Minister of Finance and Receiver General, on account of Indian funds, and bank certificates—duplicate and triplicate,—and drafts to be handed or sent to the agent within whose agency the lands on account of which such payment has been made, are situated.

Settlement, how made, within what limits, and the conditions thereof.

Sec. **3.** Settlement on the lot or lots included in any sale, is one of the conditions thereof, and shall consist of actual occupation and improvement of the land, which must commence within six months from the date of sale and be continuous for a period of three years; within which time there shall be cleared and fenced at least five acres in every one hundred acres, or in that proportion; also a dwelling house of not less than 18 x 24 feet must be erected on the land included in any sale.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Timber, &c., not to be cut till license issued.

Sec. 4. No timber, saw-logs, staves, lathwood, shingle bolts, cordwood, or any other description of wood, may be cut for sale until the patent for the lot shall have issued, except that the same may be cut under license, issued under existing regulations governing the issue of such licenses, to the party residing thereon by the Indian Lands Agent, covering any trees cut on the location in actually clearing the land for cultivation, other than pine or spruce, which are reserved from the operation of the sale of the land, and may be otherwise disposed of by the Department, and may be cut and removed by the purchaser of said pine or spruce up to the date on which the patent covering the land shall issue.

Forfeiture in case of violation.

Sec. 5. Any violation of the above conditions of sale will render the land in respect to which the same has taken place, as well as all moneys paid on account thereof, forfeitable by order of the Superintendent General of Indian Affairs.

Lands unfit for cultivation, how dealt with.

Sec. 6. The above regulations as to occupation and improvement shall not apply to any lands in respect to which the Superintendent General of Indian Affairs has received a report, sworn to by a competent, reliable and disinterested person, appointed by the Superintendent General of Indian Affairs to examine such lands, that the same are in whole or for the most part unfit for cultivation In the case of such lands the Superintendent General of Indian Affairs, may dispose of the same, or of the timber or other valuables thereon or therein, to the best possible advantage in the interest of the Indians, without reference to occupation or improvement.

O. C. Oct. 26, 1887.

PINE AND SPRUCE TIMBER.

Terms to *bona fide* settlers.

Sec. 7. Notwithstanding anything to the contrary in the Timber and Land Regulations of the Department, the Superintendent General of Indian Affairs is authorized to sell to any *bona fide* actual settler on a wood lot or lots being the purchaser of the same, the pine and spruce timber thereon, on such terms as may be arranged upon between the purchaser of the said lot or lots and the Superintendent General of Indian Affairs, always provided that the timber has not been previously disposed of by the Department of Indian Affairs.

O. C. May 8, 1888.

PINE AND SPRUCE TREES IN TIMBER LICENSES.

Special regulations.

Sec. 8. All pine trees and all spruce trees being or growing upon any Indian land hereafter sold, and at the time of such

sale, or previously included in any timber license, shall be considered as reserved from such sale; and such land shall be subject to any timber license covering the same which may be in force at the time of such sale, or may be granted within three years from the date of such sale; and all pine trees of larger growth than nine inches diameter at the butt may be cut and removed from such land under a timber license lawfully in force; but the purchaser of the land, or those claiming under the purchaser, may cut and use such trees as may be necessary for the purposes of building, fencing and fuel on the land so purchased; and may also cut and dispose of (but the latter only under a settler's license, duly obtained from the local Indian Superintendent or Agent) all trees required to be removed in actually clearing the land for cultivation; but no pine or spruce trees except for necessary building, fencing and fuel, as aforesaid, shall be cut beyond the limit of such actual clearing before the issue of the patent for such land; and pine trees and spruce trees so cut and disposed of, except for said necessary building, fencing and fuel, as aforesaid, shall be subject to the payment of regular dues, and one hundred per cent added thereto for trespass fine.

Reservations in case of pine and spruce trees.

All trees on the land when the patent issues are to become the property of the patentee.

O. C. Nov. 12, 1877; Oct. 26, 1887.

REGULATIONS RELATING TO ACTUAL SETTLERS ON INDIAN LANDS.

Five acres to be cleared.

Sec. 9. (*a*) Purchasers of Indian land are required to clear five instead of fifteen acres; no license fee to be charged for the said five acres or dues to be charged upon the timber removed therefrom (pine and spruce being reserved), but each purchaser before receiving a license to cut and remove the timber from the said five acres, shall be required to declare by written declaration at the time of sale that he intends becoming an actual settler on the land, and to obtain from the agent a license to cut on the five acres.

Settler's license, when granted.

(*b*) Upon it being established to the satisfaction of the Indian Agent by affidavit or statutory declaration of two reliable disinterested parties that the purchaser has cleared on the land purchased ready for cultivation and fenced at least five acres, and that he has built thereon a habitable dwelling house of not less than 18 x 24 feet, and that he resides and that they believe he intends to continue to reside on the said land, the Agent may grant him a settler's license covering the land included in the sale to him, which must not exceed the area stated in Section 1 of the "Regulations for the dis-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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posal of Indian Lands," namely, 400 acres or 640 acres as the case may be. [See *ante*, page 3.]

Fee for license.

(*c.*) Said license shall be issued for one year only on payment of a fee of four dollars ($4), which may be renewed yearly on payment of a fee of one dollar ($1), provided there has been no violation of the terms of the said license.

Dues on timber cut under license.

(*d.*) Dues shall be paid on timber cut under said license in accordance with the following tariff, which dues or such portion thereof as may be necessary may be applied on behalf of the purchaser towards payment of the land, and any balance in excess of what is required shall be placed at the credit of the Indian funds:—

1. Oak and black walnut and basswood, square timber, per M. cubic feet	$30 00
2. Oak and black walnut and basswood, saw-logs per M. feet board measure	4 00
3. Tamarack, elm, beech, ash, maple, hickory and butternut, per M. cubic feet	16 66
4. For the *same*, as saw-logs, per M. feet board measure	2 00
5. Cedar, birch, basswood and boom timber, per M. cubic feet	15 00
6 For the *same*, as saw-logs, per M feet board measure	1 00
7. Hemlock, per M. cubic feet, including bark	5 00
8. Hemlock, per M. feet, board measure	0 60
9. Hemlock bark, per cord	0 40
10. Pipe staves, per M. standard	15 00
11. West India do do	5 00
12. Railway ties, tamarack or cedar, per 100, of 12 inches and under at the butt	2 00
13. Telegraph poles, per 100, up to 30 feet long	5 00
14. Over and above that length the rate to be increased in proportion to the length.	
15. Boom timber, per M. cubic feet	6 00
16. Boom timber, per M. feet board measure	0 40
17. Cedar pickets, per 100	1 00
18. Tamarack knees, lineal measurement, per M. feet.	15 00
19. Shingle bolts, per cord	0 40
20. Shingle bolts, in advantageous localities	0 50
21. Cordwood, hard, per cord	0 15
22. Cordwood, hard, do in advantageous localities	0 20
23. Cordwood, soft, per cord	0 10
24. Cordwood, soft, do in advantageous localities	0 12

O. C. June 7, 1888.

CHAPTER 30.

SALE OF TIMBER ON INDIAN LANDS IN ONTARIO AND QUEBEC.

GOVERNMENT HOUSE, OTTAWA,
THE 15TH DAY OF SEPTEMBER, 1888.

On the recommendation of the Superintendent General of Indian Affairs and under the provisions of Chapter 43 of the Revised Statutes of Canada, intituled "The Indian Act."

His Excellency in Council has been pleased to make, and does hereby make the following regulations for the sale of timber on Indian lands in the provinces of Ontario and Quebec:—

Limit lines to be properly surveyed.

Section **1.** The Superintendent General of Indian Affairs may, at his discretion, cause the limit lines of any timber berths under license, which have not been already surveyed, or when the lines of survey have been obliterated by fire or from other cause, to be properly surveyed and run, the costs of such survey to be paid by the holder of the license; and where two or more licensees are interested in the survey, the Superintendent General of Indian Affairs shall determine what portion of the costs of the survey shall be paid by each, and such costs of surveys shall be a charge upon the timber berth, to be paid with the ground rent before renewal of the license.

Timber berth to be surveyed.

Sec. **2.** The Superintendent General of Indian Affairs before granting any licenses for new timber berths in unsurveyed Indian reserves or lands, shall cause such berths to be surveyed, and the Superintendent General of Indian Affairs may cause any reserve or other Indian lands to be subdivided into as many timber berths as he may think proper.

"Section 3: The Berths or Limits when surveyed and set off, and all "new Berths or Limits in surveyed territory, shall be explored and valued, "and then offered for sale by public auction at the upset price fixed by "such valuation, or by tender, at such time and on such conditions as the "Superintendent General of Indian Affairs shall direct by public notice "for that purpose; but in the event of Berths or Limits being offered for "sale by Tender, the Superintendent General of Indian Affairs shall not "be bound to accept the highest or any Tender should he deem it in the "interest of the Indians owning the Timber to do otherwise."

by O.C. 10 Nov 1893

Sale of forfeited timber berths by auction.

Sec. **4.** All forfeited timber berths may be offered for sale by public auction, and such sale shall be at such upset price, and at such time and place as the Superintendent General of Indian Affairs may fix and appoint by public notice, and shall be awarded to the highest bidder making payment at the time

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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posal of Indian Lands," namely, 400 acres or 640 acres as the case may be. [See *ante*, page 3.]

Fee for license.

(*c.*) Said license shall be issued for one year only on payment of a fee of four dollars ($4), which may be renewed yearly on payment of a fee of one dollar ($1), provided there has been no violation of the terms of the said license.

Dues on timber cut under license.

(*d.*) Dues shall be paid on timber cut under said license in accordance with the following tariff, which dues or such portion thereof as may be necessary may be applied on behalf of the purchaser towards payment of the land, and any balance in excess of what is required shall be placed at the credit of the Indian funds:—

1. Oak and black walnut and basswood, square timber, per M. cubic feet	$30 00
2. Oak and black walnut and basswood, saw-logs per M. feet board measure	4 00
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6 For the *same*, as saw-logs, per M feet board measure	1 00
7. Hemlock, per M. cubic feet, including bark	5 00
8. Hemlock, per M. feet, board measure	0 60
9. Hemlock bark, per cord	0 40
10. Pipe staves, per M. standard	15 00
11. West India do do	5 00
12. Railway ties, tamarack or cedar, per 100, of 12 inches and under at the butt	2 00
13. Telegraph poles, per 100, up to 30 feet long	5 00
14. Over and above that length the rate to be increased in proportion to the [illegible]	
15. Boom [illegible]	0 20
[illegible]	0 10
[illegible]wood, soft, do in advantageous localities	0 12

O. C. June 7, 1888.

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Timber berth to be surveyed.

Sec. **2.** The Superintendent General of Indian Affairs before granting any licenses for new timber berths in unsurveyed Indian reserves or lands, shall cause such berths to be surveyed, and the Superintendent General of Indian Affairs may cause any reserve or other Indian lands to be subdivided into as many timber berths as he may think proper.

Berths and limits to be offered for sale.

Sec. **3.** The berths or limits when surveyed and set off and all new berths or limits in surveyed territory, shall be explored and valued, and then offered for sale by public auction at the upset price fixed by such valuation, at such time and place, and on such conditions, and by such officer as the Superintendent General of Indian Affairs shall direct, by public notice for that purpose, and shall be sold to the highest bidder for cash at the time of sale.

Sale of forfeited timber berths by auction.

Sec. **4.** All forfeited timber berths may be offered for sale by public auction, and such sale shall be at such upset price, and at such time and place as the Superintendent General of Indian Affairs may fix and appoint by public notice, and shall be awarded to the highest bidder making payment at the time

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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of sale; but should the said timber berth not be then sold, the same may be granted to any applicant willing to pay the said upset price and ground rent, or, on such other terms as the Superintendent General of Indian Affairs may direct.

Renewal of licenses.

Sec. **5.** License-holders who shall have complied with all existing regulations, shall be entitled to have their licenses renewed on application to the Superintendent General of Indian Affairs.

Register and plan of licenses and limits.

Sec. **6.** The Superintendent General of Indian Affairs shall keep a register of all licenses granted or renewed, and of all transfers of such licenses; and a copy of such register, with a plan of the licensed limits, shall be kept by the Indian Agent, or Indian Land Agent of the locality, and shall be open to public inspection.

Transfers, how to be made.

Sec. **7.** All transfers of timber berths shall be made in writing, but shall be subject to the approval of the Superintendent General of Indian Affairs, to whom they shall be transmitted for approval or rejection, and they shall be valid only from the time of such approval to be expressed in writing. In all cases of transfer of limits or timber berths, they will be subject to the payment of two dollars per square mile for each limit or berth, and in proportion if only a part is transferred, or if the license-holder takes in one or more partners with him.

Timber berths, how to be described.

Sec. **8.** Timber berths are to be described in new licenses as "not to interfere with prior licenses existing or to be renewed in virtue of regulations." When the description of any berth or boundary as given by any license, clashes with the description of any other licensed berth or territory, the license of more recent origin (tracing back only to the time when such license or any previous license of which it is a renewal, was first granted), shall give way, and the Superintendent General of Indian Affairs may amend or cancel such license wholly or in part, and substitute another in place thereof, so as to correct the description of the berth or limit intended to be licensed; and in all cases where any license has issued in error or mistake, or is found to be inconsistent with any other license, or inconsistent or incompatible with the regulations under which it was granted, the Superintendent General of Indian Affairs may cause it to be cancelled, or amended, or he may refer all matters in dispute with reference to the boundaries and position of timber limits, to arbitration, and each of the contending parties may choose one arbitrator, and the Superintendent General of Indian Affairs may appoint an arbitrator and name

Cancellation of licenses.

Matters in dispute.

Reference to arbitration.

a day on or before which the award of such arbitrators, or a majority of them, shall be made and delivered to the parties; and such award made by the said arbitrators, or any two of them, shall be binding on the parties interested.

License suspended.

Sec. **9.** Timber cut on limits for which license has been suspended or held in abeyance, shall be considered as having been cut without authority and treated accordingly.

Purchasers of Indian lands, who have not completed conditions of sale.

Sec. **10.** Purchasers of Indian lands who have not completed all the conditions of sale, shall not, unless under settler's license, or for clearing, fencing or building purposes on the said land, be permitted to cut timber or logs thereon, or to dispose of it to others. Persons found doing so shall be subject to the penalties established by law for cutting timber on Indian lands without authority. On all lands sold on or after the issue of a license, the licensee may, in virtue of said license, not cut any description of timber excepting merchantable pine and spruce, which he may continue to cut until the purchaser of the land shall have fulfilled all conditions of sale entitling him to a patent for the said land, when the right of the licensee to cut pine or spruce thereon shall cease; but it will rest with the purchaser to notify the licensee, and, if required to do so, to furnish sufficient proof to him that he has fulfilled such condition of sale.

Expiry and renewal of licenses.

Sec. **11.** All timber licenses are to expire on the 30th of April next after the date thereof, and all renewals are to be applied for before the 1st of July following the expiration of the last preceding license; in default whereof the berth or berths shall be treated as *de facto* forfeited.

Renewal of license, when not granted.

Sec. **12.** No renewal of any license shall be granted unless the limit covered thereby has been properly worked during the preceding season, or sufficient reason be given under oath, and the same be satisfactory to the Superintendent General of Indian Affairs, for the non-working of the limit, and unless or until the ground rent and all costs of survey, and all dues to the Crown on timber, saw-logs or other lumber cut under and by virtue of any license, other than the last preceding, shall have been first paid.

Ground rent for timber berths.

Sec. **13.** All timber berths or limits shall be subject to an annual ground rent of $3 per square mile, payable in advance, before the issuing of any original license or renewal; and in computing the ground rent, no license shall be charged at less than eight miles of area.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Crown dues on timber &c.

Sec. **14.** All timber, saw-logs, wood, or other lumber, cut under any license now in force, or under any license which may be hereafter granted, shall be subject to the following Crown dues, that is to say:—

TARIFF.

Of dues chargeable on Indian timber cut under license.

1. Oak and black walnut, square timber, per M. cubic feet	$30 00
2. Oak and black walnut, saw-logs per M. feet, board measure	4 00
3. Tamarack, elm, beech, ash, maple and hickory, square timber, per M. cubic feet	16 66
4. Tamarack, elm, beech, ash, maple and hickory, saw-logs, per M. feet, board measure	2 00
5. Red and white pine, cedar, birch, basswood and boom timber per M. cubic feet	15 00
6. Red and white pine, cedar, birch, basswood, saw-logs, per M. feet board measure	1 00
7. Hemlock, spruce, or other wood, per M. cubic feet.	10 00
8. Hemlock, spruce, or other wood, being saw-logs, per M. feet board measure	0 80
9. Pipe staves, per 1,000 standard	15 00
10. West India staves per 1,000 standard	5 00
11. Railway ties—tamarack, cedar or pine, per 100	2 00
12. Telegraph poles, per 100	8 00
13. Cedar pickets, per 100 (over 8 inches in diameter).	2 00
14. Cedar pickets, per 100 (8 inches and under)	1 00
15. Tamarack knees, lineal measure, per M. feet	12 00
16. Shingle bolts, per cord	0 60
17. Shingle bolts, per cord, in advantageous localities.	0 75
18. Cordwood, hard, per cord	0 30
19. Cordwood, hard, per cord, in advantageous localities	0 40
20. Cordwood, soft, per cord	0 20
21. Cordwood, soft, per cord, in advantageous localities.	0 25
22. Hop poles, per 100	0 50
23. Hoop poles, hickory or ash, per 100	0 25
24. Hoop poles, soft maple, per 100	0 12½
25. Burnt cedar and tops of cedar trees which cannot be used for railway ties, per cord	0 40

Maple and swamp elm.

Dues on maple and swamp elm cut under license on the Saugeen Peninsula, have been reduced to $1 per M. feet board measure, and $15 per M. feet cubic measure.

Duties, how estimated.

Sec. **15.** The duties on timber shall be charged upon the quantities shown by the specification of measurement furnished under oath by the licensee or his foreman to the Indian Agent for the locality, or to the Superintendent General of Indian Affairs, or by other reliable measurement; but where such actual measurement cannot be obtained, each stick of white pine timber shall be estimated as containing 70 cubic feet, red pine as containing 38 cubic feet, oak 50 feet, and elm 45 feet, and all other wood as containing 34 cubic feet.

Licensees or occupants to furnish proof, under oath, as to locality, number of pieces, and description, names of settlers, and other particulars.

Sec. **16.** All licensees or occupants of timber berths shall furnish through themselves, their agents, cullers and foremen, to such agent or agents as the Superintendent General of Indian Affairs may appoint for that purpose, and at such time and place as such agent or agents may require, satisfactory proof upon oath as to the exact locality where all the timber, saw-logs and other lumber in his or their possession were cut, giving the number of pieces and description of timber, saw-logs and other lumber, including culls, cut by themselves and others to their knowledge upon each of the timber berths held or occupied by him or them respectively, designating what quantity, if any, had been cut on settlers' lands, giving the names of such settlers, the name of the township, and the number of each lot and concession, exhibiting at the same time for the inspection of such agent or agents, the books of count and measurement of such timber, saw-logs and other lumber under his or their control respectively; and shall moreover furnish such agent or agents all required information and facilities to enable him or them to arrive at a satisfactory determination as to the quantity and description of timber, saw-logs and other lumber made by him or them, or held in his or their possession respectively, on which government dues are chargeable; and in the event of such agent or agents deeming it expedient to cause such timber, saw-logs and other lumber to be counted or measured, the said licensee or occupier of such timber berth, and his or their agents, cullers and foremen, shall aid and assist in such count or measurement, but should such licensee or occupier, or his or their agents, fail to comply with these conditions, such licensee shall forfeit all right to a renewal of his license, and the berth and limit shall become vacant. And to enable persons who sell their timber under settler's license to obtain their refund of dues, and timber cut on patented lands to pass duty free, it will be necessary for the parties interested to prove, on oath taken before such agent or agents, and to his or their satisfaction, the number of pieces and description of timber and saw-logs cut on each lot respectively. And in the event of such proof being deemed unsatis-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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factory, the said agent or agents may determine the same by causing a strict count of the stumps to be made, and then certifying according to such count.

Free access to books, &c., of licensee.

Sec. **17.** The Superintendent General of Indian Affairs, or any authorized agent, shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee, showing the quantity of lumber in board measure sawn by him from logs cut on his timber berth or berths, and failing to produce such books and memoranda when required so to do, will subject such licensee to a forfeiture of his right to a renewal of his license.

Dues, how levied in case of default.

Sec. **18.** When any license-holder is in default for, or has evaded the payment of dues to the Crown or any part of his timber or saw-logs, such dues may be levied on any other timber or saw-logs belonging to such defaulter, cut under license, together with the dues thereon.

Report required before moving any raft or parcel of timber. What to contain. Clearance to be granted on receipt thereof by Indian agent.

Sec **19.** Before moving any raft or parcel of timber, lumber or saw-logs from the Indian agency in which it has been cut, the owner or person in charge thereof shall report the same to the Indian Agent for the locality, making, if required, declaration upon oath, as to where the said timber was cut, the number of pieces and description of each kind of wood contained in such raft or parcel of timber, and the number of cribs, stating at the same time the number and description of pieces cut on private lands, also on lands under settler's license, giving the names of the owners or licensees of such lands, with the name of the townships and number of each lot and concession; and should such Indian Agent not be satisfied with the correctness of such report, he shall cause a strict count to be made of the timber in such raft; and on being satisfied of the correctness of such report or count, the Indian Agent may grant a clearance in due form, for such raft, stating the number of pieces and description of timber contained therein, distinguishing the timber cut on private lands under settler's license from that cut on Indian lands or reserve

Report of arrival of such raft.

Raft found to contain more pieces than is noted in clearance.

Sec. **20.** The owner or holder of any such raft or parcel of timber shall, within twenty-four hours after the same shall have arrived at its destination at Quebec, Sorel, Montreal or other port of sale or shipment, report the arrival of such raft to the collector of Crown timber dues, or if at Sorel or Montreal, to the deputy supervisor of cullers; and should the said raft be found by the specification of measurement to contain a greater number of pieces of timber than is noted in the clearance, the surplus number of pieces, if not satisfactorily explained,

shall be held as having been cut on Indian lands without authority, and subject to payment of dues accordingly.

Forfeiture in case of violation.

Sec. **21.** Parties omitting to obtain their clearance at such agency, or omitting to report the arrival of such raft at its destination as above mentioned, may be refused further license, and may be subject to forfeiture of the timber for evasion of regulations, as provided in Chapter 43 of the Revised Statutes of Canada.

Refusing payment of timber dues, taking forcible possession.

Sec. **22.** Persons evading or refusing the payment of timber dues, or the final settlement of bonds or promissory notes for payment of such dues, or in default with the Indian Department or Agent; also persons taking forcible possession of disputed ground before obtaining decision in their favour, and persons refusing to comply with the decision of arbitrators as provided by the 8th Section of these regulations, or with the regulations established by Order in Council, or who forcibly interrupt surveyors in the discharge of their duty, shall be refused further licenses, and their berths shall be forfeited at the expiration of the then existing license.

Timber dues subject to interest.

Sec. **23.** Dues of all kinds on timber cut under license, remaining unpaid on the 30th November following the season in which it was cut, shall be subject to interest from the date but without prejudice to the Crown to enforce payment of such outstanding dues at any time the Superintendent General of Indian Affairs may think proper.

Purchasers who have not completed conditions.

Sec. **24.** Purchasers of Indian lands who have not completed all conditions of sales and have not obtained their patents for such lands, cutting timber without license (except for clearing, building, or fencing thereon) or others doing so by their permission, shall be subjected to the penalties established by law for cutting timber without authority.

Security to be given before issue of license.

Sec. **25.** Before the issue of any timber license, the licensee or licensees thereof shall furnish security by a bond of himself or themselves, and two responsible sureties for such amounts as the Superintendent General of Indian Affairs may consider sufficient to ensure the proper working of the limit, the due fulfilment by him or them of the conditions of the license, and the due observance of all the regulations of the Department in respect to the timber to be cut. The giving of such security shall not, however, in any way prejudice the right of the Superintendent General of Indian Affairs, or his agent, to levy upon any timber cut or owned by the holder or holders of the license, or

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to cancel the said license should there appear to him to be sufficient cause for so doing.

Licenses to be granted in triplicate.

Sec. **26.** Licenses are to be granted on the following form, in triplicate, and the description of each berth is to be written on the back thereof, and is to be dated and signed by the Deputy Superintendent General of Indian Affairs, as well as the license itself, the duplicate to be kept of record by the local Indian Agent.

FORM OF LICENSE.

Sec. **27.** *License to Cut Timber on Indian Lands.*

(Royal Arms.)

Form of license.

By authority of the 43rd Chapter of the Revised Statutes of Canada and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian funds, I do hereby give unto
and unto agents and workmen, full power and license to cut upon the location described upon the back hereof, and to hold and occupy the said location to the exclusion of all others, except hereinafter mentioned:—from 19 , to thirtieth day of April, 19 , and no longer: with the right of conveying away the said timber through any ungranted or waste Indian lands.

And by virtue of this license the said licensee has right by the said statute, to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this license is subject to the following conditions, viz.:—

That the dues to which the timber cut under its authority is liable, shall be paid as follows, namely:

That all lots sold prior, and all lots sold subsequently, to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this license, excepting in so far as pine and spruce merchantable timber are concerned, which this license will continue to control until all conditions of sale have been fulfilled.

That any person or persons may under authority of the Superintendent General of Indian Affairs, at all times, make and use roads upon and travel over the ground hereby licensed.

That nothing herein shall prevent any person or persons having authority from the Superintendent General of Indian Affairs to do so, from taking standing timber of any kind to

be used for the making of roads and bridges, or for public works.

And that persons settling under lawful authority or title within the location hereby licensed, shall not in any way be interrupted in clearing and cultivating by the said licensee, or any one acting for or by permission.

And further, upon condition that the said licensee or representatives shall comply with all regulations that are or may be established by Order in Council, and shall submit all the timber cut under this license, to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized, otherwise the said timber will be forfeited to the Crown, and the said licensee be subject to such other penalty or penalties as provided by law.

Given under my hand at , this day of , in the year of Our Lord one thousand nine hundred and

Deputy of the Superintendent General of Indian Affairs.

Amount payable on giving this license	Bonus.....$	
	Ground rent....$	
	License fee.....$	

[The above named licensee shall be bound before or when paying the ground rent and renewal fee—if the license is renewed—to declare on oath whether still the *bona fide* proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.]

Statement by licensee.

☞ We have read and we comprehend the nature of the obligations contained in this license, and we bind ourselves jointly and severally, and each of our heirs, executors, curators and administrators, to pay all duties that may become due and payable to *Her* Majesty, *Her* heirs or successors, on any timber cut or acquired by virtue of this license, in the event of the above named licensee failing or refusing to pay the same, or to give satisfactory bonds for payment thereof.

.....

.....

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Kinds and description of timber to be cut, and the rate of dues to be paid under authority of this license;

* * * * *

The timber limits comprehended by the within license consist of the following:—

* * * * *

OFFENCES AND TRESPASSES.

Cutting without license.

Sec. **28.** All persons cutting timber on Indian lands or reserves, without authority of license, will be punished as the law provides.

Hindering officer or agent, a felony.

Persons hindering any officer or agent of the Department of Indian Affairs in the discharge of his duty in seizing timber illegally cut, or taking away, or causing to be taken away, any timber seized under the Act, Chapter 43, Revised Statutes, Canada, are guilty of felony.

Cutting on pretence.

Parties cutting timber on Indian lands purchased by them on pretence of settlement, but really for the purpose of cutting the timber, are trespassers, as above.

Railway companies, &c.

Railway companies, contractors and others, cutting without the authority of the Superintendent General of Indian Affairs timber for railway purposes on Indian lands and on lands sold but not yet patented, are also trespassers, and subject to the same penalties.

Penalty for cutting through error.

Sec. **29.** From and after the date of the passing of the present regulations, in cases of timber which although cut in trespass was so cut through error in good faith on Indian lands, by licensees or other parties, it shall be lawful for the Superintendent General of Indian Affairs to exact in settlement of such wood goods a penalty equivalent to double, treble or quadruple the ordinary dues as established by tariff above, according to circumstances, besides costs of seizure and other expenses connected with all investigations into such trespasses.

Pine trees.

Sec. **30.** It shall be no longer permitted to cut, on Indian lands, pine trees measuring less than nine inches in diameter at the stump.

TRANSFERS.

Limit-owners to give notice.

Sec. **31.** All limit-owners are to notify the Superintendent General of Indian Affairs of any transfer which they may have effected, as soon as any transaction of the kind may have taken place; and should they fail to give due notification to the Superintendent General of Indian Affairs, he may rule the forfeiture

of such license or licenses comprising the limit or limits so transferred.

Limit-holder Limit-holders may pledge limit.

Sec. **32.** Limit-holders, in order to enable them to obtain advances necessary for their operations, shall have a right to pledge their limits as security without a bonus becoming payable. Such pledge, in order to affect the limit against the debtor, shall require to be noted on the back of the license by an authorized officer of the Department of Indian Affairs. But if the party giving such pledge should fail to perform his obligations towards his creditors, the latter on establishing the fact to the satisfaction of the Superintendent General of Indian Affairs, may obtain the next renewal in his or their own name, subject to payment of the bonus, the transfer being then deemed complete.

Limit, how affected by pledge.

Party giving pledge failing to perform his obligations.

Transfers of berths, how made.

Sec. **33.** Transfers of timber berths are to be in writing, and if not found objectionable by the Department of Indian Affairs, are to be valid from the date on which they may be deposited in the hands of the latter; but no transfer is to be accepted while the party transferring is in default for non-payment of dues on timber to the Crown.

SURVEYS.

Boundaries, how established.

Sec. **34.** The Department of Indian Affairs shall, at the joint written request of conterminous license-holders, issue instructions stating how the boundaries of such limits should be run to be in conformity with existing licenses. The surveys shall be performed at the expense of the parties requiring them, who must cause copies of the plans and field notes of the surveys to be delivered to the said Department subject to approval, to be paid for and kept of record by the department.

Boundaries so established at the joint request of the parties interested shall be fixed and permanent and shall in no case be altered.

Refusal of limit-holder to join his neighbour to have boundaries defined.

Sec. **35.** If a limit-holder refuses to join his neighbour to have the boundaries defined, the party wishing to have the survey made shall be entitled to have it performed at his own expense, under instructions which shall be furnished to him for that purpose, as provided in the foregoing section.

On completion of survey, notice to be given.

On the completion of the survey, notice of the same shall be given in writing to the adverse party at his residence or place of business. And if within one year after such notification, the adverse party shall have made no opposition to the same in the manner hereinafter prescribed, or if, having done so, such opposition has not been maintained, the boundary so

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surveyed shall be fixed permanently and irrevocably. But if within the space of one year from the date of such notice, the adverse party shows that he has sufficient reasons to doubt the exactness of such survey, and deposits in the hands of the agent of the Department of Indian Affairs, such sum of money as that Department may deem sufficient to cover all the expenses of a new survey, the Superintendent General of Indian Affairs shall name a surveyor to establish finally the boundary in dispute, and this second survey shall be binding upon the interested parties. All the expenses shall be borne by the applicant if his objections be not maintained. If, on the contrary, they be confirmed and the first survey be declared erroneous, the expenses shall be borne share and share alike by both parties.

Expenses, how to be borne.

Limits established; when declared valid and permanent.

Sec. **36.** All limit lines or boundaries already established in virtue of official instructions, are hereby declared valid and permanent, if a report or field notes, or at least a plan describing such boundaries, have been filed of record in the Department of Indian Affairs, and if, within the space of one year from the date such documents or plan were filed, their correctness be not disputed. If, on the contrary, within this delay one of the interested parties objects to them, a final survey shall be made as prescribed in the thirty-fifth section of these regulations, unless, however, the interested parties agree to have a final survey effected in virtue of the thirty-fourth section.

O. C. Jan. 12, 1888.

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30001-1

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

GENERAL ADMINISTRATIVE OFFICES

LEGAL DIVISION

R

Department of Mines & Resources
Indian Affairs Branch.
MAR 8 1937
RECORDS

OTTAWA, 6th March, 1937.

MEMORANDUM:

Dr. H. W. McGill,
Director,
Indian Affairs Branch.

Mr. T. R. L. MacInnes, in his memorandum of the 5th instant, forwarded the enclosed Indian Land and Timber Regulations. The Timber Regulations as specified therein have been rescinded and the Regulations adopted on the 1st day of May, 1923, replaced these.

I would be very glad if you would advise me as to whether the Regulations for the Disposal of Indian Lands, as specified in the attached pamphlet, are still in force or effect. If they have not been amended I would like to be advised if they are rescinded and if they have been rescinded I would like to have the date of the rescinding Order in Council.

Solicitor.

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30001-1.

Ottawa, Ontario,
March 11th, 1937.

MEMORANDUM:

Mr. W. M. Cory,
Solicitor.

I have received your memorandum of March 6th on which you inquire concerning the present status of the Indian Land and Timber Regulations, copy of which you returned to this office.

These regulations, which were established by Orders of his Excellency in Council on September 19th, 1888 have long been considered obsolete and for many years our lands administration has been governed entirely by the sections of the Indian Act dealing with such matters.

Answering your further inquiry, I may say that there is no evidence that these particular regulations were at any time rescinded.

H. Jones

Director of Indian Affairs.

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EX'D.

March 17th, 1937.

MEMORANDUM:

Mr. Cory.

Referring to your memorandum of March 5th I wish to advise you that the only regulations authorized under the provisions of the Indian Act which you have not received are Regulations For The Medical Services.

I am enclosing a copy of same herewith.

T.R.L. MacInnes.
Secretary.

W.L.

TRM

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30001

Canada Lumberman

Hugh C. MacLean Publications Limited

Vancouver Winnipeg Montreal
347 Adelaide St. W. Toronto

June 30th, 1937.

Department of Mines & Resources
Indian Affairs Branch.
JUL 3 1937
RECORDS

Mr. Harold W. McGill,
Director of Indian Affairs Branch,
Department of Mines & Resources,
Ottawa, Ont.

Dear Sir:-

We have just noticed your advertisement "Tenders for Ilclo Timber" which appeared recently in the daily press. Unfortunately, since tenders close July 14th we are unable to serve you in this instance but we wish to draw to your attention a service which you might find useful in the future.

CANADA LUMBERMAN provides for the advertiser almost 100% coverage of the lumbering field. Obviously a circulation of this kind is more valuable to the advertiser than the daily press where perhaps 90% of the circulation is completely wasted. CANADA LUMBERMAN is distributed to 2400 firms and individuals in the lumbering industry and each one of these is a potential buyer of the timber you are offering for sale.

This paper is published on the 1st and 15th of every month. Copy for advertising should be in our hands at least a week before the date of publication. We would strongly suggest that you place us on your list for all future advertising of this kind.

Yours very truly,

CANADA LUMBERMAN,

G.R. Scott,
Service Department.

GRS.L.

The "Canada Lumberman" is the market place for lumber, sawmill equipment and second-hand machinery. Are you using it?

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30001

File No. D.X.H

ONTARIO

DEPARTMENT OF LANDS AND FORESTS
OFFICE OF

CROWN TIMBER AGENCY

Box 859, Timmins, ONT. July 13th, 1937.

Department of Mines & Resources
Indian Affairs Branch.
JUL 14 1937
RECORDS

Dear Sir:-

Please mail to my above addr[illegible]

2 sheets (CUBICAL CONTENTS of ROUND TIMBER (feet)
Form No.72a.

Thanking you in anticipation, I remain,

Yours very truly,

J. W. Cuddihey.
Scaler and Wood Ranger.

Department of Indian Affairs,
Parliament Buildings,
OTTAWA . ONTARIO.

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FILE 68 - 0A

ONTARIO

DEPARTMENT OF LANDS AND FORESTS

Forestry Branch,

Foleyet, Ontario.
July 21st, 1937.

The Deputy Minister,
Department of Indian Affairs,
Woods Branch,
Parliment Buildings,
OTTAWA, Ontario.

R

Dear Sir:-

Understand your Department compilled and issued, in connection with your Woods Branch, a table showing the cubical contents of round timber covering the following,

Lengths 6 feet to 40 feet.
Diameters 3 inches to 24 inches and half inches.

If you have such a table I would be obliged if you would forward to me 2 copies of same.

If there is a fee for same advise and I will remit promptly.

Yours very truly,

A. C. Bouchey

A. C. Bouchey.
Chief Forest Ranger.

ACB/R.

Poor Copy

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30001

July 24th.1937.

Sir:-

In reply to your letter of the 21st.inst.making inquiry for a table of cubical contents of round timber from 6ft. and up in length and 3ins.and up in diameter I regret that the Department has at present no such table in print.

I enclose herewith a cubical content table for logs 19ft and up in length and 6 ins. and up in diameter which we use for boom timber, and trust this may be useful to you.

Yours very truly,

Secretary.
T.R.L.MacInnes.

A.C.Bouchey Esq.
Chief Forest Ranger
Dept.of Lands and Forests.
Foleyet. ONT.

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30001-1

FILE 68 - 0A

ONTARIO

DEPARTMENT OF LANDS AND FORESTS

Department of Mines & Resources
Indian Affairs Branch.
JUL 28 1937
RECORDS

Forestry Branch,

Foleyet, Ontario.
July 26th, 1937.

R

Mr. T. R. L. McInnes,
Secretary, Indian Affairs Branch.
Ottawa, Ontario.

Dear Sir:- Your file No. 30001.

I am in receipt of your letter of July 24th. enclosing a copy of cubical contents table for round timber, for which I thank you.

This table will answer our purpose, and I would be obliged if you would mail another copy of the table, your Form No. 72A.

Advise if there is any fee for same.

Yours very truly,

A. C. Bouchey.
Chief Forest Ranger.

ACB/R.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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EX'D.

30001-1

July 28th.1937.

Sir:-

In reply to your letter of the 26th.inst.requesting another copy of our cubical contents table,I regret to advise that the Department has no more available for distribution,but would suggest that you requisition your own Department to have several copies printed for your own use.

Youre very truly,

Secretary.
T.R.L.MacInnes.

A.C.Bouchey Esq.
Chief Forest Ranger
Foleyet. ONT.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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COMPARISON OF TARIFF OF DUES ON TIMBER, IN FORCE Jan.1st. 1938.

SPECIES OF TIMBER.	DOMINION N.W.T.	DOMINION Yukon.	DOMINION Parks.	INDIAN RESERVES In B.C.	INDIAN RESERVES License	INDIAN RESERVES Permits.	VARIOUS PROVINCES ONT.	QUE.	N.S.	N.B.	MAN.	SASK.	ALTA.	B. C.
PINE.....M.f.b.m	3.00	4.00	3.00	.....	2.50	2.50	2.50	2.20	...	4.00	...	3.00	...	....
HARDWOODS.. " " " "	3.00	4.00	3.00	1.60	2.50	2.00	2.50	2.75	...	3.00	...	3.00	...	.60
HEMLOCK.... " " " "	3.00	4.00	3.00	1.00	1.50	1.50	1.50	1.50	...	2.50	...	....	....	....
SPRUCE,BALSAM " " "	3.00	4.00	3.00	1.00	1.50	1.50	2.00	1.85	...	3.50	1.50	3.00	1.00	1.05
POPLAR..... " " " "	2.00	4.00	1.50	1.00	1.50	1.00	2.00	1.50	...	2.00	1.00	1.00	.50	.60
SHINGLE BOLTS CORD.	.50	....	.50	.75	.75	.75	.25	...	...	....	....	1.50	....	.25
PULPWOOD (Spruce)cd	1.00	....	1.00	.75	1.50	.40	1.40	1.25	...	1.61	1.00	1.00	.60	.25
PULPWOOD (Balsam)"	1.00	....	1.00	.75	.75	.40	.70	1.25	...	....	1.00	1.00	....	.25
PULPWOOD (other) "	.75	....	.75	.75	.40	.40	.40	.75	...	.80	.75	.75	....	.25
CORDWOOD (Hard) "	.75	.50	.75	.75	.50	.30	.50	.60	...	.60	.50	.75	.40	.35
CORDWOOD (soft) "	.50	.50	.50	.75	.25	.20	.35	.30	...	....	.25	.25	.25	....
TIES ,each.....	.15	.06	.06	.05	.10	.04	.10	.10	...	.12	.08	....	.05	.02½
POSTS,each.....	.02	....	.02	.03	.02	.02	.02	.03	...	....	.02	.02	.01	.00½
POLES,per L.F.....	.03	....	.02	.02	.02	.02	.01½	.01½	...	.02	.01½	.01	.01	.00½
Not designated.....	15%	10%	10%	....	25%	15%	....	0.C.	...	15%	...	10%	10%	0.C.
Date of present regulations.	1921	1916	1924	1921	1926	1923	1925	1937	...	1937	1930	1937	1931	1924

NOTE:- The province of Nova Scotia is not at present disposing of any timber on Crown Lands
NOTE:- The province of Quebec uses the cubic foot standard and tariff has been converted into Board Measure feet by use of factor 219 cu.ft.to M.f.b.m.
NOTE:- The province of New Brunswick establishes a new tariff on Aug.1st.of each year.

30001 v.12

OFFICE OF THE
SUPERINTENDENT
RESERVES AND TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa. Jan.25th.1938.

MEMORANDUM.

The Director:

TIMBER DUES IN RELATION TO TIMBER VALUES.

The value of standing timber is based on the competitive price a lumberman can afford to pay per M.f.b.m.or per cord etc.after defraying the costs of cutting,removal and manufacture,and still make a reasonable profit on the transaction.

This price is made up of dues or royalty plus such additional price or bonus to equal the competitive bid.

The rate of dues is usually constant over a period of years although various governments from time to time, increase or decrease the tariff according to the trend of the log market and general economic conditions.

The tariff of dues is no indication of the stumpage value of standing timber,as this value is controlled by market conditions,but the tariff can be regarded as the minimum value at which timber could only be sold by special authority not covered by the existing timber regulations.

The Indian Affairs Branch has in force three distinct tariffs:-

1. Tariff governing Indian timber in British Columbia.
2. Tariff governing Indian timber on all reserves outside of British Columbia and sold to white men.
3. Tariff applicable to timber cut by Indians on their own reserves.

I have prepared a comparative statement showing the various tariffs in force on Jan.1st.1938 in the Dominion,and it will be noted that the items in the Indian B.C.tariff are all higher than the B.C.provincial tariff,with the exception of Spruce and Balsam,where the provincial tariff is only 5 cents higher than the Indian tariff.

As the majority of timbered Indian Reserves outside of British Columbia are situated in the provinces of Ontario and Quebec it is interesting to note that the Indian tariff in five items is higher than either Ontario or Quebec; it is equal in eight items to Ontario and three items to Quebec,while in two items it is lower than Ontario, and seven items lower than Quebec.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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The foregoing comparison relates particularly to the Indian LICENSE tariff, where timber is cut on reserves by white men and not by the Indians of the band.

The Indian PERMIT tariff on the other hand does not necessarily represent the minimum stumpage value of the timber, but the rates comprising this tariff represent a fair proportion of the value of the timber which rightly is the property of the band in common.

The PERMIT tariff governs all timber that is cut by the Indians themselves under official permit, as provided in section 15 of the Timber Regulations. An individual Indian when granted a permit to cut a specific kind and quantity of timber for sale, is not entitled to the full proceeds from the sale, for the band have a common interest in all the timber on the reserve. The dues charged against the timber cut, represent this band interest, and when such dues are collected they are credited to the funds of the band. Provision is made in the Timber Regulations for waiving the collection of these PERMIT dues as a measure of relief for the Indians, but this action is only taken with the knowledge and consent of the Indian band concerned.

H. J. Bury

Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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F.30001

OFFICE OF THE
SUPERINTENDENT
RESERVES AND TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

EX'D.

Ottawa. Jan.25th.1938.

Memorandum.

The Director

At Mr.Parker's suggestion I have prepared the attached memo.setting forth the relation of timber dues to timber values,and have reviewed in a comparative statement,the different tariffs on timber,that are now in force in the various parts of the Dominion. Submitted for your information.

H.J.Bury

Supervisor Indian Timber Lands.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

30001 Vol 2

(Draft)

REGULATIONS
for the disposal of
TIMBER
ON INDIAN RESERVES
(Except in British Columbia)

Governing the disposal of Timber on Indian Reserves in the Dominion of Canada with the exception of those situated in the Province of British Columbia, under the provisions of the Indian Act, Chap. 98, R. S. 1927, by Order of His Excellency the Governor General in Council, dated .....

.....

(1) Cutting without authority.

1. No person, or Indian, other than an Indian of the band to which the reserve belongs, shall, without authority in writing of the Minister, or of some officer or person deputed by him for that purpose, cut carry away, or remove from any of the lands, roads, or allowances for roads in a Reserve any trees, timber, cordwood, or part of a tree.

Trespass

(14) Penalty for cutting in trespass through error.

2. (a) In cases where timber although cut in trespass on Indian lands or Reserves was so cut through error in good faith by licensees or other parties, it shall be lawful for the Minister to exact in settlement a penalty equivalent to double, triple or quadruple the ordinary rate of dues as established by section No. 22 hereunder according to circumstances, in addition to cost of seizure and other expenses incurred in connection with the investigation into such trespass.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(b) In cases where timber is cut in trespass and it cannot be established that such timber was cut through error in good faith, without wilful intent to contravene these Regulations, the timber may be confiscated and sold by public auction after due advertisement, and if no bid is received equal to the upset price set by the Department (which upset price shall be not less than double the regulation rate of dues) the timber may be disposed of by private sale: Provided that instead of confiscating the timber, the Department may release such timber upon payment of four times the regulation rate of dues in cases where special circumstances warrant such action being taken.

(new) Penalty for cutting in trespass.

Timber Licenses

3. No timber on Indian Reserves shall be disposed of until such timber has been released in accordance with the provisions of the Indian Act.

(1) Release required

4. The timber covered by such release shall be cruised and valued and the boundaries thereof established in such manner as may be directed by the Minister of Mines and Resources, and such cruise and valuation shall be recorded in the Department of Mines and Resources.

(2) Cruise and valuation.

5. The berth or limit thus cruised shall be offered for sale by public auction at the upset price fixed by such valuation, or by tender, at such time and on such conditions as the Minister shall direct by public notice for that purpose; but in the event of berths or limits being offered for sale by tender, the Minister shall not be bound

(3) Mode of sale

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to accept the highest or any tender should he deem it in the interest of the Indians [who own the timber] to do otherwise;

Provided that should the value of such timber not exceed the sum of $500, the Minister may dispose of the timber to the best advantage in the interest of the Indians, without public advertisement.

(4) Form of tender.

6. Every offer to purchase a license, to cut and remove timber from an Indian Reserve under these regulations, which shall be in the form as shown under section No. 22 hereunder, shall include an offer by and on the part of the offerer or tenderer to pay to the Department of Mines and Resources:-

(a) An annual rental at the rate of $5 per square mile.

(b) License fee of $4.

(c) The dues on each class or kind of timber at the tariff rate shown under Section No. 22 hereunder.

(d) Such upset price as the Department may establish for the sale in question, payable as a lump sum before the issue of the license; or as stumpage per thousand feet board measure, or per cord, or per lineal foot as the case may be, as the timber is cut.

(e) Such further price in addition to the upset price as the tenderer is prepared to pay.

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(5) Deposit required.

7. Each tender must be accompanied by a guarantee deposit in the form of an accepted cheque on any Canadian chartered bank, for such amount as the Minister shall direct by public notice, so as to ensure the proper carrying out of the undertaking; such deposit, in the event of the acceptance of tender, to be retained by the Department until operations are completed to the satisfaction of the Minister; returned forthwith if the tender is not accepted; and forfeited to the Department if the undertaking is not completed to the satisfaction of the Minister. Provided that if the licensee is in default for any payments that may be due or has not complied with the terms and conditions of the license, the Minister may suspend operations and apply such penalties from the said guarantee deposit as in his judgment the circumstances may justify, and the suspension shall not be lifted until the licensee has recouped the said deposit by an amount sufficient to restore it to the original sum.

New section

(6) License and renewal fees.

8. A licensee shall be required to pay a license fee of $4 and if he has complied with the existing regulations he shall be entitled to have his license renewed in accordance with the terms of sale upon application to the Minister, and for each renewal there shall be paid a fee of $2.

(7) Conditions of renewal

9. No renewal of any license shall be granted unless the limit covered thereby has been properly worked during the preceding season, or sufficient reason be given under oath and satisfactory to the Minister, for the non-working of the limit and unless or until the rental and any dues or other charges payable on timber cut during the previous season shall have been paid.

(8) Expiry of licenses

10. All timber licenses shall expire on the 30th day of April next after the date thereof, and all renewals must be applied for on or before the 1st day of July following the

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expiration of the last preceding license, in default whereof the berth or limit may in the discretion of the Minister be declared forfeited.

(9) Suspended licenses.

11. Timber cut on berths or limits for which the license has been suspended or held in abeyance shall be considered as having been cut without authority and treated accordingly.

(10) Scaling.

12. The stumpage and dues on timber cut under authority of each license or permit shall be charged upon the quantities, grades and kinds of timber as certified by a culler or scaler duly qualified according to the laws of the Province in which the berth or limit lies; and all fees for such scaling shall be paid by the licensee;

Provided; that in cases where such timber is not scaled until its arrival at the mill, the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof composing any raft, boom or crib, before such timber was removed from the Reserve, and all losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

Provided also: that when it is shown to the satisfaction of the Minister that the services of a licensed scaler cannot be secured by the licensee or the person in charge of his operations the Department may appoint an unlicensed person as an acting scaler, temporarily or until the services of a qualified scaler are available for the purpose.

(11) Examination of records of license

13. The Minister or any authorized agent shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee showing the material

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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cut and the quantity of lumber or other product sawn by him from logs cut on his timber berths. If the licensee fails or refuses to produce such books and memoranda when required so to do, any timber or lumber belonging to such licensee and cut under license, may be placed under seizure, and his license may be cancelled.

new portion

14. When any licensee is in default for or has evaded the payment of dues or other charges to the Department of Mines and Resources on any part of his timber, any timber cut under the license may be placed under seizure and if such dues or other charges are not paid within twelve months the timber may be sold by the Minister.

(12) Non payment of dues

modified

15. Dues or other charges on all kinds of timber cut under license or permit which remain unpaid on the 30th day of November following the season in which such timber was cut, shall be subject to interest at the rate of six per cent per annum from that date, but without prejudice to the right of the Department of Mines and Resources to enforce payment of such outstanding dues at any time that the Minister may think proper.

(13) Interest charged on outstanding dues

16. All timber berths or limits shall be subject to an annual ground rent of $5 per square mile or fraction thereof, payable in advance, before the issue of any license or renewal thereof, and in computing the ground rent, no license shall be charged at less than eight square miles in area.

(17) Ground rent

17. Before the issue of any timber license the licensee or licensees thereof shall furnish security by a bond of himself or themselves and two responsible sureties for such amount as the Minister may consider sufficient to ensure the proper working of the limit, the due fulfilment

(18) Security by bond

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by the licensee of the conditions of the license, and the proper observance of all the regulations of the Department with respect to the timber to be cut. The giving of such security shall not however in any way prejudice the right of the Minister or his agent to levy upon any timber cut or owned by the holder or holders of the license or to cancel the said license should there appear to be sufficient cause for so doing.

(19) Transfers.

18. All transfers of timber berths shall be made in writing but shall be subject to the approval of the Minister to whom they shall be transmitted for approval or rejection, and they shall be valid only from the time of such approval to be expressed in writing. In all cases of transfer of limits or timber berths they will be subject to the payment of $2 per square mile for each limit or berth, and in proportion if only a part is transferred or if the licensee takes in one or more partners with him.

(21) Species and size of timber to be cut.

19. Licenses shall specify the species of trees and the minimum diameter size to be cut, which shall be at a distance of not less than 18 inches from the ground, and licensees shall not have the right to cut any trees that may be designated by the proper officer of the Department of Mines and Resources as required to provide an adequate supply of seed for the reproduction of the forest.

(22) Forest protection

20. The Minister or other officer deputed by him shall, prior to the sale of any berth or limit determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection and the licensee

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of such berth or limit shall be required to defray half the cost incurred by the Department in protecting the same. The licensee shall further be required to:-

(a) Utilize all the timber in every tree cut down and manufacture the same into lumber or other saleable product.

(b) Dispose of the tops, branches and other debris resulting from his operations, in accordance with the directions of the proper officer of the Department of Mines and Resources, so as to prevent as much as possible the danger of fire.

(c) Exercise strict and constant supervision to prevent the origin or spread of fire and prevent all unnecessary destruction of the growing timber on the part of his men.

(23) Timber mark

21. Prior to the commencement of any lumbering operation on an Indian Reserve and before the issue of any timber license to authorize such operation, a distinguishing timber-mark shall be designated by the Minister, and such mark shall be placed on each piece of timber cut and removed from such Reserve so as to distinguish such timber from that cut from lands other than the Reserve in question.

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(24) 22. Form of License:-

LICENSE TO CUT TIMBER ON INDIAN RESERVES IN THE DOMINION OF CANADA EXCEPTING THOSE SITUATE IN THE PROVINCE OF BRITISH COLUMBIA

No. .....

File X

By authority of Chapter 98 of the Revised Statutes of Canada, 1927, and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:- I do hereby give unto

and unto Agents and Workmen full power and License to cut

upon the location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:-

from 19

to 19 , and no longer; with the right of transporting the said Timber through any ungranted or waste Indian Lands.

And by virtue of this License the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this License is subject to the following conditions, viz:-

That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Under a sworn return furnished by a licensed scaler or other person duly authorized by the Minister and on or before the 30th of November following the season in which the timber is cut:

That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this License, excepting in so far as Pine and Spruce merchantable timber are concerned, which this License will continue to control until all conditions of sale have been fulfilled:

That any person or persons may, under authority of the Minister of Mines and Resources, at all times, make and use Roads upon, and travel over, the ground hereby licensed:

That nothing herein shall prevent any person or persons, having authority from the Minister of Mines and Resources to do so, from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works:

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating the land they use and occupy by the said Licensee, or any one acting for or by permission.

And further upon condition that the said Licensee or representatives shall comply with all regulations that are or may be established by Order in Council, and shall pay all monies due under the terms and conditions of this License when required by me or any officer thereunto authorized,- otherwise the timber cut will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

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GIVEN UNDER MY HAND at Ottawa, this day of in the year of Our Lord one thousand nine hundred and

.....
Director of Indian Affairs

Amount payable on giving this License	(Bonus,	$
	(Deposit,	$
	(Ground Rent,	$
	(License Fee,	$

The above named Licensee shall be bound before or when paying the ground rent and renewal fee - if the License is renewed - to declare on oath whether still the bona fide proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.

.... have read and comprehend the nature of the obligations contained in this License, and --- bind ..... jointly and severally, and each of our Heirs, Executors, and Assigns to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this License, and to faithfully observe the terms and conditions set forth herein.

SIGNATURE OF LICENSEE:-

.....

Witness:- .....

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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The timber limit or berth covered by this License No.....
comprises the following lands:- X

Dues payable:-

Pine logs	per M f.b.m.	$2.50
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and bass-wood	" " "	2.50
Logs cut from trees of coniferous species other than white and red pine, i.e., cedar, spruce, hemlock, fir and tamarac	" " "	1.50
Logs cut from trees of deciduous species, softwood varieties, i.e., poplar, and balm of gilead	" " "	1.50
Shingle bolts	per cord of 128 cu. ft.	.75
Pulpwood (Spruce)..	" " " " " "	1.50
Pulpwood (Balsam)..	" " " " " "	.75
Pulpwood (Other)	" " " " " "	.40
Cordwood (hardwood)	" " " " " "	.50
Cordwood (softwood)	" " " " " "	.25

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Ties .. ..each .10

Posts 02

Poles, piling, spars, pit-props, etc., per lineal ft. .02

All other forest products not enumerated, 15 p.c. ad valorem.

Stumpage payable:-

This license No.....renewable yearly, under the provisions of section No. B of the Regulations governing the disposal of timber on Indian Reserves outside of the province of British Columbia, for a period of.....years.

Timber mark to be placed on timber cut under authority of this License No.....thus:-

X

Timber Permits

(15) Permits to Indians.

23. Permits to cut timber for sale on an Indian Reserve which is not covered by timber license may be granted by the Minister or other officer deputed by him, to the Indians of the band who own the Reserve, with the consent of the council of the band, and subject to the payment of dues at the tariff rate as shown under section No. 25; such dues to be credited to the funds of the band.

Provided: that the Minister may reduce the said tariff of dues or waive collection thereof as a measure of relief to the Indians, should he deem it in their interest to do so.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(20) 24. The tariff of dues chargeable on timber cut under permit shall be as follows:-

Permit tariff of dues.

Pine logs..	per M f.b.m.	$2.50
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and basswood	" " "	2.00
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, hemlock, fir and tamarac	" " "	1.50
Logs cut from trees of deciduous species, softwood varieties, i.e., poplar and balm of gilead	" " "	1.00
Shingle bolts	per cord of 128 cu. ft.	.75
Pulpwood	" " " " " "	.40
Cordwood (hardwood)	" " " " " "	.30
Cordwood (softwood)	" " " " " "	.20
Ties	each	.04
Posts	"	.02
Poles, piling, spars, pit props, etc., per lineal ft. ..		.02

All other forest products not enumerated, 15 p.c. ad valorem.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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ADDRESS REPLY TO
DOMINION FOREST SERVICE

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
LANDS, PARKS AND FORESTS BRANCH

FEB 8 1938

QUOTE FILE

JDBH/K.

OTTAWA

February 8, 1938.

MEMORANDUM:

Re - Regulations for the disposal of Timber on Indian Reserves

In accordance with instructions contained in your memorandum of the 17th ultimo I have reviewed the above regulations. Two copies of a proposed draft for new Regulations covering Indian lands outside the province of British Columbia are submitted herewith. If this draft is approved the British Columbia regulations can be modified accordingly.

The principal changes from the Regulations of 1923 consist of a re-arrangement of the sequence of sections, the insertion of Sect. 1 and Sect. 2 (b), and the modification of matter contained in Sects. 7, 13, and 14. These changes are made with a view to clarifying the position of licensees and others, and increasing the powers of the Department. For convenience of reference marginal references are inserted at each Section which show the corresponding Section number in the old Regulations.

I have discussed this draft with Mr. Bury, who agrees to the changes.

The Regulations as drafted appear to give adequate protection to the Department. However, I am of the opinion that more attention should be given to the proper management of the forests from the point of view of future supplies. The necessity of maintaining forest cover at least on parts of the Indian Reserves is self-evident. It is suggested, therefore, that means of providing supervision of cutting operations and protection measures by a trained forester should now be considered.

Encl.

Respectfully submitted,

R. A. Gibson, Esq.,
Director,
Lands, Parks and Forests Branch,
O t t a w a .

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE OF THE
DIRECTOR

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Department of Mines & Resources
Indian Affairs Branch.
OCT 8 1938
RECORDS

LANDS, PARKS
and
FORESTS BRANCH

Ottawa, February 8, 1938.

103-21

Memorandum:

Mr. Jackson

Re - Regulations for disposal of timber on Indian Reserves.

In compliance with your request of the 14th ultimo, Forest Service has checked the regulations, discussed same with Mr. Bury of the Indian Affairs Branch, and has made some changes which seem to effect an improvement. Evidently these changes are acceptable to the Indian Affairs Branch.

The essential feature of adequate timber administration is proper supervision by competent field officers, and this condition has been largely lacking in Indian Reserve timber disposal. It does seem rather remarkable that a Department which, through one Branch, is endeavouring to give advice to Government and business organizations as to how the forest should be handled to ensure best results, and which has on its staff highly skilled technical officers, should be endeavouring through another Branch of the same Department to be administering timber, which is more or less of a trust, without regard for the requirements of proper forestry practice. It is recognized that there are special considerations, due to the peculiar temperament of the Indian population, which require to be attended to by officers having long experience in that direction. Nevertheless, the Director of Indian Affairs should be in a position to support his recommendations with reports prepared by the Dominion Forest Service which has the highly specialized knowledge necessary for the efficient management and disposal of timber resources.

Note

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001-1

Mr Jeffrey

Has anything further been done to establish these Regulations?

—

Does anything further require to be done?

Department of Mines and Resources
Indian Affairs Branch.
OCT 8 1933

Department of Mines and Resources
Indian Affairs Branch
OCT 8 1933
RECORDS

Allan

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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F. 30001

EX'D.

Ottawa. Nov.2nd.1938.

Memorandum.

Mr.Cory:

I enclose herewith,draft of the revised Regulations for the disposal of timber on Indian Reserves other than those in the province of British Columbia.

This revision has been prepared jointly by this Branch and the Dominion Forest Service and is to replace the Regulations which were established in the year 1923.

The principal changes from the 1923 Regulations consist of a re-arrangement of the sequence of sections, the insertion of Sec.1 and Sec.2 (b) and the modification of matter contained in Secs.7,13 and 14,and such changes have been made with a view to clarifying the position of licensees and others and increasing the powers of the Department.

The revision was undertaken at the suggestion of the head office and is being submitted to you for approval before being passed to Council for adoption.

Superintendent
Reserves & Trusts.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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F. 30001

CANADA

RESERVES AND TRUSTS

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

148-19

Ottawa. Nov.2nd.1938.

Memorandum.

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The principal changes from the 1923 Regulations consist of a re-arrangement of the sequence of sections, the insertion of Sec.1 and Sec.2 (b) and the modification of matter contained in Secs.7,13 and 14,and such changes have been made with a view to clarifying the position of licensees and others and increasing the powers of the Department.

The revision was undertaken at the suggestion of the head office and is being submitted to you for approval before being passed to Council for adoption.

Superintendent
Reserves & Trusts.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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LEGAL DIVISION

Secretary for all of Director.
Director

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 21st November, 1938.

155-38.

MEMORANDUM:

Mr. Allan.

The attached proposed regulations for the disposal of timber on Indian Reserves, except in the Province of British Columbia, appear to be satisfactory from the viewpoint of this office and section 1 is in accordance with section 118 of the Indian Act. It provides generally for trees, timber, cordwood or part of a tree and does not include saplings and shrubs as the section of the Act does. These probably were omitted purposely and their inclusion probably are not necessary.

I spoke to Mr. Jackson regarding these regulations and he is of the view that the Deputy Minister should sign the licenses rather than the Director of Indian Affairs. This was suggested so that the practice throughout the Department would be uniform as the Deputy Minister signs similar documents from other Branches.

I am returning herewith your memorandum of the 2nd instant.

Mr Cory:- Please put this matter forward. I presume the regulations require a formal OC for their adoption

Allan

Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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LEGAL DIVISION

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 16th December, 1938.

156-10

R

MEMORANDUM:

Mr. Jackson.

Section 76 of the Indian Act provides, in part, that the Minister or any officer or Agent authorized by him to that effect may grant licenses to cut trees on ungranted Indian lands or Reserves at such rates and subject to such conditions, regulations and restrictions as are from time to time established by the Governor in Council.

In this connection attached hereto please find proposed new timber regulations in triplicate, for the disposal of timber on Indian Reserves except in the Province of British Columbia, and would direct your attention to Mr. Allan's note on my memorandum of the 21st November last, attached hereto.

I would, therefore, be very glad to have your views with respect to the attached proposed regulations and if they are satisfactory, with the correction as indicated in my memorandum referred to, the necessary Report to Council will be prepared for the Minister's consideration.

Mr Cary
Will you please have recommendation to Council prepared.
[illegible]

[illegible] Cary
Solicitor.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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O. H. M. S.

DEPARTMENT OF MINES AND RESOURCES

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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LEGAL DIVISION

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
GENERAL ADMINISTRATIVE OFFICES

OTTAWA 3rd January, 1939.

MEMORANDUM:

Mr. Allan.

With reference to your note on my memorandum of the 21st November last hereunder, please see my memorandum to Mr. Jackson of the 16th Dec. and his endorsation thereon.

In accordance with Mr. Jackson's instructions, I have prepared a draft Report to Council which is herewith in triplicate for the approval of your Branch. The proposed regulations are satisfactory to Head Office when the change is made as indicated in my memorandum of the 16th instant to Mr. Jackson which is hereunder.

Proposed Timber Regulations enclosed herewith.

Solicitor.

Jan 4/39

Memo to the Director -

Amended as directed and Submitted for Approval

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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RESERVES AND TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

F.30000 - 1

Dept. of Mines & Resources
Indian Affairs Branch
FEB 9 1939
RECORDS

Ottawa. Feb.7th.1939.

Memorandum.

file

R.

Mr.Allan:

I would recommend that 500 sheets be ruled and printed in loose leaf form as per sample attached, with binder.

This will consitute the official record of all timber permits authorised by the Department, on Indian Reserves, and be available for checking and audit purposes.

SUPPLIES
P-327
FEB 8 1939
H.R.
Indian Affairs Br.

Supervisor Indian Tbr.Lds.

Cover of binder to be lettered
"RECORD OF INDIAN TIMBER PERMITS"

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

RESERVES AND TRUSTS DIVISION.

ANNUAL REPORT Fiscal year 1938-39.

TIMBER.

The quantity of timber cut for sale from Indian Reserves throughout the Dominion during the 1938-39 season was 35% less than during the previous year. This decrease was no doubt due to general unsettled conditions in the lumber trade and inactivity in the pulpwood market.

The kinds and quantities of timber cut for sale from Indian Reserves during the 1938-39 season on which royalties or dues were collected, were as follows:-

PINE, (white)	474,159	f.b.m.
PINE, (yellow)	18,294	" "
PINE, (red or Norway)	22,295	" "
PINE, (Jack)	37,077	" "
SPRUCE, (B.C.)	1,256,673	" "
SPRUCE, (Eastern)	1,076,095	" "
HEMLOCK, (B.C.)	962,534	" "
HEMLOCK, (Eastern)	1,904,565	" "
CEDAR, (Red)	1,738,548	" "
CEDAR, (white)	20,700	" "
FIR, (Douglas)	6,319,390	" "
FIR, (Balsam)	617,017	" "
MAPLE	73,524	" "
BIRCH	192,555	" "
ELM	4,000	" "
OAK	6,600	" "
BASSWOOD	204,207	" "
POPLAR	84,300	" "
COTTONWOOD	100,055	" "
ALDER, (B.C.)	76,119	" "
CHRISTMAS TREES	35,194	bales.
CORDWOOD (Mixed)	7,655	cords.
PULPWOOD (Spruce & Balsam)	15,443	""
SHINGLE BOLTS	292	""
TIES	44,591	
POLES	5,406	
POSTS	1,514	
PILING	29,759	lin.ft.

The above quantities expressed in terms of board measure feet represent a cut of approx. 27,000,000 f.b.m. and in addition to this the Indians cut approx. 2,000,000 f.b.m for sale, free of dues, also a quantity of approx. 8,000,000 f.b.m. was cut by them for building, fencing and fuel purposes.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Revenue derived from timber during the year is classified as follows:-

License royalties & dues.....	$ 25,941.02
Permit dues.....	17,511.72
Rentals from timber licenses..	2,308.60
License fees	138.00
Interest on past due a/cs.....	155.59
Trespass dues.....	135.50
Fines.....	7.00
Total:-	$ 46,197.43

Sales of timber during the year:-

	Deposit.
Cape Mudge Reserve No.10, B.C.	$ 750.00
Nekite Reserve No.2. B.C.....	100.00
Lot 1,Con.6 Pedley Twp. Ont.....	100.00
Total deposits:-	$ 950.00

There were 22 timber licenses current on April 1st. 1939 being one less than in the previous year,three new licenses having been issued and four having terminated.

Indian Agents were authorised to issue a total of 234 Timber Permits to various Indian bands of which 51 were exempted from payment of dues as a means of employment and a measure of relief.

FOREST PROTECTION.

The number of forest fires reported on Indian Reserves was 81,being 29 more than the previous year, the increased number occurring in the Province of Ontario and the interior of the province of British Columbia,during protracted dry spells in the months of July and August.

Fortunately no less than 64 of these fires were restricted to an area of less than 10 acres,and the actual loss of timber was not much greater than last season.

A summary of the salient features with respect to these forest fires is shown hereunder:-

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SUMMARY OF FOREST FIRES ON INDIAN RESERVES

Y E A R 1 9 3 8

1.	(a)	Total number of fires	81
	(b)	Total area burned over	8,135 acres
	(c)	Merchantable timber area burned	6,368 "
	(d)	Quantity of merch.timber burned	2,338,000 f.b.m. and 4,822 coords.
	(e)	Est.stumpage value of timber burned	$20,700.00
	(f)	Young growth area burned	186 acres
	(g)	Estimated value of young growth lost.	$ 500.00
	(h)	Cut over area burned	1,381 acres
	(i)	Est.value of timber and young growth lost on cut over lands	$2,000.00
	(j)	Non-forested area burned	200 acres
	(k)	Value of other property burned	$950.00
	(l)	Actual cost of fire fighting	$ 3,673.34

FIRE CLASSIFICATION

Size of fires.

A. Less than ¼ ac.	18
B. ¼ ac.to 10 acs.	46
C. 10 acs.to 500 acs.	14
D. Over 500 acres	3
	81

Cause of fires

Campfires	15
Smokers	26
Settlers	8
Lightning	9
Indians	3
Incendiary	4
Unknown	16
	81

Monthly occurrence.

	No.	Area	
April	2	1,003	acs.
May	8	77	"
June	13	300	"
July	19	880	"
Aug	20	158	"
Sept	13	132	"
Oct	5	5,485	"
Nov	1	100	"
	81	8,135	"

Locality.

Quebec	2
Ontario	24
Manitoba	4
Saskatchewan	2
Alberta	1
Brit.Columbia	48
	81

No actual fire fighting organisation is maintained by the Indian Affairs Branch other than as represented by a few Indian fire rangers, but arrangements have been made with the various provincial governments whereby forest fires on Indian Reserves are extinguished by the provincial forest service with the assistance of the Indians.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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MINING.

Some degree of mining activity developed in Northern Ontario, particularly in the Kenora district and 168 mining claims were recorded on Indian Reserves in that part of the province.

New regulations for the disposal of quartz mining claims were established on Aug. 31st. 1938, provisions being made in such regulations for the surrender of the minerals by the Indians, the staking and recording of claims, working conditions and the granting of 21 year leases.

Road construction through Indian Reserves caused a demand for sand and gravel and the revenue from this source was considerably more than last year.

A summary of the revenue derived is as follows:-

Royalty on Sand & Gravel.....	$ 8,615.95
Rentals from Mining Permits.....	467.00
Prospector's Fees.....	176.00
Rentals from coal leases.....	230.00
Total:-	$ 9,488.95

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE OF THE
INDIAN AGENT

Portage la Prairie,
Manitoba.

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

R

PLEASE QUOTE
FILE 20-35

April 27th,
1939.

Department of Mines & Resources
Indian Affairs Branch.
MAY 1 1939
RECORDS

Sir,

Will you kindly forward a book on Department timber regulations, also permit forms.

Your obedient servant,

Indian Agent.

The Secretary,
Indian Affairs Branch,
OTTAWA.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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May 1, 1939.

Memorandum:

Mr. Chandler.

Please have 1 book of Timber Permit forms No. I.A. 325, sent together with the enclosed Timber Regulations, to J. Waite, Indian Agent, Portage la Prairie, Man.

H.H.

T.R.L. MacInnes

T.R.L. MacInnes,
Secretary.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE [redacted]
INDIA[redacted]NT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 144-18

SIOUX LOOKOUT
May 10, 1939.

Department of Mines & Resources
Indian Affairs Branch.
MAY 13 1939
RECORDS

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
OTTAWA, Canada.

Sent May 15th

Dear Sir:

Please supply me with the Tariff of dues payable for timber cut on Indian Reservations.

Yours very truly,

G. Swartman
Gifford Swartman,
Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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COPY

Ottawa, June 8, 1939.

Dear Sir,

Indian Timber Permits in British Columbia, Indian Affairs Branch

In an examination of timber permit revenue it is noted that timber is being cut under permit in British Columbia and that the tariff of fees applied to such permits is that authorized for timber cut under license.

As the British Columbia timber regulations approved by the Order in Council, May 5, 1921, unlike the Eastern regulations, make no reference to timber cut under permit, it would appear as if all timber should be disposed of in accordance with License regulations. At present the practice is to apply the same tariff and to ignore the other provisions.

I would be pleased to receive your views on this matter.

Yours truly,

(signed) Geo. Gonthier
Auditor General.

Charles Camsell, Esq.,
Deputy Minister,
Dept. of Mines and Resources,
O T T A W A.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

30001-1

Department of Mines and Resources

Memorandum to:

R

Dr. McGill

Department of Mines & Resources
Indian Affairs Branch
JUN 10 1939
RECORDS

I am sending herewith a communication dated June 8 *from* The Auditor General, Ottawa.

Subject: Indian Timber Permits in B.C.

Kindly prepare a draft reply for the signature of the Deputy Minister and return the correspondence to this office.

If the information desired is not available within the next ..... *days, will you be good enough to advise me when it may be expected.*

Charles Camsell

DEPUTY MINISTER

June 9 19 39

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

This draft returned for revision

File No. 30001.

EX

Ottawa, June 14th, 1939.

Dear Sir,-

In reference to your letter of June 8th regarding British Columbia Indian Timber Regulations, I wish to state that the license tariff in force on reserves in British Columbia bears no relation to the actual stumpage value of timber, but represents the minimum price at which timber can be sold to white men unless modified by special Order-in-Council.

As this particular tariff represents a fair and reasonable proportionate value of the band interest in the timber such tariff has been applied temporarily to timber cut by Indians under permit, pending the adoption of a special permit tariff.

The regulations governing the disposal of timber on reserves in British Columbia are at present being revised, with the co-operation of the Forest Service, and special provision is being made in the revised draft for the cutting of timber under permit by the Indians and the adoption of a permit tariff.

Yours very truly,

H.J.B.
J.C.C.

Deputy Minister.

June 16/39

Geo. Gonthier, Esq.,
Auditor General,
O T T A W A,
Ontario.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

June 22nd, 1939.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT regulations for the disposal of timber on Indian Reserves, in the Province of British Columbia, were established by Order in Council of the 5th day of May, 1921, P.C. number 1520, under the provisions of Section 76 of the Indian Act, Chapter 98, R.S. 1927;

THAT the said regulations provide for the disposal of timber on the said reserves by way of license and that a tariff therefor was established by these regulations;

THAT no provision was made therein for the disposal of timber by Indians under permit and special permits from time to time have been given by the Superintendent General to Indians [redacted] authority contained in the aforesaid regulations.

The undersigned, therefore, recommends that the permits issued to date outside of the provisions of the regulations for the disposal of timber on Indian Reserves in the Province of British Columbia, established by Order in Council of the 5th day of May, 1921, P.C. number 1520 be validated.

Respectfully submitted,

Minister of Mines and Resources.

APPROVED
LEGAL DIVISION

TRM

No yellow copy sent

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

22nd June, 1939.

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL:

Authority to validate the issue of permits to Indians to take timber from Indian Reserves in the Province of British Columbia, which said permits were issued outside of the provisions of the regulations established by Order in Council of the 5th day of May, 1921, P.C. number 1520.

FRLM

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Ottawa, 23rd June, 1939.

Dear Sir -

I am in receipt of your letter of the 8th instant regarding Indian Timber Permits issued in the Province of British Columbia.

As you point out, the Timber Regulations in force within Indian Reserves in British Columbia, approved by His Excellency, the Governor General in Council, on the 5th day of May, 1921, unlike the Eastern Timber Regulations, make no reference to timber cut under permit by Indians and provision should have been made in the said regulations to this effect.

APPROVED
D.L.C.
LEGAL DIVISION

Steps are being taken immediately, through Council, to authorize the past practice and a revision of the regulations in question is underway whereby provision will be made for the disposal of timber by permit similar to the Eastern Timber Regulations in force on Indian Reserves.

Yours very truly,

Deputy Minister.

The Auditor General,

O t t a w a.

Jun 27/39

F.L.M

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE OF THE
DEPUTY MINISTER

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Department of Mines & Resources
Indian Affairs Branch.
JUN 29 1939
REGISTERED

Ottawa, 22nd June, 1939.

Department of Mines & Resources
Indian Affairs Branch.
JUN 29 1939
REGISTERED

MEMORANDUM:

Mr. MacInnes.

Attached hereto please find copy of a letter to the Auditor General in reply to his letter of the 8th instant upon the subject matter of the issue of Indian timber permits in the Province of British Columbia, together with a draft Report to Council for your perusal, which will validate the permits issued in the past without authority.

It is most essential that a revision of the Timber Regulations in force within Indian Reserves in the Province of British Columbia be made forthwith. Such revision should be undertaken with the aid of the Forest Service of the Lands, Parks and Forests Branch. Please see that this work is undertaken immediately.

A revision of the Eastern Timber Regulations within Indian Reserves has already been completed with the aid of the Forest Service and approved of by this office but these have not as yet been presented to Council in the usual way. This work was done sometime ago. Please advise me of the reason for the delay.

Chief Executive Assistant.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

EX'D.

Ottawa, June 28, 1939.

MEMORANDUM:

Mr. Jackson.

I have to refer to your memorandum of June 22 with regard to Indian timber permits in British Columbia.

As instructed therein, and following consultation between the Supervisor of Indian Timber Lands and the Chief of the Economic Division of the Forest Service, this Branch has prepared a complete revision of the Indian Timber Regulations for British Columbia, including a special provision for Indian timber permits, and has submitted it to the Dominion Forest Service for examination and comment.

As the revision of the timber regulations for Indian Reserves outside of British Columbia has been before the Director for some time, and as there are some phases to which he may wish to give further consideration, I shall refer your question to him upon his return, which I expect shortly.

T. R. L. MacInnes,
Acting Director.

J—28/29

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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REGULATIONS
for the disposal of
TIMBER
ON INDIAN RESERVES
(British Columbia).

REGULATIONS governing the disposal of Timber on Indian Reserves in the Province of British Columbia, Dominion of Canada, established under the provisions of the Indian Act, Chap.98 R.S.1927 by Order of His Excellency the Governor General in Council dated.....

Cutting without authority.

1. No person, or Indian, other than an Indian of the band to which the reserve belongs, shall, without authority in writing of the Minister, or of some officer or person deputed by him for that purpose, cut, carry away, or remove from any of the lands, roads or allowances for roads in a Reserve, any trees, timber, cordwood or part of a tree.

Trespass.

Penalty for cutting in trespass through error.

2. (a) In cases where timber although cut in trespass on Indian lands or Reserves was so cut through error in good faith by licensees or other parties, it shall be lawful for the Minister to exact in settlement a penalty equivalent to double, triple or quadruple the ordinary rate of ~~dues~~ royalties as established by section No. 8....hereunder according to circumstances, in addition to cost of seizure and other expenses incurred in connection with the investigation into such trespass.

Penalty for cutting in trespass.

(b) In cases where timber is cut in trespass and it cannot be established that such timber was cut through error in good faith, without wilful intent to contravene these regulations, the timber may be confiscated and sold by public auction after due advertisement, and if no bid is received equal to the upset price set by the Department (which upset price shall be not less than double the regulation rate of ~~dues~~ royalties) the timber may be disposed of by private sale; Provided that instead of

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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confiscating the timber,the Department may release such timber upon payment of four times the regulation rate of royalties dues in cases where special circumstances warrant such action being taken.

Timber Licenses.

Release required.

3. No timber on Indian Reserves shall be disposed of until such timber has been released in accordance with the provisions of the Indian Act.

Cruise and valuation.

4. The timber covered by such release shall be cruised and valued,and the boundaries thereof established in such manner as may be directed by the Minister of Mines & Resources,and such cruise and valuation shall be recorded in the Indian Affairs Branch of the Department of Mines and Resources.

Mode of sale.

5. The berth or limit thus cruised shall be offered for sale by public auction at the upset price fixed by such valuation,or by tender,at such time and on such conditions as the Minister shall direct by public notice for that purpose;but in the event of berths or limits being offered for sale by tender,the Minister shall not be bound to accept the highest or any tender should he deem it in the interest of the Indians who own the timber,to do otherwise;
Provided that should the value of such timber not exceed the sum of $500,the Minister may dispose of the timber to the best advantage in the interest of the Indians,without public advertisement.

Form of tender.

6. Every offer to purchase a license to cut and remove timber from an Indian Reserve under these regulations,which shall be in the form as shown under section No 23 hereunder,shall include an offer by and on the part of the offerer or tenderer to pay to the Indian Affairs Branch of the Department of Mines and Resources:-

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(a) An annual rental at the rate of twenty cents (20¢) per acre.

(b) License fee of($10.00) Ten dollars.

(c) The royalty for each class or kind of timber at the rate shown under section No. 8 hereunder.

(d) Such upset price as the Department may establish for the sale in question,payable either as a lump sum before the issue of the license or as stumpage per thousand feet board measure or per cord or per lineal foot as the case may be.

(e) Such further price in addition to the upset price,as the tenderer is prepared to pay.

Cheque with tender.

7. Each tender must be accompanied by an accepted cheque on any Canadian chartered bank covering the following items:-

(a) Rental for one year.

(b) License fee.

(c) Deposit of ten per cent (10%) of the stumpage price and royalty tendered,as applied to the total estimated quantity of timber on the limit.

Such cheque will be dealt with in the following manner:-

1. Returned forthwith if the tender is not accepted.
2. Retained by the Department until operations are completed to the satisfaction of the Minister.
3. Forfeited to the Department if the undertaking is not completed to the satisfaction of the Minister;

Provided that if the licensee is in default for any payments that may be due or has not complied with the terms and conditions of the license,the Minister may suspend operations and apply such penalties from the said deposit as in his judgment the circumstances may justify,and the suspension shall not be lifted

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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until the licensee has recouped the said deposit by an amount sufficient to restore it to the original sum.

Royalties.

6. Royalties to be paid on timber cut from Indian Reserves under license shall be as follows:-

(a) $1 per thousand feet board measure on all timber suitable for sawlogs,boomsticks etc.scaled under the British Columbia log rule.

(b) 75 cents per cord of 128 cubic feet on all timber suitable for shingle bolts,pulpwood,cordwood or other wood goods customarily measured by the cord.

(c) 2 cents per lineal foot on all timber suitable for piling,poles and spars.

(d) 5 cents per tie and 3 cents per post.

Scaling.

9. The stumpage and royalty on timber cut under authority of each license shall be charged upon the quantities, grades and kinds of timber as certified by a scaler holding a current scaler's license from the British Columbia government,and all fees for such scaling shall be paid by the licensee.

Provided; that in cases where such timber is not scaled until its arrival at the mill,the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof composing any raft,boom or crib before suchctimber was removed from the Indian Reserve.

PROVIDED ALSO;that when it is shown to the satisfaction of the Minister that the services of a licensed scaler cannot be obtained by the licensee or the person in charge of his lumbering operation,the Department may appoint an unlicensed person as an acting-scaler temporarily,until the services of a duly qualified scaler are available for the purpose.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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All losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

Licence and renewal fees.

10. A licensee shall be required to pay an original license fee of Ten dollars ($10), and if he has complied with the existing regulations he shall be entitled to have his license renewed upon application to the Minister, and for each renewal there shall be paid a fee of Two dollars ($2).

~~11.~~ ~~##########################~~

Conditions of renewal.

11. No renewal of any license shall be granted unless the limit covered thereby has been properly worked during the preceding season, or sufficient reason be given under oath and satisfactory to the Minister, for the non-working of the limit and unless or until the rental and any royalties or other charges payable on timber cut during the previous season shall have been paid.

Expiry of licenses.

12. All timber licenses shall expire on the 30th. day of April next after the date thereof, and all renewals must be applied for not later than March 1st. prior to the date of expiry, in default whereof the berth or limit may in the discretion of the Minister be declared forfeited after the date of expiry.

Suspended licenses.

13. Timber cut on berths or limits for which the license has been suspended or held in abeyance shall be considered as having been cut without authority and therefore treated as an act of trespass.

Examination of records of licensee.

14. The Minister or any authorised agent shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee showing the quantity of timber cut by him on his berth of berths and the lumber or other product manufactured therefrom. If the licensee fails

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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or refuses to produce such books and memoranda when required so to do, any timber or lumber belonging to such licensee and cut under such license, may be placed under seizure and his license may be cancelled.

Non payment of royalties.

15. When any licensee is in default for or has evaded the payment of royalties or other charges to the Indian Affairs Branch of the Department of Mines and Resources on any part of his timber, any timber cut under the said license may be placed under seizure, and if such royalties and other charges are not paid within twelve months the timber may be sold by the Minister.

Interest charged on outstanding royalties.

16. Royalties or other charges on all kinds of timber cut under license or permit, which remain unpaid on the 30th. day of November following the date of expiry of such license or permit shall be subject to interest at the rate of six per cent per annum from that date, but without prejudice to the right of the Department to enforce payment of such outstanding royalties at any time that the Minister may think proper.

Ground rental.

17. All timber berths or limits shall be subject to an annual ground rental of twenty cents (20¢) per acre, payable in advance before the issue of any license or renewal thereof, and in computing the ground rental no license shall be charged at less than 100 acres in area.

Transfer of licenses.

18. All transfers of timber berths shall be made in writing but shall be subject to the approval of the Minister to whom they shall be transmitted for approval or rejection, and they shall be valid only from the time such approval is expressed in writing. A fee of Five dollars ($5) shall be payable in respect of each transfer, but no transfer shall be accepted while the licensee is in default for non-payment of royalties or other charges.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Species and size of timber to be cut.

19. Licensees shall specify the species of trees and the minimum diameter size to be cut, which shall be at a distance of not less than 18 inches from the ground, and licensees shall not have the right to cut any trees that may be designated by the proper officer of the Department as being required to provide an adequate supply of seed for the reproduction of the forest.

Security by bond.

20. Before the issue of any timber license, the licensee or licensees thereof shall furnish security by a bond of himself or themselves and two responsible sureties for such amount as the Minister may consider sufficient to ensure the proper working of the limit, the due fulfilment by the licensee of the conditions of the license and the proper observance of all the regulations of the Department with respect to the timber to be cut.

The giving of such security shall not however in any way prejudice the right of the Minister or his agent to levy upon any timber cut or owned by the holder or holders of the license or to cancel the said license should there appear to be sufficient cause for so doing.

Forest protection.

21. The Minister or other officer deputed by him shall, prior to the sale of any berth or limit, determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection and the licensee of such berth or limit shall be required to defray half the cost incurred by the Department in protecting the same, The licensee shall further be required to:-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(a) Utilize all the timber in every tree cut down,and manufacture the same into lumber or other saleable product.

(b) Dispose of the tops,branches and other debris resulting from his operations,in accordance with the directions of the proper officer of the Indian Affairs Branch of the Department of Mines and Resources,so as to prevent as much as possible the danger of fire.

(c) Exercise strict and constant supervision to prevent the origin or spread of fire and prevent all unnecessary destruction of the growing timber on the part of his men.

Timber mark.

22. Prior to the commencement of any lumbering operation on an Indian Reserve and before the issue of any timber license to authorize such operation, a distinguishing timber mark shall be designated by the Minister,and such mark shall be placed on each piece of timber cut and removed from such reserve so as to distinguish such timber from that cut from lands other than the Reserve in question.

23. FORM OF LICENSE.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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"9" & "10"

23

Form of Licence.

LICENCE TO CUT TIMBER ON INDIAN RESERVES IN THE PROVINCE OF BRITISH COLUMBIA

No.....

File.....

By Authority of Chapter 81 of the Revised Statutes of Canada, and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:—I do hereby give unto

and unto Agents and Workmen full power and Licence to

cut upon the Location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:—from

19 to 19 , and no longer; with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this Licence the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this Licence is subject to the following conditions, viz.:

That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:—

Under a sworn return furnished by a licensed scaler and on or before the 30th of November following the season in which the timber is cut.

That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this Licence, excepting in so far as Pine and Spruce merchantable timber are concerned, which this Licence will continue to control until all conditions of sale have been fulfilled.

That any person or persons may, under authority of the Minister of Mines and Resources, at all times, make and use Roads upon, and travel over, the ground hereby licensed.

That nothing herein shall prevent any person or persons, having authority from the Minister of Mines and Resources to do so, from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works.

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for

or by permission.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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And further upon condition that the said Licensee or representative shall comply with all regulations that are or may be established by Order in Council, and shall submit all the Timber cut under this Licence to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized,—otherwise the said timber will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

Given under my hand at Ottawa, this day of in the year of Our Lord one thousand nine hundred and

.....

Director of Indian Affairs.

Amount payable on giving this Licence...

BONUS, $

DEPOSIT, $

GROUND RENT, $

LICENCE FEE, $

The above named Licensee shall be bound before or when paying the ground rent and renewal fee—if the Licence is renewed—to declare on oath whether still the bona fide proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.

We have read and comprehend the nature of the obligations contained in this Licence, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this Licence, in the event of the above named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

Signature of Licensee:

.....

The timber limit or berth covered by this Licence No.....comprises the following lands:—

Royalties payable:—

Stumpage payable:—

This Licence No. .....renewable yearly, under the provisions of section No. 13 of the Regulations governing the disposal of timber on Indian Reserves in the province of British Columbia, for a period of.....years.

Timber-mark to be placed on timber cut under authority of this Licence No. ..... thus:—

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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TIMBER PERMITS.

24. Permits to cut timber for sale, on an Indian Reserve which is not covered by timber license, may be granted by the Minister or other officer deputed by him, to the Indians of the band who own the reserve, with the consent of the Council of the band and subject to the payment of royalties as shown under section No. 8 ...of these regulations; such royalties to tbe placed to the credit of the funds of the band.

PROVIDED; that the Minister may reduce the said tariff of royalties or waive collection thereof, as a measure of relief tothe Indians, should he deem it in their interest to do so.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Records to file

RESERVES & TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

F.30000

INDIAN AFFAIRS
BRANCH

Ottawa. June 27th.1939.

Dear Mr.Craig:-

Pursuant to our discussion of revision of the Timber Regulations,(British Columbia) governing the disposal of timber on Indian Reserves, I enclose herewith preliminary draft of such revision, also copy of existing regulations with your pencilled marginal notes.

The main changes comprise:-

(a) Three new sections-Nos.1,2 and 24 relating to Cutting without authority,Trespass and Timber Permits for Indians.
(b) Provision in Sec.7 for applying deposit monies to discharge penalties.
(c) Provision in Sec.9 for employment of B.C.scaler.
(d) Reduction of original license fee in Sec.10,from $50 to $10
(e) Licensees must apply for renewals,two months prior to expiry of current license-Sec.12.
(f) Penalty for refusal of licensee to produce books and memoranda-Sec.14
(g) Confiscation and sale of seized timber-Sec.15.
(h) Minimum ground rental to be computed on 100 acs of area,making mimimum rental $20 -Sec.17
(i) Species and size of timber to be cut,and provision for retaining seed trees-Sec.19

Note:- It is the intention to apply the same tariff of royalties to both license and permit operations,as the tariff is moderate,and represents a fair proportion of the value of the timber which would be the band interest in the timber.

When you have had an opportunity of examining this draft I shall be pleased to confer with you again.

Mr.Roland Craig
Dominion Forest Service

Ottawa.

Supervisor Indian Timber Lands.

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IH/3 P.C. 1677 30001-1 Vol. 2

Dr. Mo[illegible]

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 29 th JUNE 1939

PRIVY COUNCIL CANADA

Res Pres Mrs Young

EXD

Dept. of Mines & Resources Registered Branch JUL 1939 REGISTERED

The Committee of the Privy Council have had before them a report, dated 22nd June, 1939, from the Minister of Mines and Resources, submitting:

That regulations for the disposal of timber on Indian Reserve, in the Province of British Columbia, were established by Order in Council of the 5th day of May, 1921, P.C.1520, under the provisions of Section 76 of the Indian Act, Chapter 98, R.S. 1927;

That the said regulations provide for the disposal of timber on the said reserves by way of license and that a tariff therefor was established by these regulations;

That no provision was made therein for the disposal of timber to Indians under permit and special permits from time to time have been given by the Superintendent General to Indians outside of the authority contained in the aforesaid regulations.

The Committee, on the recommendation of the Minister of Mines and Resources, advise that the permits issued to date outside of the provisions of the regulations for the disposal of timber on Indian Reserves in the Province of British Columbia, established by Order in Council of the 5th day of May, 1921, P.C. 1520, be hereby validated.

M W Lothrop

Asst. Clerk of the Privy Council.

Copied E.P.

The Honourable
the Minister of Mines and Resources.

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REGULATIONS

for the disposal of

TIMBER

ON INDIAN RESERVES

(British Columbia).

REGULATIONS governing the disposal of Timber on Indian Reserves in the Province of British Columbia, Dominion of Canada, established under the provisions of the Indian Act, Chap.98 R.S.1927 by Order of His Excellency the Governor General in Council dated.....

Cutting without authority.

1. No person, or Indian, other than an Indian of the band to which the reserve belongs, shall, without authority in writing of the Minister, or of some officer or person deputed by him for that purpose, cut, carry away, or remove from any of the lands, roads or allowances for roads in a Reserve, any trees, timber, cordwood or part of a tree.

Trespass.

Penalty for cutting in trespass through error.

2. (a) In cases where timber although cut in trespass on Indian lands or Reserves was so cut through error in good faith by licensees or other parties, it shall be lawful for the Minister to exact in settlement a penalty equivalent to double, triple or quadruple the ordinary rate of ~~dues~~ royalties as established by section No. 8 ...hereunder, according to circumstances, in addition to the cost of seizure and other expenses incurred in connection with the investigation into such trespass.

Perhaps this will not work where a lump sum bonus is charged but that will be based on a stumpage rate. 3 or 4 times is too much if not collected

Penalty for cutting in trespass.

(b) In cases where timber is cut in trespass and it cannot be established that such timber was cut through error in good faith, without wilful intent to contravene these regulations, the timber may be confiscated and sold by public auction after due advertisement, and if no bid is received equal to the upset price set by the Department (which upset price shall be not less than double the regulation rate of ~~dues~~ royalties) the timber may be disposed of by private sale; Provided that instead of

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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confiscating the timber, the Department may release such timber upon payment of ~~four~~ times the regulation rate of royalties in cases where special circumstances warrant such action being taken.

Timber Licenses.

Release required.

3. No timber on Indian Reserves shall be disposed of until such timber has been released by the Indians to whom the Reserve belongs in accordance with the provisions of Section 51 of the Indian Act.

Cruise and valuation.

4. The timber covered by such release shall be cruised and valued, and the boundaries thereof established in such manner as may be directed by the Minister of Mines & Resources, and such cruise and valuation shall be recorded in the Indian Affairs Branch of the Department of Mines and Resources.

Mode of sale.

5. The berth or limit thus cruised shall be offered for sale by public auction at the upset price fixed by such valuation, or by tender, at such time and on such conditions as the Minister shall direct by public notice for that purpose; but in the event of berths or limits being offered for sale by tender, the Minister shall not be bound to accept the highest or any tender should he deem it in the interest of the Indians who own the timber, to do otherwise; Provided that should the stumpage value of such timber not exceed the sum of $500, the Minister may dispose of the timber to the best advantage in the interest of the Indians, without public advertisement.

Form of tender.

6. Every offer to purchase a license to cut and remove timber from an Indian Reserve under these regulations, which shall be in the form as shown under section No 23 hereunder, shall include an offer by and on the part of the offerer or tenderer to pay to the Indian Affairs Branch of the Department of Mines and Resources:-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(a) An annual ground rental at the rate of twenty cents (20¢) per acre.

(b) License fee of ~~($10.00)~~ Ten dollars ($10)

(c) The royalty for each class or kind of timber at the rate shown under section No. 8 hereunder.

(d) Such upset price as the Department may establish for the sale in question, payable either as a lump sum before the issue of the license or as stumpage per thousand feet board measure or per cord or per lineal foot as the case may be, to be paid as and when the timber is cut.

(e) Such further price in addition to the upset price, as the tenderer ~~is~~ prepared to pay.

(b) since the Licence fees are reduced you might charge more ground rent 25¢ B.C. Coast fee and rental 22¢

Cheque with tender.

7. Each tender must be accompanied by an accepted cheque on any Canadian chartered bank covering the following items:-

(a) Rental for one year, (20 cents per acre)

(b) License fee, ($10.00)

(c) Deposit of ten per cent (10%) of the royalty and stumpage price ~~and royalty~~ tendered, as applied to the total estimated quantity of timber on the limit.

Such cheque will be dealt with in the following manner:-

1. Returned forthwith if the tender is not accepted.
2. The deposit to be Retained by the Department until operations are completed to the satisfaction of the Minister.
3. The deposit to be Forfeited to the Department if the undertaking is not completed to the satisfaction of the Minister;

Provided that if the licensee is in default for any payments that may be due or has not complied with the terms and conditions of the license, the Minister may suspend operations and deduct ~~apply such penalties~~, from the said deposit such payments and penalties as in his judgment the circumstances may justify, and the suspension shall not be lifted

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until the licensee has recouped the said deposit by an amount sufficient to restore it to the original sum.

Royalties.

8. Royalties to be paid on timber cut from Indian Reserves under license shall be as follows:-

(a) $1 per thousand feet board measure on all timber suitable for sawlogs,boomsticks etc.scaled under the British Columbia log rule.

(b) 75 cents per cord of 128 cubic feet filed measurement on all timber suitable for shingle bolts,pulpwood,cordwood or other wood goods customarily measured by the cord.

(c) 2 cents per lineal foot on all timber suitable for piling,poles and spars.

(d) 5 cents per tie ~~and 3 cents per post~~.
(e) 3 cents per post or fence rail

Scaling.

9. The stumpage and royalty on timber cut under authority of each license shall be charged upon the quantities, grades and kinds of timber as certified by a scaler holding a current scaler's license from the British Columbia government,and all fees for such scaling shall be paid by the licensee.

Provided; that in cases where such timber is not scaled until its arrival at the mill,the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof composing any raft,boom or crib before such timber was removed from the Indian Reserve.

PROVIDED ALSO;that when it is shown to the satisfaction of the Minister that the services of a licensed scaler cannot be obtained by the licensee or the person in charge of his ~~lumbering~~ logging operation,the Department may appoint an unlicensed person as an acting-scaler temporarily,until the services of a duly qualified scaler are available for the purpose.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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All losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

License and renewal fees.

10. A licensee shall be required to pay an original license fee of Ten dollars ($10), and ~~if he has complied with the existing regulations he shall be entitled to have his license renewed~~ in accordance with the terms of sale upon application, ~~to the Minister,~~ and for each renewal there shall be paid a fee of Two dollars ($2).

May not be entitled to renewal in perpetuity.

Conditions of renewal.

11. No renewal of any license shall be granted unless the berth or limit covered thereby has been properly ~~worked~~ operated during the preceding season, or ~~sufficient reason be given under oath and~~ satisfactory to the Minister, be for the non-~~working~~ operation of the limit and unless or until the rental, ~~and any~~ royalties and other charges payable on timber cut during the previous season shall have been paid.

Expiry of licenses.

12. All timber licenses shall expire on the 30th. day of April next after the date of issue thereof, and all renewals must be applied for not later than March 1st. prior to the date of expiry, in default whereof the berth or limit may, in the discretion of the Minister, be declared forfeited after the date of expiry.

Suspended licenses.

13. Timber cut on berths or limits for which the license has been suspended or held in abeyance shall be considered as having been cut without authority and therefore treated as an act of trespass.

Examination of records of licensee.

14. The Minister or any authorised ~~agent~~ officer of the Department shall at all times have free access to and be permitted to examine such records ~~the books and memoranda kept by any licensee showing the quantity of timber cut by him on his berth of berths and the lumber or other product manufactured therefrom~~. If the licensee fails

Every licensee shall keep a record showing the amount of timber of the various kinds cut to date on each berth or limit.

Do you want any more information regarding costs prices received etc?

No!

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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records as and
or refuses to produce such ~~books and memoranda~~ or other wood product
when required ~~so to do~~, any timber, ~~or~~ lumber, belonging to such licensee and cut under such license, may be placed under seizure and his license may be cancelled.

Non payment of royalties.

15. When any licensee is in default for or has evaded the payment of royalties, rentals or other charges to the Indian Affairs Branch of the Department of Mines and Resources on any part of his timber, any timber cut under the said license may be placed under seizure, and if such royalties and other charges are not paid within twelve months the timber may be sold by the Minister.

a long time 3 months is long enough.

Interest charged on outstanding royalties.

16. Royalties or other charges on all kinds of timber cut under license or permit, which remain unpaid on the 30th. day of November following the date of expiry of such license or permit shall be subject to interest at the rate of six per cent per annum from that date, but without prejudice to the right of the Department to enforce payment of such outstanding royalties at any time that the Minister may think proper.

Ground rental.

17. All timber berths or limits shall be subject to an annual ground rental of twenty cents (20¢) per acre, payable in advance before the issue of any license or renewal thereof, and in computing the ground rental no license shall be charged at less than 100 acres in area.

Transfer of licenses.

shall be submitted to the Minister

18. All transfers of timber ~~berths~~ licenses ~~shall be made in writing~~ ~~but~~ shall be subject to the approval of the Minister and certified copies of any and all agreements or contracts relating to such transfers ~~to whom they shall be transmitted~~, for approval or rejection, and they shall be valid only from the time such approval is ~~expressed~~ granted in writing. A fee of Five dollars ($5) shall be payable in respect of each transfer, but no transfer shall be accepted while the licensee is in default for non-payment of royalties or other charges,

Why not substitute Director of the Indian affairs Branch for Minister in a case like this? Does the Minister have to attend to all these details? Should at first define "Minister," "Department," "Director of Indian Affairs Branch."

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Species and size of timber to be cut.

19. Licenses shall specify the species of trees and the minimum diameter size to be cut, which shall be at a distance of not less than 18 inches from the grouhd, and licensees shall not have the right to cut any trees that may be designated by the proper officer of the Department as being required to provide an adequate supply of seed for the reproduction of the forest.

Security by bond.

20. Before the issue of any timber license, the licensee or licensees thereof shall furnish security by a bond of himself or themselves and two responsible sureties for such amount as the Minister may consider sufficient to ensure the proper operation ~~working~~ of the limit, the due fulfilment by the licensee of the conditions of the license and the proper observance of all the regulations of the Department with respect to the cutting of the timber ~~to be cut.~~

The giving of such security shall not however in any way prejudice the right of the Minister or his agent to levy upon any timber cut or owned by the holder or holders of the license or to cancel the said license should there appear to be sufficient cause for so doing.

Forest protection.

21. The Minister or other officer deputed by him shall, prior to the sale of any berth or limit, determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection and the licensee of such berth or limit shall be required to defray half the cost incurred by the Department in protecting the same, The licensee shall further be required to:-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(a) Utilize all the merchantable timber in every tree cut down, and manufacture the same into lumber or other saleable product.

(b) Dispose of the tops, branches and other debris resulting from his operations, in accordance with the directions of the proper officer of the Indian Affairs Branch of the Department of Mines and Resources, so as to prevent as much as possible the danger of fire.

(c) Exercise strict and constant supervision to prevent the origin or spread of fire and prevent all unnecessary destruction of the growing timber on the part of his men.

Timber mark.

22. Prior to the commencement of any ~~lumbering~~ logging operation on an Indian Reserve and before the issue of any timber license to authorize such operation, a distinguishing timber mark shall be designated by the Minister, and such mark shall be placed on each piece of timber cut and removed from ~~such reserve~~ each berth or limit on a reserve so as to distinguish such timber from that cut from lands other than ~~the Reserve~~ those covered by the license in question.

23. FORM OF LICENSE.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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"9" & 10"

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Form of Licence.

LICENCE TO CUT TIMBER ON INDIAN RESERVES IN THE PROVINCE OF BRITISH COLUMBIA

See 23

No.....

File.....

BY AUTHORITY of Chapter 81 of the Revised Statutes of Canada, and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:—I do hereby give unto

and unto Agents and Workmen full power and Licence to

cut upon the Location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:—from

19 to 19 , and no longer; with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this Licence the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this Licence is subject to the following conditions, viz.:

That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:—

Under a sworn return furnished by a licensed scaler and on or before the 30th of November following the season in which the timber is cut.

That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this Licence, excepting in so far as Pine and Spruce merchantable timber are concerned, which this Licence will continue to control until all conditions of sale have been fulfilled.

That any person or persons may, under authority of the Minister of Mines and Resources, at all times, make and use Roads upon, and travel over, the ground hereby licensed.

That nothing herein shall prevent any person or persons, having authority from the Minister of Mines and Resources to do so, from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works.

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for .....

or by permission.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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And further upon condition that the said Licensee or representative shall comply with all regulations that are or may be established by Order in Council, and shall submit all the Timber cut under this Licence to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized,—otherwise the said timber will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

Given under my hand at Ottawa, this day of in the year of Our Lord one thousand nine hundred and

.....

Director of Indian Affairs.

Amount payable on giving this Licence...

BONUS, $

DEPOSIT, $

GROUND RENT, $

LICENCE FEE, $

The above named Licensee shall be bound before or when paying the ground rent and renewal fee—if the Licence is renewed—to declare on oath whether still the bona fide proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.

We have read and comprehend the nature of the obligations contained in this Licence, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this Licence, in the event of the above named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

Signature of Licensee: .....

The timber limit or berth covered by this Licence No.....comprises the following lands:—

Royalties payable:—

Stumpage payable:—

This Licence No. .....renewable yearly, under the provisions of section No. 13 of the Regulations governing the disposal of timber on Indian Reserves in the province of British Columbia, for a period of.....years.

Timber-mark to be placed on timber cut under authority of this Licence No. ..... thus:—

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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TIMBER PERMITS.

24. Permits to cut timber ~~########~~ for sale, on an Indian Reserve which is not covered by timber license, may be granted by the Minister or other officer deputed by him, to the Indians of the band who own the reserve, with the consent of the Council of the Band and subject to the payment of royalties as shown under section No. 8 ..of these regulations; such royalties to tbe placed to the credit of the funds of the band.

PROVIDED; that the Minister may reduce the said tariff of royalties or waive collection thereof, as a measure of relief tothe Indians, should he deem it in their interest to do so.

Exclusion of Permits

All Permits expire on the 30th day of April next after the date of issue thereof.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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ADDRESS REPLY TO
DOMINION FOREST SERVICE

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
LANDS PARKS AND FORESTS BRANCH

RDC:MS

Department of Mines & Resources
Indian Affairs Branch
JUL 23 1939
REGISTERED

OTTAWA, July 12, 1939.

Dear Mr. Bury,

I have made some notations on the copy of the "Regulations for the Disposal of Timber on Indian Reserves in British Columbia", which I hope will be of assistance to you.

Yours very truly,

Roland D. Craig

Roland D. Craig.

H. J. Bury, Esq.,
Supervisor, Indian Timber Lands,
Indian Affairs Branch,
Booth Building,
O T T A W A .

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001 Vol 2

REGULATIONS

for the disposal of

TIMBER

ON INDIAN RESERVES

(British Columbia)

REGULATIONS governing the disposal of Timber on Indian Reserves in the Province of British Columbia, Dominion of Canada, established under the provisions of the Indian Act, Chap.98 R.S.1927 by Order of His Excellency the Governor General in Council, dated.....

Cutting without authority.

1. No person, or Indian, other than an Indian of the Band to whom the reserve belongs, shall without authority in writing of the Minister or of some officer or person deputed by him for that purpose, cut, carry away or remove from any of the lands, roads or allowances for roads in a Reserve, any trees, timber, cordwood or part of a tree.

Trespass.

Penalty for cutting in trespass through error.

2. (a) In cases where timber although cut in trespass on Indian lands or Reserves, was so cut through error in good faith by licensees or other parties, it shall lawful for the Minister to exact in settlement, a penalty equivalent to double, triple or quadruple the ordinary rate of royalties as established by section No.8 hereunder, according to circumstances, in addition to the cost of seizure and other expenses incurred in connection with the investigation into such trespass

Penalty for cutting in trespass.

(b) In cases where timber is cut in trespass and it cannot be established that such timber was cut through error in good faith, without wilful intent to contravene these regulations, the timber may be confiscated and sold by public auction after due advertisement, and if no bid is received equal to the upset price set by the Department, (which upset price shall be not less than double the regulation rate of royalties), the timber may be disposed of by private sale; Provided that instead of confiscating the timber, the Department may release such timber upon payment of four times the regulation rate of royalties, in cases where special circumstances warrant such action being taken.

Timber licenses.

Release required.

3. No timber on an Indian Reserve shall be disposed of until such timber has been released by the Indians to whom the reserve belongs, in accordance with the provisions of Section No.51 of the Indian Act.

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Cruise and valuation

4. The timber covered by such release shall be cruised and valued and the boundaries thereof established in such manner as may be directed by the Minister of Mines & Resources, and such cruise and valuation shall be recorded in the Indian Affairs Branch of the Department of Mines and Resources.

Mode of sale

5. The berth or limit thus cruised shall be offered for sale by public auction at the upset price fixed by such valuation, or by tender, at such time and on such conditions as the Minister shall direct by public notice for that purpose; but in the event of berths or limits being offered for sale by tender, the Minister shall not be bound to accept the highest or any tender, should he deem it in the interest of the Indians who own the timber, to do otherwise; Provided that should the stumpage value of such timber not exceed the sum of $500, the Minister may dispose of the timber to the best advantage in the interest of the Indians, without public advertisement.

Form of tender

6. Every offer to purchase a license to cut and remove timber from an Indian Reserve under these Regulations, which shall be in the form as shown under section No.23 hereunder, shall include an offer by and on the part of the offerer or tenderer to pay to the Indian Affairs Branch of the Department of Mines and Resources:-

(a) An annual ground rental at the rate of twenty cents (20¢) per acre.
(b) License fee of Ten dollars ($10)
(c) The royalty for each class or kind of timber at the rate shown under section No.8 hereunder.
(d) Such upset price as the Department may establish for the sale in question, either as a lump sum before the issue of the license, or as stumpage per thousand feet board measure, or per cord or per lineal foot as the case may be, to be paid as and when the timber is cut.
(e) Such further price in addition to the upset price, as the tenderer is prepared to pay.

Cheque with tender

7. Each tender must be accompanied by an accepted cheque on any Canadian chartered bank covering the following items:-

(a) Rental for one year at 20 cents per acre.
(b) License fee of $10.00
(c) Deposit of ten per cent (10%) of the royalty and stumpage price tendered, as applied to the total estimated quantity of timber on the limit.

and such cheque will be dealt with in the following manner:-

1. Returned forthwith if the tender is not accepted.
2. The deposit to be retained by the Department until operations under the license are completed to the satisfaction of the Minister.
3. The deposit to be forfeited to the Department if the undertaking is not completed to the satisfaction of the Minister.

Provided that if the licensee is in default for any payments that may be due, or has not complied with the terms and conditions of the license, the Minister may suspend operations and deduct from

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the said deposit such payments and penalties as in his judgment the circumstances may justify and the suspension shall not be lifted until the licensee has recouped the said deposit by an amount sufficient to restore it to the original sum.

Royalties.

8. Royalties to be paid on timber cut from Indian Reserves under license shall be as follows:-
(a) $1.00 per thousand feet Board measure on all timber suitable for sawlogs,boomsticks etc. scaled under the British Columbia log rule.
(b) 75 cents per cord of 128 cubic feet,(piled measurement) on all timber suitable for shingle bolts,pulpwood,cordwood or other wood products customarily measured by the cord.
(c) 2 cents per lineal foot on all timber suitable for piling,poles and spars.
(d) 5 cents per tie.
(e) 3 cents per post or fence rail.

Scaling

9. The royalty and stumpage on timber cut under authority of each license shall be charged upon the quantities,grades and kinds of timber as certified by a scaler holding a current scaler's license from the British Columbia government,and all fees for such scaling shall be paid by the licensee.

Provided; that in cases where such timber is not scaled until its arrival at the mill,the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof,composing any raft,boom or crib before such timber was removed from the Indian reserve.

Provided also; that when it is shown to the satisfaction of the Minister that the services of a licensed scaler cannot be obtained by the licensee or the person in charge of his logging operation,the Department may appoint an unlicensed person as an acting scaler temporarily,until the services of a duly qualified scaler are available for the purpose.

All losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

License and renewal fees

10. A licensee shall be required to pay an original license fee of Ten dollars ($10),and if he has complied with the existing regulations he shall be entitled to have his license renewed in accordance with the terms of sale,and for each renewal there shall be paid a fee of Two dollars ($2)

Conditions of renewal.

11. No renewal of any license shall be granted unless the berth or limit covered thereby has been properly operated during the preceding season,or sufficient reason be given under oath and found satisfactory by the Minister for the non-operation of the limit,and unless or until the rental, royalties and other charges payable on the timber cut during the previous season shall have been paid.

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Expiration of licenses

12. All timber licenses shall expire on the 30th.day of April next after the date of issue thereof,and all renewals must be applied for not later than March 1st.prior to the date of expiration,in deafult whereof,the berth or limit may,in the discretion of the Minister,be declared forfeited after the date of expiration.

Suspended licenses.

13. Timber cut on berths or limits for which the license has been suspended or held in abeyance shall be considered as having been cut without authority and therefore treated as an act of trespass.

Examination of records of licensee

14. Every licensee shall keep a record showing the quantity of timber of various kinds cut to date on each berth or limit and the Minister or officer of the Department deputed by him shall at all times have free access to and be permitted to examine such record.If the licensee fails or refuses to produce such records as and when required so to do, and timber,lumber or other wood product belonging to such licensee and cut under such license,may be placed under seizure and his license may be cancelled.

Non-payment of royalties.

15. When any licensee is in default for or has evaded the payment of royalties,rentals or other charges to the Indian Affairs Branch of the Department of Mines and Resources on any part of his timber,and timber cut under the said license may be placed under seizure,and if such royalties and other charges are not paid within three months from the date of notice given for that purpose, the timber may be sold by the Minister.

Interest charged on outstanding royalties

16. Royalties or other charges on all kinds of timber cut under license or permit,which remain unpaid on the 30th.day of November following the date of expiration of such license or permit,shall be subject to interest at the rate of six per cent per annum from that date,but without prejudice to the right of the Department to enforce payment of such outstanding royalties or other charges at any time that the Minister may think proper.

Ground rental

17. All timber berths or limits shall be subject to an annual ground rental of twenty cents (20¢) per acre,payable in advance before the issue of any license or renewal thereof,and in computing the ground rental,no license shall be charged at less than 100 acres in area.

Transfer of licenses

18. All transfers of timber licenses shall be subject to the approval of the Minister and certified copies of any and all agreements or contracts relating to such transfers shall be submitted to the Minister for approval or rejection,and they shall be valid only from the time such approval is granted in writing. A fee of Five dollars ($5) shall be payable in respect of each transfer,but no transfer shall be approved while the licensee is in default for non-payment of royalties or other charges.

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Species and size of timber to be cut

19. Licensees shall specify the species of trees and the minimum diameter size to be cut, which shall be at a distance of not less than 15 inches from the ground, and licensees shall not have the right to cut any trees that may be designated by the proper officer of the Department as being required to provide an adequate supply of seed for the reproduction of the forest.

Security by bond

20. Before the issue of any timber license, the licensee or licensees thereof shall furnish security by a bond of himself or themselves and two responsible sureties for such amount as the Minister may consider sufficient to ensure the proper operation of the limit, the due fulfilment by the licensee of the conditions of the license and the proper observance of all the regulations of the Department with respect to the cutting of the timber.

The giving of such security shall not however in any way prejudice the right of the Minister or his agent to levy upon any timber cut or owned by the holder or holders of the license or to cancel the said license should there appear to be sufficient cause for so doing.

Forest protection

21. The Minister or other officer deputed by him shall, prior to the sale of any berth or limit, determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection, and the licensee of such berth or limit shall be required to defray half the cost incurred by the Department in protecting the same. The licensee shall further be required to

(a) Utilize all the merchantable timber in every tree cut down, and manufacture the same into lumber or other saleable product.
(b) Dispose of the tops, branches and other debris resulting from his operations, in accordance with the directions of the proper officer of the Indian Affairs Branch of the Department of Mines and Resources, so as to prevent as much as possible the danger of fire.
(c) Exercise strict and constant supervision to prevent the origin or spread of fire and prevent all unnecessary destruction of the growing timber on the part of his men.

Timber mark

22. Prior to the commencement of any licensed logging operation on an Indian Reserve and before the issue of any timber license to authorize such operation, a distinguishing timber mark shall be designated by the Minister, and such mark shall be placed on each piece of timber cut and removed from each berth or limit on a reserve, so as to distinguish such timber from that cut from lands other than those covered by the license in question

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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LICENSE TO CUT TIMBER ON INDIAN RESERVES IN THE PROVINCE OF BRITISH COLUMBIA

No.....

File.....

23.

Form of license

BY AUTHORITY of Chapter 98,R.S.1927 and amendments thereto,and for and in consideration of the payments made ,and to be made to the credit of the Indian Funds:- I do hereby give unto.....
and unto..... Agents and Workmen full power and license to cut.....
upon the Location described upon the back hereof,and to hold and occupy the said Location to the exclusion of all others,except as hereinafter mentioned:- from.....19.
to .....19.. and no longer: with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this License the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned,with full power to seize and recover the same anywhere within the Dominion of Canada.

But this License is subject to the following conditions:- viz:.....

That the royalties and stumpage to which the Timber cut under its authority are liable,shall be paid as follows namely:-On or before the 30th.day of November following the date of expiration of this license and under a certified or sworn return made by scaler holding a current scaler's license from the British Columbia government.

That any person or persons may,under authority of the Minister of Mines and Resources,at all times,make and use Roads upon,and travel over,the ground hereby licensed.

That nothing herein shall prevent any person or persons, having authority from the Minister of Mines and Resources to do so,from taking the standing Timber of any kind to be used for the making of Roads and Bridges,or for Public Works.

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating,by the said Licensee or any one acting for ..... or by ###... permission.

And further upon condition that the said Licensee or .....representatives shall comply with all regulations that are or may be established by Order in Council,and shall submit all the Timber cut under this License to be counted or measured,and shall settle for the royalties and stumpage chargeable thereon when required by me or any officer thereunto authorised,-otherwise the said Timber will be forfeited to the Crown,and the said Licensee be subject to such other penalty as provided by law.

GIVEN UNDER MY HAND at Ottawa,this.....,day of..... in the year of Our Lord,one thousand nine hundred and....

.....
Director of Indian Affairs
Department of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Amount payable on giving this license.

Bonus, $ .....
Deposit, $ .....
Ground Rent $ .....
License Fee $ .....
Renewal Fee $ .....

The above named Licensee shall be bound before or when paying the ground rent and renewal fee-if the License is renewed- to declare on oath whether .....still the bona fide proprietor of the limit hereby licensed,or whether.....sold or transferred it,or any part of it, of for whom.....hold it.

We have read and comprehend the nature of the obligations contained in this License,and we bind ourselves jointly and severally,and each of our Heirs,Executors,Curators and Administrators to pay all royalties,stumpage and other charges that may become due and payable to His Majesty,His Heirs or Successors,on any Timber cut or acquired by virtue of this License,in the event of the above named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

Signature of Licensee.....

The timber limit or berth covered by this License No..... comprises the following lands:-.....
Royalties payable:-
(a) $1 per thousand feet board measure on all timber suitable for saw-logs,boom-sticks,etc.scaled under the British Columbia log rule.
(b) 75 cents per cord of 128 cubic feet,(piled measurement) on all timber suitable for shingle bolts,pulpwood, cordwood or other wood products customarily measured by the cord.
(c) 2 cents per lineal foot on all timber suitable for piling,poles and spars.
(d) 5 cents per tie.
(e) 3 cents per post or fence rail.
Stumpage Payable:-

This License No.....renewable yearly,under the provisions of section No.11 of the Regulations governing the disposal of Timber on Indian Reserves in the province of British Columbia, for a period of.....years.
Timber-mark to be placed on timber cut under authority of this License No.....,thus:-

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Amount payable on giving this license.

Bonus,	$ .....
Deposit,	$ .....
Ground Rent	$ .....
License Fee	$ .....
Renewal Fee	$ .....

The above named Licensee shall be bound before or when paying the ground rent and renewal fee-if the License is renewed- to declare on oath whether .....still the bona fide proprietor of the limit hereby licensed,or whether.....sold or transferredit,or any part of it, of for whom.....hold it.

We have read and comprehend the nature of the obligations contained in this License,and we bind ourselves jointly and severally,and each of our Heirs,Executors,Curators and Administrators to pay all royalties,stumpage and other charges that may become due and payable to His Majesty,His Heirs or Successors,on any Timber cut or acquired by virtue of this License,in the event of the above named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

Signature of Licensee.....

The timber limit or berth covered by this License No..... comprises the following lands:-.....

Royalties payable:-

(a) $1 per thousand feet board measure on all timber suitable for saw-logs,boom-sticks,etc.scaled under the British Columbia log rule.

(b) 75 cents per cord of 128 cubic feet,(piled measurement) on all timber suitable for shingle bolts,pulpwood, cordwood or other wood products customarily measured by the cord.

(c) 2 cents per lineal foot on all timber suitable for piling,poles and spars.

(d) 5 cents per tie.

(e) 3 cents per post or fence rail.

Stumpage Payable:-

This License No.....renewable yearly,under the provisions of section No.11 of the Regulations governing the disposal of Timber on Indian Reserves in the province of British Columbia, for a period of.....years.

Timber-mark to be placed on timber cut under authority of this License No.....,thus:-

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Timber Permits.

24. Permits to cut timber for sale, on an Indian Reserve which is not covered by Timber License, may be granted by the Minister or other officer deputed by him, to the Indians of the Band who own the reserve, with the consent of the Council of the Band, and subject to the payment of royalties as shown under section No. 6 of these Regulations; such royalties to be placed to the credit of the funds of the band.

Provided: that the Minister may reduce the said rate of royalty or waive collection thereof, as a measure of relief to the Indians, should he deem it in their interest to do so.

All such permits shall expire on the 30th. day of April following the date of issue thereof.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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F.30000

Ottawa. July 17th.1939.

Memorandum.

Dominion Forester:

In accordance with Mr.S.W.Jackson's suggestion I am enclosing herewith final draft copy of the proposed revision of the British Columbia Indian Timber Regulations for your examination.

These regulations have been prepared by our Timber Supervisor after discussion and consultation with Mr.Roland Craig and follow generally the Eastern Regulations which you have previously approved.

The main changes comprise:-

1. Three new sections-Nos.1,2 and 24 relating to cutting without authority, Trespass and Indian Timber Permits.
2. Provision in Sec.7 for applying deposit monies to discharge penalties.
3. Provision of sec.9 for employment of B.C.scaler.
4. Reduction of original license fee in Sec.10 from $50 to $10
5. Licensees must apply for renewals two months prior to expiration of current license-Sec.12.
6. Compulsory for licensees to keep records and produce same for inspection, or suffer penalty. Sec.14
7. Confiscation and sale of seized timber-Sec.15.
8. Minimum ground rental to be computed on 100 acs. of area making minimum rental $20-Sec.17
9. Species and size of timber to be cut, and provision for retaining seed trees.

Note:- It is the intention to apply the same tariff of royalties to both license and permit operations, as such tariff is moderate and is a fair proportion of the value of the timber which represents the band interest in the timber.

Please advise if this revision is satisfactory, so that these regulations can be sent forward to Council for approval.

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001-1

ADDRESS REPLY TO
DOMINION FOREST SERVICE

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
LANDS PARKS AND FORESTS BRANCH

QUOTE FILE 49076 For.

DAM/K.

OTTAWA July 27, 1939.

Department of Mines & Resources
Indian Affairs Branch.
JUL 28 1939
REGISTERED

Memorandum:--

Dr. H. W. McGill,
Director of Indian Affairs.

Replying to your memorandum of the 17th instant, I am returning herewith your final draft copy of a proposed revision of the British Columbia Indian Timber Regulations. We have gone over these and in so far as we are concerned they appear to be satisfactory.

Encl.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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F.30001-1

EXD.
1.

Ottawa. Aug.15th.1939.

Memorandum.

Deputy Minister:

REVISED TIMBER REGULATIONS
(Indian Reserves in B.C.)

I enclose herewith draft Order in Council to establish new Timber Regulations governing the disposal of timber on Indian Reserves in the Provinces of British Columbia, which supersede the present regulations authorised by O/C dated May 5th.1921,P.C.1520.

This revision was undertaken at the request of the Head Office,prepared by this Branch and submitted to the Forest Service for examination and comment.Advice has been received from that Branch that in so far as they are concerned such revision appears satisfactory.

The principal changes from the 1921 regulations comprise:-

1. Three new sections:-Nos.1,2 and 24 relating to cutting without authority,trespassing and Indian Timber Permits.
2. Provision in Sec.7 for applying deposit monies to discharge penalties.
3. Provision in Sec.9 for timber to be measured by a qualified B.C.scaler.
4. Reduction of original license fee from $50 to $10 (Sec.10)
5. Licensees must apply for renewals at least two months prior to expiry of existing or current license.(Sec.12)
6. Licensees are compelled to keep records and produce the same for inspection,or in default,suffer penalty.(S.14)
7. Confiscation and sale of seized timber (Sec.15)
8. Minimum ground rental to be computed at 100 acres of area.(Sec.17)
9. Species and size of timber to be cut,and provision for retaining seed trees.

Director.

Aug 18/39

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COPY to be returned to Indian Affairs when signed. 30001.

File

COPY
ORIGINAL ON
File 440-760

Ottawa, November 21st, 1939.

Dear Sir,-

I wish to acknowledge receipt of your letter of November 17th, regarding check scaling on Indian Reserves, and in reply to advise that the logging operations which we have in mind for the present season are as follows:

Timber License	Reserve	Location of Indian Agent in Charge.
7	Garden River	Sault Ste Marie
178	Lac Seul (S. Portion)	Sioux Lookout
207	Lac Seul (N. Portion)	Sioux Lookout
255	Dokis (Berth 7)	Sturgeon Falls
259	Dokis (Berths 5 & 6)	Sturgeon Falls

As we have employed seasonal check scalers on several occasions without satisfactory results, I shall be pleased to learn if the services of any of your permanent check scaling staff would be available for visiting the above named reserves at some suitable time during the season.

Yours very truly,

HJB
DJA

Chas. Camsell
Deputy Minister.

W. G. Cain, Esq.,
Deputy Minister,
Department of Lands and Forests,
TORONTO, Ontario.

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CANADA

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

OFFICE OF THE INDIAN AGENT

PLEASE QUOTE
FILE_____

Department of Mines & Resources Indian Affairs Branch DEC 4 1939 REGISTERED

Sault Ste. Marie, Ont.
December 1st, 1939

Dear Sir-

Would you kindly forward to me at your earliest convenience, the amount of dues collected by the Indian Affairs Branch on the following classes of timber cut on the reserves.

Spruce per cord,
Poplar per cord
Balsam per cord
Norway Pine logs per cord
Balm of Gilead logs
Elm logs

Mr. F. Bishop of Spanish may have a market for balm of gilead logs from the Spanish Reserve. He is anxious to get the amount of dues on balm of gilead and elm logs to see if he can compete with other markets.

Yours truly

Indian Agent

The Secretary
Indian Affairs Branch
Ottawa, Ontario

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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F. 30001-1

EXD.

Ottawa. Dec.5th.1939.

Dear Sir:-

In reference to your letter of Dec.1st.regarding the rate of dues charged on various species of timber,when cut by the Indians,for sale,I wish to state that the following is the correct rate of the different species mentioned in your letter:-

Spruce & Balsam pulpwood ....40 cents per cd.
Poplar (softwood) per cord...20 "
Norway Pine logs per M.fbm $2.50
Balm of Gilead logs " " $1.00
Elm logs.....per M.f.b.m. $2.00

A copy of the PERMIT tariff is enclosed herewith.

Yours very truly,

D.J.Allan
Superintendent
Reserves & Trusts.

R.P.G.Laurence Esq.
Indian Agent
Sault Ste.Marie. Ont.

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Form 6102

CLASS OF SERVICE DESIRED	
FULL-RATE MESSAGE	X
DAY LETTER	
NIGHT MESSAGE	
NIGHT LETTER	

PATRONS SHOULD MARK AN X OPPOSITE THE CLASS OF SERVICE DESIRED; OTHERWISE THE MESSAGE WILL BE TRANSMITTED AS A FULL-RATE TELEGRAM

CANADIAN NATIONAL TELEGRAPHS

D. E. GALLOWAY, Assistant Vice-President, Toronto, Ont.

Exclusive Connection with WESTERN UNION TELEGRAPH CO.
Cable Service to all the World
Money Transferred by Telegraph

RECEIVER'S NO.	TIME FILED	CHECK

Send the following message, subject to the terms on back hereof, which are hereby agreed to

COLLECT

Ottawa. Jan.16th.1940.

W.C.Cain Esq.
Deputy Minister
Dept.of Lands & Forests.
Toronto. Ont.

Replying your telephone inquiry this date.STOP Total quantity pulpwood exported from Manitoulin Island Reserve under clearance from this Department,twelve thousand cords.STOP.Quantity pulpwood cut Long Lac Reserve not known as this timber sold for cash and estimate given in statement possibly too low.STOP. Total area all reserves Ontario as given Canada Year Book correct.

Harold W.McGill.
Director.

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Indian Affairs, (RG 10, Volume 7798, File 30001 Pt.2)

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3rd January, 1930.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL.

The undersigned has the honour to report:

THAT Section 76 of the Indian Act, Chapter 98, R.S. 1927, provides that Your Excellency in Council may establish from time to time regulations for the granting of licenses to cut trees on unpatented Indian lands or on Reserves at such rates and subject to such conditions, regulations and restrictions as are from time to time deemed advisable.

The undersigned, therefore, recommends that the regulations authorized by Order in Council P.C. 782, on the 1st day of May, 1923, pertaining to the Disposal of Timber on Indian Reserves with the exception of those situate in the Province of British Columbia be rescinded and the attached Regulations for the Disposal of Timber upon Indian Reserves with the exception of those situate in the Province of British Columbia be hereby established.

Respectfully submitted,

Minister of Mines and Resources.

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30001-1

EXD.
S.

3rd January, 1930.

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL:

The establishment of Regulations for the Disposal of Timber on Indian Reserves with the exception of those situate in the Province of British Columbia, and the rescinding of Regulations upon the same subject established by Order in Council P.C. 752, dated the 1st day of May, 1925.

Dft. Hoey

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30001 Vol 2 Drafted by Mr. Paton of Lands Branch.

LICENCES TO CUT TIMBER.

1. Licences to cut timber on Indian Reserves in the Dominion of Canada shall be disposed of by public competition under the provisions of the Indian Act, Chap. 98, R.S.C. 1927, and of these regulations.

2. Before an application for a licence to cut timber under these regulations shall receive consideration:-

(a) The applicant for such licence shall deposit with the Department of Mines and Resources the sum of two hundred dollars ($200) in cash or by an accepted cheque on a chartered bank for such amount if the tract applied for contains an area of five square miles or under; five hundred dollars ($500) if the area applied for is more than five square miles and does not exceed ten square miles; and one thousand dollars ($1,000) if the area is over ten square miles and up to the maximum area of twenty-five square miles. This deposit, which is required to establish the bona fides of the applicant, shall be forfeited to the Crown should the berth not be sold at a price equal to or greater than the upset price placed upon it.

(b) Any person desiring to bid for a timber licence offered for sale at public auction under these regulations shall, prior to such auction, make a deposit with the Department of Mines and Resources in cash or by an accepted cheque on a chartered bank equal in amount to that which the original applicant is required to make, as provided in the preceding sub-section, in order to establish his bona fides as an eligible bidder.

(c) The amount of the deposit made by the person to whom the berth may be awarded shall be credited to him on account of the purchase price of such berth, and the amount of each of the other deposits made in connection with the sale shall be refunded or placed to the credit of the person by whom the deposit was made.

(d) When a licence to cut timber is offered for sale by tender the Minister shall not be bound to accept the highest or any tender should he deem such action to be in the public interest.

Dominion Land.

3. Before the timber on any tract of land to be acquired under licence is offered for sale such tract shall be surveyed by a duly qualified land surveyor under instructions from the Surveyor General of Canada and divided into berths, each of which shall not exceed 25 square miles in area, and these berths shall then be thoroughly cruised as may be directed by the Minister. The cruiser shall make as exact an estimate as possible of the quantity of timber on each berth; shall ascertain the general condition of such timber, its accessibility, and any other matters that may be necessary to determine the value of the timber, and so enable the Minister to fix an upset price therefor; and the cruiser shall submit to the Minister a report under oath of the examination and estimate made. The Minister shall then fix the upset price at which each berth shall be disposed of, which price shall include the cost of the survey and examination of the berth as well as the cost of advertising, and no berth shall be sold at less than the price so fixed.

4. When, however, in the opinion of the Minister there are natural boundaries confining the timber on the tract applied for, a survey of the boundaries of the said tract may be dispensed with if such natural boundaries are, in the opinion of the Minister, of such a

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CANADA

character as to adequately define the limits of the tract affected.

5. Notice of the sale at public competition of a timber berth to be acquired under licence shall be given for a period of not less than thirty days in a newspaper published in the district in which the berth lies and published also in a newspaper having a general circulation within the province, and the right to a licence to cut timber shall not be disposed of until such notice has been duly given.

6. The notice of sale shall contain a description of the berth to be disposed of, its distinguishing number, the area, and the upset price fixed, as well as the place, day and hour at which bids or tenders as the case may be will be accepted for the berth.

7. Payment of the purchase price of a timber berth so acquired shall be made as follows:-

(a) If the price at which the berth is sold amounts to $1,000 or less, payment shall be made by the purchaser of one-half of the amount in cash at the time of the sale, and the balance in two promissory notes of equal amount, which notes shall mature at the expiration of three and six months, respectively, after the date of the sale.

(b) If the price is over $1,000 and does not exceed $5,000, payment shall be made of one-third in cash at the time of the sale, and the balance in three promissory notes of equal amount, which notes shall mature at the expiration of three, six and nine months, respectively, after the date of the sale.

(c) If the price exceeds $5,000 but does not exceed $10,000, payment shall be made of one-fourth of the purchase price in cash at the time of the sale, and the balance in four promissory notes of equal amount, which notes shall mature at the expiration of three, six, nine and twelve months, respectively, thereafter.

(d) If the purchase price exceeds $10,000, payment shall be made of one-fifth of the amount in cash at the time of the sale, and the balance in four promissory notes of equal amount, payable in three, six, nine and twelve months, respectively, after the date of the sale.

(e) If the purchaser so desires, payment may be made of the full amount of the purchase price in cash, or by an accepted cheque at the time of the sale.

8. Up to the date of maturity, interest at the rate of six per cent. per annum shall be charged on the amount of promissory notes given in payment of a timber berth, and, after the date of maturity of such notes, the rate of interest shall be seven per cent. per annum.

9. All such promissory notes shall be made payable at a bank in the city or town in close proximity to the berth or at a bank in the City of Ottawa.

10. The prescribed payments must be made at the time of the sale in cash, or by an accepted cheque on a chartered bank, payable to the order of the Deputy minister of Mines and Resources.

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11. If default is made of any of the payments prescribed in section 7 of these regulations, the sale may be deemed to be forfeited and void, together with the payments which have been made in connection therewith.

12. The person to whom a berth may be awarded under these regulations shall immediately execute a contract (Exhibit "A") agreeing to carry out and complete the purchase on the terms and conditions of sale.

13. A licence for a timber berth shall not be issued:-

(a) Until the full amount of the purchase price and the correct ground rental, together with any other charges that the Minister may require, has been paid.

(b) Should, however, the purchaser of a berth desire to commence operations before the notes aforementioned have been paid, the Minister may authorise him to do so on being furnished with a bond in his favour by an acceptable guarantee company for the prompt payment of every unpaid instalment of the purchase price of the berth together with interest accrued thereon.

(c) Before operations are commenced on a timber berth, or at any time during the course thereof, the Minister may require the licensee to furnish a bond in his favour from an acceptable guarantee company for such an amount as he deems sufficient to safeguard the interests of the Department of Mines and Natural Resources, but this security shall not in any way prejudice the right of the Minister or his agent to levy upon any timber cut or owned by the licensee or to cancel the licence should there appear to be sufficient cause for so doing.

14. The licence shall be for a term not exceeding one year and all timber licences shall expire on the thirty-first day of March next after the date upon which the same were granted.

15. The licence shall vest in the licensee, subject to the conditions mentioned in the licence, all rights of property whatsoever in all trees, timber, lumber, and other products of timber which he is entitled by the licence to cut, and which have been cut within the limits of the berth during the continuance thereof, whether such trees, timber, lumber, or other products be cut by authority of the licensee or by any other person with or without his consent; and shall vest in the licensee, as against any person other than the Crown in the right of the Dominion, subject to the conditions mentioned in the licence, all right of property whatsoever in all trees, timber, lumber, and other products of timber cut within the limits of the berth during the continuance of the licence by any other person without his consent; and such licence shall entitle the licensee to seize in replevin, revendication or otherwise, as his property, timber of any kind cut upon the berth where the same is found in possession of any unauthorised

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person, and also to bring any action or suit at law or in equity against any person unlawfully in possession of any such timber, or of any lands within the berth, and to prosecute any person to conviction and punishment for any offence in connection with such timber or land, and all proceedings pending at the expiration of the licence may be continued and completed as if the same had not expired.

16. The licence shall be renewable from year to year while there is on the berth timber of the kind and of the dimensions specified in the licence in sufficient quantity to be commercially valuable, provided the terms and conditions of the licence and the provisions of the Indian Act and of these regulations under which the licence was issued have been complied with. The renewal, however, shall be subject to the payment of such rental and dues, and subject also to such terms and conditions as are fixed by the regulations in force on the date upon which the renewal is made.

17. When in the opinion of the Minister a portion of a timber berth is required for any public purpose, or if it has not a sufficient quantity of the kind and dimensions of timber specified in the licence for such berth to make it profitable to remove the timber upon such portion of the berth, and when in the opinion of the Minister such portion of the berth is not necessary for the proper working of the remainder of the berth, the Minister may withdraw such portion from the berth:-

(a) Provided that in no case shall such withdrawal be made until the expiration of sixty days after a notice in writing of the proposed withdrawal has been given to the licensee or to his legal representative.

(b) Upon such withdrawal the ground rent to be paid under the licence shall be reduced in proportion to the area withdrawn, provided always that the annual ground rental on a timber berth shall not be less than forty ($40) dollars.

18. If at any time during the term of a timber licence any portion of the berth described in such licence is required for water-power purposes, or for any purpose in connection therewith, the Minister may, upon proof to his satisfaction that such portion of the berth is required for the purpose mentioned, withdraw from the said berth and from the operation of the licence conveying it, the portion so required, subject to the condition however that the lessee or lessees of the said water power, his or their executors, administrators or assigns shall pay to the licensee of the berth the value of all timber authorised to be cut under the timber licence which may be upon the portion of the berth so withdrawn.

19. If in consequence of any incorrectness in survey, or other error or cause whatsoever, a timber berth is found to comprise land included in a licence of prior date, or any land sold, granted, leased or lawfully set apart for any other purpose under these regulations or under the provisions of the Indian Act, the later licence shall be void in so far as it interferes with such previous lease, licence, sale, grant, or setting apart.

20. A licensee of a timber berth shall not assign or transfer the rights described in his license, or any portion thereof, without the consent of the Minister being first had and obtained.

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21. The fee for the registration of an assignment of a timber berth, or of any interest therein, shall be at the rate of two ($2) dollars for each square mile included in the portion of the berth transferred, but in no case shall such fee be less than three ($3) dollars for each berth affected by the assignment.

Rental and Dues.

22. The licensee shall pay an annual ground rental at the rate of five ($5) dollars a square mile:-

(a) Except for lands in the Province of British Columbia, in which province the yearly ground rent shall be at the rate of 30¢ an acre.

(b) The minimum annual ground rental on a license shall be forty ($40) dollars.

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30001-1

Canada's Oldest Business Newspaper

Canada Lumberman

Logging - Manufacturing - Distribution

Recognized Authority for Over 60 Years

published semi-monthly by HUGH C. MACLEAN PUBLICATIONS, Limited
347 Adelaide St. West, Toronto

July 29, 1940.

RESERVES and TRUSTS DIVISION
AUG 1
INDIAN AFFAIRS BRANCH

Department of Indian Affairs and Resources
JUL 31 1940
REGISTERED

Mr. Harold W. McGill, Director
Indian Affairs Branch
Dept. of Mines and Resources
Ottawa, Ontario

Dear Mr. McGill:

Are you interested in receiving tenders for the cutting of timber? In this connection, may we draw your attention to the regular semi-monthly services of the CANADA LUMBERMAN.

This publication is closely followed by the very people from whom you can expect to receive the most favourable tenders. The rates are reasonable, and we are sure you would be well pleased with the results obtainable from the insertion of a small advertisement in the "Quick Action" Section.

May we be of service to you? We shall be very glad indeed to hear from you by return mail to this effect.

Yours very sincerely,

CANADA LUMBERMAN,

G. R. Bryson,
Service Department.

GRB:S

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

30001-1

OFFICE OF THE
SUPERINTENDENT
RESERVES AND TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa, July 4, 1940.

Memorandum:

Mr. Allan

Re: New Timber Regulations

With reference to your verbal inquiry as to the question of revised regulations governing the disposal of timber from Indian lands.

I have looked up the files and they reveal that final draft revised regulations for cutting and removal of timber situate on Reserves in the Province of British Columbia were compiled in this Division and submitted to Forest Service July 17, 1939, on instructions from Mr. Jackson. The draft copies were returned July 27 with advice from the Forest Service that they were considered satisfactory.

Under date of August 15 a memorandum to the Deputy Minister transmitted a draft copy of an Order in Council recommending that the regulations authorized by Order in Council dated May 5, 1921, pertaining to the disposal of timber on Indian Reserves situate in the Province of British Columbia be rescinded and the attached revised regulations be established.

Apparently a revised set of regulations had previously been approved for cutting of timber on lands other than those in the province of British Columbia for, under date of January 3, 1939, the file has a copy of a Memorandum to Council which was approved and sent out recommending that the regulations authorized by Order in Council P.C. 752, dated May 1, 1923, pertaining to the disposal of timber on Indian Reserves with the exception of those situate in the province of British Columbia be rescinded and the attached regulations established.

There is no evidence on file to show any further progress was made in this connection. I am told, however, that Mr. Bury had been in communication with the Departmental Solicitor in the matter and it appears that just before he left certain draft copies of regulations were put on file. A study of these draft copies indicates that some attempt was being made to draft a set of regulations applicable to all of Canada rather than as at present having two sets of regulations, one governing those Reserves situate in British Columbia and the other for Reserves in the other parts of the country.

From inquiries it has been learned that the two revised sets of regulations, although stated to be satisfactory to the Forest Service, were not approved at Head Office and that

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Mr. Jackson on the 5th February, 1940, in a memorandum addressed to Mr. Gibson requested that Mr. George W. Paton of the Lands, Parks and Forests Branch, be assigned to the task of drafting a new set of regulations applicable to all Reserves throughout the Dominion. In the meantime Mr. Paton had done considerable work in framing a set of regulations in consultation with the solicitor, W. M. Cory. It seems, however, that Mr. Gibson took exception to Mr. Paton doing this work and ordered it stopped. Consequently it has not been completed.

I talked with Mr. Paton yesterday and he seems anxious to finish this order and would gladly do it if proper instructions were issued from Head Office. He seems to think he should have a free hand to draft the same in co-operation with Mr. Cory, the departmental solicitor.

It seems to me some steps should be taken to bring this matter to a successful conclusion so that we may have a set of revised regulations under which to operate.

C. N. Haggart

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

C
O
P
Y

Ottawa, Ontario,
August 22, 1940.

Dear Sir:

Indian Timber Permits in British Columbia
Indian Affairs Branch.

In a letter dated June 8, 1939, your attention was directed to the fact that timber permits were being issued in British Columbia contrary to regulations established May 5, 1921.

You stated in your reply of June 23, 1939, that "steps are being taken immediately, through Council, to authorize the past practice and a revision of the regulations in question is under way whereby provision will be made for the disposal of timber by permit similar to the Eastern Timber Regulations in force on Indian Reserves".

On June 29, 1939, the Governor in Council validated all permits issued to that date. No revision of the regulations, however, appears to have been made and permits continue to be issued. For example, permit No. 4 was issued to Sam King of the Bella Coola Band May 1, 1940, authorizing him to cut 2,000,000 ft. of timber.

Under the circumstances would you please inform me under what authority these permits are being issued.

Yours faithfully,

R.S. Glass,
for Auditor General.

Charles Camsell, Esq.,
Deputy Minister,
Dept. of Mines and Resources,
O t t a w a.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Department of Mines and Resources

Memorandum to: Dr. McGill

Department of Mines & Resources
AUG 26 1940
REGISTERED

I am sending herewith a communication dated

August 22 *from* The Auditor General, Ottawa.

Subject: Indian Timber Permits in B.C.

Kindly prepare a draft reply for the signature of the Deputy Minister and return the correspondence to this office.

If the information desired is not available within the next days, will you be good enough to advise me when it may be expected.

Charles Camsell
DEPUTY MINISTER

August 24 1940

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

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Mr Taggart

Ottawa, Ontario,
August 27, 1940.

Memorandum to: W.M. Cory, Esq.,
Departmental Solicitor.

I am enclosing herewith a copy of a letter just received from R.S. Glass of the Auditor General's Office. It appears that we have no timber regulations in British Columbia at the moment.

From our files we gather the information that under date of February 5th, 1940, Mr. Jackson asked Mr. R. Gibson to assign Mr. George W. Paton to the task of cooperating with you in the formulation of a new set of timber regulations. The writer called Mr. Jackson on receipt of the letter from Mr. Glass and he advised me that the matter was with you and should be pressed forward. There is a possibility that I may be called out of the city before you return and should that happen I have Mr. Jackson's direction to ask you to take this matter up with him immediately.

Will you please give this matter right of way on your return.

D.J. Allan,
Superintendent,
Reserves and Trusts.

Encl.

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CANADA

Ottawa, Ontario,
September 12, 1940.

Memorandum to: R. A. Gibson, Esq.,
Director, Lands, Parks, and Forests.

Re Timber Regulations on Indian Reserves.

The Indian Affairs Branch of this Department requires a complete revision of the timber regulations governing the administration and management of forests on Indian reserves. The purpose in view, and in which this office concurs, is to have standard regulations which will apply generally on all Indian reserves across Canada.

Will you please undertake the preparation through your forestry service of such regulations; having due regard for the provisions of the Indian Act, and the forestry acts and regulations of the several provinces? During the course of preparation of such regulations it would be advisable to consult with the administrative officers of the Indian Affairs Branch on matters peculiar to Indian administration.

Mr. W. M. Cory, Departmental Solicitor, will be available to your officers for consultation when necessary. It is desired that the draft regulations be submitted for approval as soon as conveniently possible.

Deputy Minister.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

Ottawa, Ontario,
September 24, 1940.

Memorandum to: Deputy Minister.

Re Timber Regulations
on Indian Reserves.

In a memorandum under date of August 22nd, 1940, the Auditor General draws our attention to previous correspondence pointing out that timber permits are being issued in the Province of British Columbia by this Branch contrary to regulations established on May 5th, 1921.

You will recall that some months ago a new set of regulations were submitted to your office covering the disposal of timber in British Columbia. It is understood to be your wish, in which we concur, that there should be a standard set of timber regulations for all Indian Reserves in Canada, and it is the wish of this Branch that the formulation of such regulations should be proceeded with. We have, however, in this Branch no technically trained forest officers to whom the preparation of such regulations could be entrusted.

It is suggested, therefore, for your consideration that the assistance of the Forest Service of the Department should be enlisted in the preparation of the regulations. It is further suggested that such regulations should be prepared with due regard to the provisions of the Indian Act, and the Forest Acts and Regulations of the several provinces. This office would, of course, be prepared to place the services of the administrative officers of this Branch at the disposal of the Forest Service in connection with administrative detail peculiar to Indian administration. It is presumed that the services of the Departmental Solicitor would also be made available.

It would be appreciated if the suggested arrangements could be made with the Director of Lands, Parks, and Forests to assist us in this connection.

Sept 27-40

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

Ottawa, Ontario,
September 25, 1940.

Dear Sirs: Re Indian Timber Permits in British Columbia.

Receipt is acknowledged of a letter from your office, signed on behalf of the Auditor General by Mr. E. S. Glass, relative to timber regulations on Indian reserves in British Columbia. It is regretted that we must advise you that the timber regulations to which you refer are still in course of preparation and it will be yet some time before they are ready for submission to council.

In the meantime further timber permits have been issued as a matter of necessity to certain Indians in British Columbia as it was considered expedient to do so even though it should be necessary to again ask special authorization of council in relation thereto.

Yours truly,

Deputy Minister,

Office of the Auditor General,
Confederation Building,
O t t a w a, Ontario.

Sept 26/40

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CANADA

Dr. McGill

File

EXD

Ottawa, Ontario,
September 25, 1940.

Dear Sirs: Re Indian Timber Permits
in British Columbia.

Receipt is acknowledged of a letter from your office, signed on behalf of the Auditor General by Mr. R. S. Glass, relative to timber regulations on Indian reserves in British Columbia. It is regretted that we must advise you that the timber regulations to which you refer are still in course of preparation and it will be yet some time before they are ready for submission to council.

In the meantime further timber permits have been issued as a matter of necessity to certain Indians in British Columbia as it was considered expedient to do so even though it should be necessary to again ask special authorization of council in relation thereto.

Yours truly,

Acting Deputy Minister,

Office of the Auditor General,
Confederation Building,
O t t a w a, Ontario.

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OFFICE OF THE DIRECTOR

CANADA

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

Ottawa, Ontario,
September 24, 1940.

OTTAWA
SEP 26 1940
DEPUTY MINISTER

Department of Mines & Resources
Indian Affairs Branch
SEP 30 1940
REGISTERED

Memorandum to: Deputy Minister.

Re Timber Regulations on Indian Reserves.

In a memorandum under date of August 22nd, 1940, the Auditor General draws our attention to previous correspondence pointing out that timber permits are being issued in the Province of British Columbia by this Branch contrary to regulations established on May 5th, 1921.

You will recall that some months ago a new set of regulations were submitted to your office covering the disposal of timber in British Columbia. It is understood to be your wish, in which we concur, that there should be a standard set of timber regulations for all Indian Reserves in Canada, and it is the wish of this Branch that the formulation of such regulations should be proceeded with. We have, however, in this Branch no technically trained forest officers to whom the preparation of such regulations could be entrusted.

It is suggested, therefore, for your consideration that the assistance of the Forest Service of the Department should be enlisted in the preparation of the regulations. It is further suggested that such regulations should be prepared with due regard to the provisions of the Indian Act, and the Forest Acts and Regulations of the several provinces. This office would, of course, be prepared to place the services of the administrative officers of this Branch at the disposal of the Forest Service in connection with administrative detail peculiar to Indian administration. It is presumed that the services of the Departmental Solicitor would also be made available.

It would be appreciated if the suggested arrangements could be made with the Director of Lands, Parks, and Forests to assist us in this connection.

Dr. McGill -
I have discussed the above verbally with Mr. Gibson and he will co-operate with your Branch.

C.W. Jackson

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

Ottawa, Ontario,
October 1st, 1940.

Memorandum to: R.A. Gibson, Esq.,
Director,
Lands, Parks, and Forests.

Re Timber Regulations on
Indian Reserves.

You will recall that a week or so ago I discussed with you the possibility of obtaining some assistance from the Forestry Service in the drafting of timber regulations governing the administration and management of forests on Indian reserves. The purpose we have in view is to set up standard timber regulations which will apply generally on all Indian reserves in Canada.

It would be much appreciated if through your Forestry Service you would undertake the preparation of such regulations having due regard to the provisions of the Indian Act, and the Forestry Acts and Regulations of the several provinces. During the preparation of such regulations it is suggested that your forestry officers consult with the administrative officers of this Branch on any matters which are peculiar to Indian administration. I am further assured by the Deputy Minister's office that the services of Mr. W.M. Cory, Departmental Solicitor, will be made available to you when necessary in connection with this work.

In the above connection I am enclosing a copy of a letter received from Mr. R.S. Glass for the Auditor General in which the weakness of existing regulations in British Columbia is pointed out.

Your promised cooperation in this matter is much appreciated.

Director.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE OF THE DIRECTOR

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Department of Mines & Resources
Indian Affairs Branch
LANDS, PARKS AND FORESTS BRANCH
OCT 5 1940
REGISTERED

Ottawa, 4th October, 1940

Memorandum:

Dr. McGill.

H'D.

Re - Timber Regulations on Indian Reserves.

I have your memorandum of the 1st instant. The Dominion Forest Service will proceed with the drafting of the regulations as requested and will keep in touch with Mr. D. J. Allan of your Branch and with Mr. W. M. Cory, Departmental Solicitor.

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

Publisher a Trustee

Canada has a new trade newspaper—"Timber". The publishers are three trade associations—the White Pine Bureau, the Canadian Hardwood Bureau, and the Lumber and Timber Association of Ontario, all three being affiliates of The Canadian Lumbermen's Association.

It is distinctly unusual for a number of common denominator trade associations or individual commercial bodies to publish a trade newspaper. As a general thing trade newspapers are independent enterprises, produced by a man or company whose professed business is publishing as a way of making money.

I am wondering if a trade newspaper should be owned and published by "interests". It seems to me that a trade newspaper—or a daily or weekly newspaper—should, if it is to render the highest quality of service to its readers, be independent, meaning not an "organ" or mouthpiece for a particular industry, or group of industries, or a party and financed by an industry or party. I have not tried to discover in what ways and in what manner this new publication will differ from the long-established trade newspaper, The Canada Lumberman, published by The Hugh C. MacLean Company, and which has been "going" for 60 years.

Conceivably a trade newspaper financed and published by "interests" can become, at times, a "lobby" medium and a powerful one. Publishing, it needs hardly to be said, is a kind of business which, more than most kinds of businesses, needs to keep itself above suspicion. A publisher is much like a bank or a trust company in this respect: it invites and is given the public's confidence; it publicly avows itself to be a trustee, a servant of the public. Indeed, all national advertisers pose as trustees: they invite the public's implicit confidence, and most national advertisers strive to merit the public's confidence.

Not for a moment do I suggest that sponsors of Timber have it in their thought or purpose to do anything contrary to the public good —to use the "power of the press" selfishly, dangerously, unworthily. I am just trying to say that trade newspapers, like daily and country weekly newspapers, should be completely detached, financially, from "interests"—this in a purpose to keep faith with all those whose trust they invite and receive.

J. C. Kirkwood in *"The Financial Post"*.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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ADDRESS REPLY TO DOMINION FOREST SERVICE GAM/DA

CANADA
DEPARTMENT OF MINES AND RESOURCES
LANDS PARKS AND FORESTS BRANCH

QUOTE FILE 15218

OTTAWA, November 26, 1940.

MEMORANDUM:

Mr. Robertson
Mr. Seely

Methods of Scaling or Measuring Boom Timber

In selecting the best method of measuring and establishing prices for boom timber, the following is a comparison of the results by the various methods employed in various parts of Canada. For the sake of comparison a spruce boom-stick 12" at the top or small end and 40' long will be used.

Petawawa Forest Experiment Station

		Pine	Spruce
		Rate per lineal foot	
Up to 10" at top	30 35 40 45	4¢	3 3/4¢
Over 10" at top	30 35 40 45 50	5¢	4 3/4¢

The sample would cost 4.75¢ x 40 = $1.90

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Nova Scotia

Scaled by N.B. log scale and at $3.00 per M.b.m.

As there is no information whether the log is to be scaled as one or two logs, it will be here scaled as one piece.

By N.B. scale sample contains 260 Bd. ft. cost $0.78

---.....---

New Brunswick

Dues schedule has no listing of boom timber.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Quebec

Diameter at both ends measured and mean calculated. Square of mean multiplied by length in feet and result multiplied by .005454. With a 12" top the 40' boom stick would probably be about 16" in diameter at the base.

Contents in cubic feet = 14^2 x 40 x .005454 = 42.76'

Royalty on unlicensed land = 3¢ per cu. ft.
3 x 42.76 = $1.28

Royalty on licensed lands = 2¢ per cu. ft.
2 x 42.76 = $0.85

Ontario

Scaled by Doyle rule. No information whether scaled as one piece or in sections.

Sample by Doyle rule contains 160 board feet.

Royalty at 2.50 per M.b.m. = $0.40

Manitoba

Boom timber sold as "Round timber" for misc. purposes.

Royalty rates 7" - 9" at butt - per lineal foot 1¢
9" and over" " - " " " 2¢

Sample 2 x 40 = $0.80

Saskatchewan

(1) Over 7" and under 12" at butt - lineal foot 2¢
(2) 12" and over at butt to be scaled by Clarke log rule - Royalty rate $3 per M.b.m.

International rule does not scale logs longer than 20 feet so the sample log must be scaled as two 20 foot logs; one 12" at top and the other 14" at top.

12" top 20 feet = 125
14" " 20 " = 175

300 board feet

at $3.00 per M.b.m. the Royalty would be $0.90

Alberta

Poles of all lengths-over 8" in diameter at top end-per lineal foot 2½¢

Sample 12" and 40' would be $1.00

British Columbia

Boom sticks scaled by B.C. log rule in board feet as one piece.

Scale of sample would be 210 board feet.

Royalty by species and tenure category - variable.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Discussion

Evidently the dues at Petawawa are much higher on this class of material in this particular size class than anywhere else. As can be seen there is no uniformity in procedure of scaling. It would appear that, assuming that the longer logs are more desirable for boom timber, some recognition should be given this fact. But it is necessary also to consider actual wood volume i.e. the buyer should pay more for larger diameter logs.

We have always considered that scale by the cubic foot content is the best so that in the case of this specialty product it is only necessary to recognize the rise in quality as length of the piece increases.

The Quebec method of scaling then could be adopted and a graduated scale of dues per cubic foot set, depending on the length of the log as follows:

Length Boom-stick	Spruce Boom Logs Price per cu. ft.	Cubic foot contents determined by Quebec Method
30	2¢	
40	2⅔¢	Sample 12" x 40' $1.07
50	3¢	
60	3⅓¢	

Prices could be varied with species as at Petawawa.

In selling boom timber some consideration should be given to whether a special sale is made of this particular product, or whether it is merely a case of obtaining booms for a particular job. In the latter case the boom sticks are probably floated down with the logs and later cut into lumber. In this case the boom sticks should be scaled in board feet and paid for at the same rate as the other timber. Their use as boom sticks is very transitory.

In the former case where special boom timber sales are made, special prices should prevail.

Geo. A. Mellon

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE OF THE DIRECTOR

CANADA
DEPARTMENT OF MINES AND RESOURCES

LANDS, PARKS AND FORESTS BRANCH

Department of Mines & Resources
Indian Affairs Branch
NOV 30 1940
REGISTERED

Ottawa, 27 November, 1940.

Memorandum: Dr. H. W. McGill,
Director, Indian Affairs Branch.

Mr. Taggart of your office has made some enquiries of the Dominion Forest Service re methods of scaling or measuring boom timber.

There is enclosed herewith a copy of a memorandum prepared by Mr. Mulloy of the Forest Service giving some information in this direction.

R. A. Gibson
Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Ottawa, Ontario,
December 2, 1940.

EXD.
G.

MEMORANDUM:

Mr. R. A. Gibson,
Director, Lands, Parks
and Forests Branch.

Please accept thanks for the information in connection with methods of scaling or measuring boom timber supplied by your Forest Service, at the request of Mr. Taggart of this office.

Allowed

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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DRC/K.

ADDRESS REPLY TO
DOMINION FOREST SERVICE

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
LANDS PARKS AND FORESTS BRANCH

QUOTE FILE

OTTAWA December 19, 1940.

Memorandum:--

Mr. D. J. Allen,
Indian Affairs Branch.

At the request of Mr. Gibson, I am forwarding you herewith some notes I have prepared covering discussions with provincial authorities on possible co-operation in timber management on Indian Reserves.

Encl.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Timber Management on Indian Reserves
Possible Provincial Cooperation

Ontario

Mr. Walter Cain, Deputy Minister of Lands, Toronto, thought that the scaling of timber on Indian Reserves could be done by Ontario government check scalers on a repayment basis. However, before expressing a final opinion he would like to know the volume of work to be carried out in each forest district of the province. He would then be in a position to check matters with the District Forester in order to ascertain how the work could be fitted in.

Mr. Cain pointed out that the Indian Affairs administration had been under criticism by the forest industry in the province for selling timber at such low prices as compared with the province. He felt that there should be some attempt at coordination in this connection.

Quebec

Mr. Avila Bedard, Deputy Minister of Lands and Forests, Quebec, thought that provincial officers could do the scaling on Indian Reserves on repayment if required. It would also be possible to inspect the logging operations and report to the Indian Affairs Branch on any infractions of conditions of sales or permits. He asked that the matter be discussed in some detail with Mr. Fernand Boutin, and this was accordingly done.

Mr. Boutin pointed out that preliminary scaling is done by the operators themselves and check scaling only by the government. The check scalers, however, are employed also in doing the ordinary scaling in connection with small operations on crown lands, municipal forests, etc. Mr. Boutin believed that the check scalers could also handle any Indian Reserve work.

Check scaling done by the Quebec government is charged back to the operators usually at a flat rate of 25 cents per 100 cubic feet. The government provides the check scalers with meal tickets. These are turned in to the operators when the scalers board at the camps and are later cashed for the operators by the government at the rate of 25 cents a meal.

New Brunswick

Mr. G. H. Prince, Deputy Minister of Lands and Mines, Fredericton, saw no reason why the province could not do the scaling on Indian Reserves and report on operations. So far the new Indian Reserve timber business in the province is very small.

Mr. Prince pointed out that the boundary lines of Indian Reserves in the province were in very poor shape and there was considerable difficulty and controversy in determining their exact location.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Mr. Prince felt that the charges for Indian Reserve timber should be brought to a parity with provincial rates. He pointed out that on provincial timber sales where ground rentals, fire fighting charges, etc., are not levied stumpage is fixed at about 1½ times that imposed under ordinary licenses. This extra charge about makes up for the carrying costs for licensed timber.

Nova Scotia

Mr. F. A.Harrison, Director of Lands and Forests, Halifax, stated that the provincial government has no scaling staff. There are "sworn scalers" in the province appointed by the municipalities. These are not specially trained. Some small sales are made from Crown lands in which case the scaling is done by the fire rangers or by a land surveyor.

However, Mr. Harrison felt that sales of timber from Indian Reserves in the province were very small and that arrangements could be made for scaling and supervision on the basis of individual cases. There would be no objection on the part of the province to having scaling done by New Brunswick officers. The New Brunswick log scale is in general use in Nova Scotia in transactions dealing with privately held timber, and is accordingly well understood in that province.

Ottawa,
16 December, 1940.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Ottawa,
16 December, 1940.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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DRC/IMM

ADDRESS REPLY TO
DOMINION FOREST SERVICE

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
LANDS PARKS AND FORESTS BRANCH

QUOTE FILE 49076 For.

OTTAWA 26 November, 1940.

Memorandum: Mr. D. Allen,
Indian Affairs Branch.

Further to my memorandum of the 19th instant, this is to advise you that I am making a field trip to visit the forest authorities in the provinces of Ontario, Quebec, New Brunswick and Nova Scotia, starting next week. It would be a most advantageous time to open personal discussions with them respecting co-operative arrangements for the scaling of timber on Indian Reserve operations, if such a policy is satisfactory to your branch.

I would very much like to have a talk about this with you within the next few days.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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DEPARTMENT
OF
MINES AND RESOURCES
LANDS PARKS AND FORESTS BRANCH

ADDRESS REPLY TO
DOMINION FOREST SERVICE

QUOTE FILE_____

OTTAWA 19 November, 1940.

Memorandum: Mr. D. Allen,
Indian Affairs Branch.

Under date of the 1st October last Dr. McGill requested the Director of this Branch to have this Service draft timber regulations for Indian Affairs. A short time thereafter we had a conference with you and discussed the general principles on which these regulations should be based.

You took a copy of our proposals with you and our understanding was that you would let us have your comments on them. I telephoned you about this a couple of weeks ago and you advised me that you would be putting the matter in hand shortly. As a considerable period of time has elapsed since Dr. McGill's request has been made, we feel that a start should be made on this work without further delay. I would appreciate it very much if you would let us have your views, or if you prefer to come over for another discussion of the matter.

D. Roy Cameron
Dominion Forester.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Timber Regulations on Indian Reserves

Proposed General Principles

1. Methods of Disposal

1. Without Competition

To be restricted to the Indians themselves, to whom permits should be issued.

2. By Public Competition

Two methods are suggested, namely, (a) licensed berths and (b) timber sales. No timber should be disposed of excepting on the basis of a joint report by a competent forest officer and the appropriate Indian Agent, that the action proposed is in accordance with proper forest practice and in the best interests of the Indians. The co-operation of the provincial forest authorities should be secured for this purpose excepting in cases where officers of the Dominion Forest Service are available. The submission of such reports should precede the obtaining of necessary surrenders from the Indians themselves.

(a) Licensed Berths

To be cruised by competent forest officers generally under co-operative arrangements with the provinces. Cost of cruise and the necessary boundary surveys and advertisement to be added to the upset price.

Disposal by tender or auction as the department may decide.

Annual licenses renewable for maximum occupancy period of ten years only.

Bids to include advance payment of upset price plus bonus offered.

Bonds or cash deposit to be required to guarantee conformity with the provisions of the Indian Act and the terms of the license.

Licensee must be owner of mill of capacity proportional to timber on berth or agree to provide same.

Diameter limits to be set for saw timber and pulpwood.

Stumpage dues to be not less than those established in the province in which the berth is situated.

Ground rental to conform to provincial rate.

(b) Timber Sale

Disposal by public auction. (or tender)

For immediate extraction with short time limit for completion of operations. 1 - 2 - 3 yrs specified on each sale contract

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Award confirmed by issuance of permit renewable annually for duration of sale.

Timber may be resold as such.

Deposit of ten per cent of purchase price and payment for timber under quarterly returns as material cut.

Bonds to be required to guarantee conformity with the provisions of the Indian Act and of the sale contracts.

Upset prices to be not less than those established in province in which sale is made.

Kinds and quantities of timber to be removed definitely specified.

II Scaling

With respect both to licensed berths and timber sales it is proposed the timber should be paid for on the basis of log scale. Where there are provincial licensed scalers the scaling should be done by them and check scaled by the proper provincial officers under arrangements with the provincial authorities. The provincial government should bill the department and the costs incurred should be charged back to the licensee or sale purchaser who would also be responsible for board and lodging of the provincial officers while undertaking their duties. In provinces where there are no licensed scalers arrangements might be made with provincial forest officers to do the work. In either case it should be arranged that the provincial officers should make the necessary field inspections to ensure that the conditions of the license or contract of sale are being complied with. In some cases it may be possible to have this work done by field officers of the department who may be locally available.

III Slash Disposal

Both timber licenses and sale contracts should provide for slash being disposed of to the satisfaction of the department. The particular methods could be indicated in the individual licenses or sale contracts.

IV Fire Protection

In the case of provincial timber berths a fire-guarding tax is imposed. No regular expenditures are made by Indian Affairs on fire protection, but that branch refunds to the provinces the costs of fire fighting on Indian Reserves. Obviously the licensees or sale purchasers should be made responsible for the re-payment of fire fighting costs incurred through fires starting through their own negligence or that of their employees. Also, the services of the operator and his employees should be made available free of cost for fighting fires in or threatening berths or sale areas.

What do licencee's now pay re fire protection (2 forms)

Contract not a permit.

Deposit of 10% of Estimated value of timber. Complete return with final payment by July 1st following close of season cut.

No - not necessary with deposit in hand.

Yes.

We may assist in some instances

ok. Except that check scaling is not always necessary Especially in Small Sales. In these cases Scale by qualified person supported by Sworn affidavit? Scales operate in support

and report on same

for fires originating

Bark Timber

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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V General

Both licenses and sale contracts should include a provision prohibiting the licensee or purchaser from engaging in any other business than timber extraction on Indian Reserves, and giving the Department authority to close down operations and seize all timber cut in the event of non-compliance thereof.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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SUGGESTIONS FOR NEW TIMBER REGULATIONS ON INDIAN RESERVES IN CANADA

Proposed General Principles

Methods of Disposal

1. **Without Competition**

(Under authority of carefully worded specific provision, compiled in the light of previous experience; subject to dues on a scale suitable to meet the situation in each Province.)

By Permit to Indians of the Band - Owners of the Reserve.

(I) To Band as a whole - for sale - on Band resolution - subject to tariff of dues.

(II) To Band as whole - for development and improvement work - free of dues.

(III) To individual Indians - for sale - supported by Band resolution - subject to tariff of dues.

(IV) To individual Indians - for new buildings, repairs and improvement purposes - supported by Band resolution - free of dues.

By Permit to Indians or White Men - without Surrender

Under special conditions in order to salvage timber damaged by fire, flooding, wind storm or other exceptional causes, which will otherwise be a loss unless harvested quickly.

2. **By Public Competition** - after Surrender

(a) Under "Licence to Cut Timber" where the timber stand is considerable, having an estimated market value of more than $2,000.00.

Sale may be to either white men or Indians who can qualify.

Berth to be cruised by competent person either Forester or professional Cruiser qualified by the Province in which the timber is situate, or Dominion Forest Officer, when available, who shall, in co-operation with the Indian Agent for the District, furnish a joint report giving estimated quantities, species, conditions and outlining the best forest practice to meet the situation in the Province, so that there may be co-operative forest management. Such report shall be made available before a "Surrender of Timber" is secured from the Indians, in order that any special conditions may be included therein.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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2. By Public Competition - after Surrender (Cont'd.)

(a) Sale shall be either by public auction or by inviting tenders by public notice or by advertisement in local newspapers, at the direction of the Minister.

Upset prices, ground rental, stumage dues, shall be fixed at so much per thousand f.b.m. at figures that will harmonize with those in force in the Province in which the berth is situate.

Cruise costs and extra survey costs shall be apportioned and added when fixing upset prices.

Each bidder or tenderer shall be required to furnish a cash deposit,or bonds, or both at the discretion of the Minister, to insure the satisfactory carrying out of the contract. The cash deposit is to be returnable to the unsuccessful bidders or tenderers immediately after the successful bidder or tenderer has been announced; and to the successful competitor on the completion of the contract to the satisfaction of the Minister.

"Licence to Cut Timber" on Indian Reserves shall issue to authorize the sale. It shall be for one year, renewable from year to year for the period specified for the removal of the timber, which shall in no case exceed ten years. It shall be provided that bona fide logging operations shall be commenced within twelve months of the date of issuing of Licence. Licences shall be subject to such conditions as to timber to be cut, diameter measurements, payments, conditions as to scale, etc., as may from time to time be deemed in the interest of the Indian owners.

Diameter limits shall in all cases be set for all saw timber and pulpwood, same to be fixed to conform with the practice in the several Provinces.

Scale shall be made by persons fully qualified by the Province in which the timber is located, ~~and the licensee shall notify the Department giving the name of the scaler to be employed, who shall be acceptable to the Department.~~

The provisions to govern such sale should be carefully prepared and should be drafted in the light of special conditions in reference to Indian Reserve timber.

NOTE: The suggestion has been made that only owners or persons prepared to erect a sawmill be considered qualified to bid or tender for timber under licence. The writer does not

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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2. By Public Competition - after Surrender (Cont'd.)

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Diameter limits shall in all cases be set for all saw timber and pulpwood, same to be fixed to conform with the practice in the several Provinces.

Scale shall be made by persons fully qualified by the Province in which the timber is located,

Scale Amendment.

such scaler to be selected by the Department on recommendation of the Provincial Forest Service, local offices in the District where the timber is located; the cost of such scale to be paid for by the Department and charged against the fund to which the revenue accruing from the sale is credited; such cost to be estimated and apportioned and included in the upset prices, when the timber is advertised.

timber under licence. The writer does not

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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2. By Public Competition - after Surrender (Cont'd.)

agree with this suggestion because it will limit competition and be too favourable for the big operators. In many cases Logging Companies, whose business is to harvest timber only for sale to mill operators, are prepared to pay higher prices for the timber than mill owners may feel disposed to do. In British Columbia Logging Companies do a considerable portion of the harvesting of saw timber. There are many large and fair sized mills, who buy all their logs from Logging Firms.

(b) Under Contract - Timber Sales - without Surrender

Where the timber stand is small, the value not to exceed the sum of $2,000.00. Sale shall be requested by Band resolution - recommended by Indian Agent - authorised by order of Governor in Council where the value is more than $500.00.

Sale shall be either by public auction or by inviting tenders by public notice when the value is more than $500.00.

When the value is not in excess of $500.00 the Minister may direct that the timber be disposed of in a manner to the best interest of the Indian owners, without public notice or competition.

Sale to either white man or Indian who can qualify.

Value of timber to be estimated and determined by the local Indian Agent, using the best available information (usually the original applicant has made a preliminary cruise) and in co-operation with Dominion Forest Officer when available.

Upset prices per thousand f.b.m., with diameter limits for each species and class of timber offered for sale and conditions of sale in conformity with the regulations shall be set out in the public notice.

A formal contract, renewable annually, shall be entered into, which shall state the conditions of sale, with a time limit for the removal of the timber, not to exceed three years, and shall provide that bona fide logging operations shall start within six months after date of contract.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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2. By Public Competition (Cont'd.)

(b) A deposit of at least 10% of the value of the estimated quantity of the timber shall accompany any bid or tender, and returns and payment for the timber cut shall be made quarterly.

Scale of the timber shall be made by a person qualified in the Province where the timber is situate and returns thereof shall be supported by sworn affidavit of each, the scaler and the purchaser, at the expense of the purchaser. Check scale, when deemed necessary, will be borne by the Department, chargeable to the Band who own the timber.

GENERAL

Logs should in all cases, unless specially mentioned, be piled on numbered skidways, in proper manner for accurate scaling, and shall not be removed from the Reserve until, on application, they have been released by the local Indian Agent.

Special provision should be made for the cutting of boom and spar timber as such, at a price per thousand cubic feet.

Provision should also be included in all Licences or Contracts that the licensee or contractor shall not carry on any trading whatsoever or other forms of business with the Indians or others, or bring any intoxicating liquors on the Reserve, and shall prohibit all others from so doing on all land occupied by the licensee or contractor for carrying out his logging operations.

That as far as possible logging operations on Indian Reserves in the several Provinces shall be in harmony with logging practice as provided for by Provincial Regulations and all Licences and Contracts shall be so worded to fulfil the conditions required by any Provincial Regulations.

That the "Tariff of Dues Chargeable" shall be revised with a view of harmony with those applicable to each Province.

SLASH DISPOSAL AND FIRE PROTECTION

Slash disposal should be subject to the Regulations in force in each of the several Provinces and where no Regulations are provided the Dominion Forest Service may direct the conditions.

Each Licensee and Contractor shall be required to pay one-half the cost of fighting forest fires threatening or affecting the timber stand covered by his Licence or Contract.

In drafting the clauses for any new Regulations, care should be taken to see that they are checked in the light of experience of the past.

A. Taggart

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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FURTHER SUGGESTIONS RE NEW TIMBER REGULATIONS

Merchantable Timber.- Definition of,

The term "merchantable timber" as applied to these Regulations shall mean standing timber suitable for manufacture into saw logs, and having a diameter of at least eight inches inside bark, measured eighteen inches above the ground.

General

A licence or contract to cut timber on Indian Reserves grants to the licensee the right to enter the Reserve for the purpose of cutting and removing the timber specified by the terms of the licence only, which includes the right to occupy and erect the camps necessary to such operations, the campsite to be selected and decided upon as between the operator and the Indian owners, in consultation with the Indian Agent. The right to use any other area or areas of the Indian Reserve must be applied for in accordance with the terms of the Indian Act.

Sawmill Site

The use of any Indian Reserve or portion thereof for the erection or operation of a sawmill or other plant for the manufacture of lumber shall be by lease, under special terms and conditions as may suit the particular circumstances of each individual case. The period of the lease may be stated, but the lease shall be subject to renewal yearly at the pleasure of the Minister, and then only if there has been satisfactory compliance with the terms.

There shall be a minimum rental charge of $100.00 for an area of ten acres or less, with additional rental charge of $100.00 for each additional five acres or fraction thereof.

Sawmill Operated by Licensee

In the case of a licensee or contractor requiring a millsite on a Reserve to be operated in conjunction with the cutting and removal of timber on the same Reserve, the procedure as for lease shall be as above. In such cases all logs cut on the Reserve to be sawn at the mill must first be piled on skidways and stamped with the proper identification mark "I.R.", and shall also have on one end the initials in waterproof crayon of the authorized scaler, personally inscribed, to indicate that he has properly measured and tallied the logs. It shall be an offense for any sawyer to permit any such logs to be sawn in the mill unless so marked. Any malpractice in sawing logs cut from the Reserve and unscaled shall be sufficient reason for the closing down of the mill forthwith and the cancellation of the lease.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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RESERVES AND TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa, January 20, 1941.

MEMORANDUM FOR FILE

Re: New Timber Regulations

Mr. Allan this afternoon handed me the attached papers having reference to the above, making the observation that the Forestry Branch had in hand the preparation of a draft which these papers refer to, and that he was in the position where the whole matter was now held up awaiting our consideration, and he instructed me to look these papers over and make any suggestions I was prepared to make to advance the completion of new Timber Regulations.

C.H.D.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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SUGGESTIONS FOR NEW TIMBER REGULATIONS ON INDIAN RESERVES IN CANADA

Proposed General Principles

Methods of Disposal

1. Without Competition

(Under authority of carefully worded specific provision, compiled in the light of previous experience; subject to dues on a scale suitable to meet the situation in each Province.)

By Permit to Indians of the Band - Owners of the Reserve.

(I) To Band as a whole - for sale - on Band resolution - subject to tariff of dues.

(II) To Band as whole - for development and improvement work - free of dues.

(III) To individual Indians - for sale - supported by Band resolution - subject to tariff of dues.

(IV) To individual Indians - for new buildings, repairs and improvement purposes - supported by Band resolution - free of dues.

By Permit to Indians or White Men - without Surrender

Under special conditions in order to salvage timber damaged by fire, flooding, wind storm or other exceptional causes, which will otherwise be a loss unless harvested quickly.

2. By Public Competition - after Surrender

(a) Under "Licence to Cut Timber" where the timber stand is considerable, having an estimated market value of more than $2,000.00.

Sale may be to either white men or Indians who can qualify.

Berth to be cruised by competent person either Forester or professional Cruiser qualified by the Province in which the timber is situate, or Dominion Forest Officer, when available, who shall, in co-operation with the Indian Agent for the District, furnish a joint report giving estimated quantities, species, conditions and outlining the best forest practice to meet the situation in the Province, so that there may be co-operative forest management. Such report shall be made available before a "Surrender of Timber" is secured from the Indians, in order that any special conditions may be included therein.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Cruise costs and extra survey costs shall be apportioned and added when fixing upset prices.

Each bidder or tenderer shall be required to furnish a cash deposit,or bonds, or both at the discretion of the Minister, to insure the satisfactory carrying out of the contract. The cash deposit is to be returnable to the unsuccessful bidders or tenderers immediately after the successful bidder or tenderer has been announced; and to the successful competitor on the completion of the contract to the satisfaction of the Minister.

"Licence to Cut Timber" on Indian Reserves shall issue to authorize the sale. It shall be for one year, renewable from year to year for the period specified for the removal of the timber, which shall in no case exceed ten years. It shall be provided that bona fide logging operations shall be commenced within twelve months of the date of issuing of Licence. Licences shall be subject to such conditions as to timber to be cut, diameter measurements, payments, conditions as to scale, etc., as may from time to time be deemed in the interest of the Indian owners.

Diameter limits shall in all cases be set for all saw timber and pulpwood, same to be fixed to conform with the practice in the several Provinces.

Scale shall be made by persons fully qualified by the Province in which the timber is located, ~~and the licensee shall notify the Department giving the name of the scaler to be employed, who shall be acceptable to the Department.~~

The provisions to govern such sale should be carefully prepared and should be drafted in the light of special conditions in reference to Indian Reserve timber.

NOTE: The suggestion has been made that only owners or persons prepared to erect a sawmill be considered qualified to bid or tender for timber under licence. The writer does not

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Scale Amendment.

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agree with this suggestion because it will limit competition and be too favourable for the big operators. In many cases Logging Companies, whose business is to harvest timber only for sale to mill operators, are prepared to pay higher prices for the timber than mill owners may feel disposed to do. In British Columbia Logging Companies do a considerable portion of the harvesting of saw timber. There are many large and fair sized mills, who buy all their logs from Logging Firms.

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Where the timber stand is small, the value not to exceed the sum of $2,000.00. Sale shall be requested by Band resolution - recommended by Indian Agent - authorized by order of Governor in Council where the value is more than $500.00.

Sale shall be either by public auction or by inviting tenders by public notice when the value is more than $500.00.

When the value is not in excess of $500.00 the Minister may direct that the timber be disposed of in a manner to the best interest of the Indian owners, without public notice or competition.

Sale to either white man or Indian who can qualify.

Value of timber to be estimated and determined by the local Indian Agent, using the best available information (usually the original applicant has made a preliminary cruise) and in co-operation with Dominion Forest Officer when available.

Upset prices per thousand f.b.m., with diameter limits for each species and class of timber offered for sale and conditions of sale in conformity with the regulations shall be set out in the public notice.

A formal contract, renewable annually, shall be entered into, which shall state the conditions of sale, with a time limit for the removal of the timber, not to exceed three years, and shall provide that bona fide logging operations shall start within six months after date of contract.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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2. By Public Competition (Cont'd.)

(b) A deposit of at least 10% of the value of the estimated quantity of the timber shall accompany any bid or tender, and returns and payment for the timber cut shall be made quarterly.

Scale of the timber shall be made by a person qualified in the Province where the timber is situate and returns thereof shall be supported by sworn affidavit of each, the scaler and the purchaser, at the expense of the purchaser. Check scale, when deemed necessary, will be borne by the Department, chargeable to the Band who own the timber.

GENERAL

Logs should in all cases, unless specially mentioned, be piled on numbered skidways, in proper manner for accurate scaling, and shall not be removed from the Reserve until, on application, they have been released by the local Indian Agent.

Special provision should be made for the cutting of boom and spar timber as such, at a price per thousand cubic feet.

Provision should also be included in all Licences or Contracts that the licensee or contractor shall not carry on any trading whatsoever or other forms of business with the Indians or others, or bring any intoxicating liquors on the Reserve, and shall prohibit all others from so doing on all land occupied by the licensee or contractor for carrying out his logging operations.

That as far as possible logging operations on Indian Reserves in the several Provinces shall be in harmony with logging practice as provided for by Provincial Regulations and all Licences and Contracts shall be so worded to fulfil the conditions required by any Provincial Regulations.

That the "Tariff of Dues Chargeable" shall be revised with a view of harmony with those applicable to each Province.

SLASH DISPOSAL AND FIRE PROTECTION

Slash disposal should be subject to the Regulations in force in each of the several Provinces and where no Regulations are provided the Dominion Forest Service may direct the conditions.

Each Licensee and Contractor shall be required to pay one-half the cost of fighting forest fires threatening or affecting the timber stand covered by his Licence or Contract.

In drafting the clauses for any new Regulations, care should be taken to see that they are checked in the light of experience of the past.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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General

A licence or contract to cut timber on Indian Reserves grants to the licensee the right to enter the Reserve for the purpose of cutting and removing the timber specified by the terms of the licence only, which includes the right to occupy and erect the camps necessary to such operations, the campsite to be selected and decided upon as between the operator and the Indian owners, in consultation with the Indian Agent. The right to use any other area or areas of the Indian Reserve must be applied for in accordance with the terms of the Indian Act.

Sawmill Site

The use of any Indian Reserve or portion thereof for the erection or operation of a sawmill or other plant for the manufacture of lumber shall be by lease, under special terms and conditions as may suit the particular circumstances of each individual case. The period of the lease may be stated, but the lease shall be subject to renewal yearly at the pleasure of the Minister, and then only if there has been satisfactory compliance with the terms.

There shall be a minimum rental charge of $100.00 for an area of ten acres or less, with additional rental charge of $100.00 for each additional five acres or fraction thereof.

Sawmill Operated by Licensee

In the case of a licensee or contractor requiring a millsite on a Reserve to be operated in conjunction with the cutting and removal of timber on the same Reserve, the procedure as for lease shall be as above. In such cases all logs cut on the Reserve to be sawn at the mill must first be piled on skidways and stamped with the proper identification mark "I.R.", or other identification mark as may be prescribed and shall also have on one end the initials in waterproof crayon of the authorized scaler, personally inscribed, to indicate that he has properly measured and tallied the logs. It shall be an offense for any sawyer to permit any such logs to be sawn in the mill unless so marked. Any malpractice in sawing logs cut from the Reserve and unscaled shall be sufficient reason for the closing down of the mill forthwith and the cancellation of the lease.

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30001 Vol. 2

Mr. Allan

Feb. 10th 1941

SUGGESTIONS FOR NEW TIMBER REGULATIONS ON INDIAN RESERVES IN CANADA

Proposed General Principles

Methods of Disposal

1. Without Competition

(Under authority of carefully worded specific provision, compiled in the light of previous experience; subject to dues on a scale suitable to meet the situation in each Province.)

By Permit to Indians of the Band - Owners of the Reserve.

(I) To Band as a whole - for sale - on Band resolution - subject to tariff of dues.

(II) To Band as whole - for development and improvement work - free of dues.

(III) To individual Indians - for sale - supported by Band resolution - subject to tariff of dues.

(IV) To individual Indians - for new buildings, repairs and improvement purposes - supported by Band resolution - free of dues.

By Permit to Indians or White Men - without Surrender

Under special conditions in order to salvage timber damaged by fire, flooding, wind storm or other exceptional causes, which will otherwise be a loss unless harvested quickly.

2. By Public Competition - after Surrender

(a) Under "Licence to Cut Timber" where the timber stand is considerable, having an estimated market value of more than $2,000.00.

Sale may be to either white men or Indians who can qualify.

Berth to be cruised by competent person either Forester or professional Cruiser qualified by the Province in which the timber is situate, or Dominion Forest Officer, when available, who shall, in co-operation with the Indian Agent for the District, furnish a joint report giving estimated quantities, species, conditions and outlining the best forest practice to meet the situation in the Province, so that there may be co-operative forest management. Such report shall be made available before a "Surrender of Timber" is secured from the Indians, in order that any special conditions may be included therein.

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Each bidder or tenderer shall be required to furnish a cash deposit,or bonds, or both at the discretion of the Minister, to insure the satisfactory carrying out of the contract. The cash deposit is to be returnable to the unsuccessful bidders or tenderers immediately after the successful bidder or tenderer has been announced; and to the successful competitor on the completion of the contract to the satisfaction of the Minister.

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Scale Amendment.

such scaler to be selected by the Department on recommendation of the Provincial Forest Service, local offices in the District where the timber is located; the cost of such scale to be paid for by the Department and charged against the fund to which the revenue accruing from the sale is credited; such cost to be estimated and apportioned and included in the upset prices, when the timber is advertised.

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C.H. Taggart 10/2/41

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Sawmill Site

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The use of any Indian Reserve or portion thereof for the erection or operation of a sawmill or other plant for the manufacture of lumber shall be by lease, under special terms and conditions as may suit the particular circumstances of each individual case. The period of the lease may be stated, but the lease shall be subject to renewal yearly at the pleasure of the Minister, and then only if there has been satisfactory compliance with the terms.

There shall be a minimum rental charge of $100.00 for an area of ten acres or less, with additional rental charge of $100.00 for each additional five acres or fraction thereof.

Sawmill Operated by Licensee

In the case of a licensee or contractor requiring a millsite on a Reserve to be operated in conjunction with the cutting and removal of timber on the same Reserve, the procedure as for lease shall be as above. In such cases all logs cut on the Reserve to be sawn at the mill must first be piled on skidways and stamped with the proper identification mark "I.R.", or other identification mark as prescribed. and shall also have on one end the initials in waterproof crayon of the authorized scaler, personally inscribed, to indicate that he has properly measured and tallied the logs. It shall be an offense for any sawyer to permit any such logs to be sawn in the mill unless so marked. Any malpractice in sawing logs cut from the Reserve and unscaled shall be sufficient reason for the closing down of the mill forthwith and the cancellation of the lease.

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30001-1

OFFICE OF THE DIRECTOR

M. Allan

CANADA
DEPARTMENT OF MINES AND RESOURCES

LANDS, PARKS AND FORESTS BRANCH

Department of Mines & Resources
Indian Affairs Branch
MAR 5 1941
REGISTERED

Ottawa, March 4, 1941.

Memorandum:

Dr. McGill

The Dominion Forester has received word from Mr. W.M. Cory, Departmental Solicitor, that the Indian Act is being amended and it has been suggested that advice be forwarded of any features of the Act relating to timber administration which should be considered at this time.

As you know, the Dominion Forest Service undertook to assist Mr. D.J. Allan in the revision of the timber regulations of the Indian Affairs Branch. Unfortunately, for a number of reasons, it has not been possible to make as rapid progress as might be desired. However, the Dominion Forest Service suggests that certain changes which seem to be non-controversial and desirable would clarify the timber sections of the Indian Affairs Act. These might be summed up as follows:

(1) If possible, it is desirable that all the sections dealing with timber disposal should be gathered together under one part of the Act.

(2) There are two sections, namely Nos. 43 and 121, dealing specifically with maple, which do not seem necessary. In particular, section 121 deals with sugar maple in the Prairie Provinces despite the fact that that species does not occur in that locality.

(3) Section 76 requires amendment to provide for disposal of timber otherwise than by licence. The regulations as proposed would allow for disposal under licence, sale or permit. It is suggested that the section should be changed to read -

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"The Superintendent General (Minister) or any officer or agent authorized by him to that effect may, under licence, sale or permit dispose of timber on ungranted Indian lands, etc."

(4) Sections 77 to 82, inclusive, are details of administration and might well be left out of the Act and included in the regulations established under the authority of section 76.

(5) A new section might be included authorizing the Superintendent General, in his discretion, to enter into arrangements with the individual provinces for obtaining the services of duly qualified provincial officers, scalers, etc., to supervise and report on timber operations on Indian Reserves, including scaling, check-scaling, etc.

If these ideas meet with your approval will you please send Mr. W.M. Cory a memorandum on the subject.

Director.

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30001

A. G. WILSON

LUMBER MANUFACTURER

LUMBER, PULPWOOD, TIES

Hardwood Slabs
Softwood Slabs
Bundled Edgings

Dry Cordwood
Cedar Posts
Mine Timber

Boulter, Ontario, ~~June 23,~~ 194 ~~I.~~

Department of Mines & Resources
Indian Affairs Branch
JUN 25 194
REGIST

Mr. Harold McGill,
Indian Affairs Branch,
Dept. of Mines & Resources,
Ottawa, Ont.

Dear Sir:

Would you kindly send me a copy of any sales of timber that may be made in the future as I may be interested in putting in a bid on some of this timber, if I know in time to get some information on it.

Yours very truly,

A.Guy Wilson.

Guy Wilson

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001 Vol 2

Draft Memo to Council Sale of Land

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT the attached surrender in duplicate, dated the 24th day of May 1940, of all that parcel or tract of land and premisés, lying and being in the Indian Reserve No. 37 in the District of Kenora, and Province of Ontario, Containing by admeasurement one-half acre, be the same more or less, has been ~~duly executed in accordance with th~~ duly executed in accordance with the Indian Act and Regulations, by the members of the North West Angle Bands Nos 34 and 37, of Indians in the said Province, in order that the said lands may be sold for their benefit.

The undersigned, therefore, recommends that the Surrender of the land described hereunder, in the Cyclone Island Indian Reserve No.37 be accepted, as provided by Section 51 (4) of the Indian Act, Chapter 98, R.S. 1927, and that direction be given as provided in Section 54 of the said Indian Act, to sell, the said land as agreed upon, subject to such terms and conditions as may be ~~xgxxxdxxpxx~~ deemed necessary or advisable in the corcumstances, and subject further to the condition of the said surrender and the provisions of Part One of the said Indian Act.

DESCRIPTION

All that portion of Cyclone Island Indian Re Reserve No 37, in the Lake of the Woods, Province of Ontario, which may be described as follows:
Commencing at a point.....
.....

Respectfully submitted,

Minister of Mines and Resources

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Description should be single spaced

DESCRIPTION

All that portion of Cyclone Island Indian Reserve No. 37, in the Lake of the Woods, Province of Ontario, which may be described as follows:

Commencing at a point on the highwater mark of the said lake where it intersects the line of the West side of the Customs Wharf;

Thence northwesterly along the said highwater mark, 170 feet, more or less, to a flat rock;

Thence northeasterly along a straight line drawn perpendicular to the Longitudinal direction of the said wharf, 210 feet;

Thence southeasterly at right angles to the last described course, 120 feet, more or less, to the said highwater mark;

Thence southwesterly along said highwater mark, 115 feet, more or less, to the point of commencement;

Saving and excepting therefrom that part comprised within the limits of the road allowance shown bordering the said Island on a plan of survey by D. J. Gillan, Ontario Land Surveyor, dated January 28th, 1916, of record No. 1585, in the Indian Affairs survey records.

Respectfully submitted,

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Kahkahmatisis Band - Salmon River Reserve

Dead Point I.R. No. 5 - Tanakteuk Band - Coast District

Gwayasdums I.R. No. 1 & Umdagitis I.R. No. 9 - " "
Kwicksitainewk Indian Band

Klickseewy I.R. No. 7 - Rupert District - Kwawkewlth I. Band

B.C. rental .20 per acre
B.C. licence fee $50.00

Major D.M. MacKay
Indian Commissioner
P.O. Box 70
Vancouver B.C.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30156-15
30156-13
30156-33

Ottawa, July 4, 1940.

MEMORANDUM:

DEPUTY MINISTER:

It is proposed to invite by advertising in local newspapers in accordance with the provisions of the Indian Act for tenders for the purchase of the merchantable timber on the following Indian Reserves all in the province of British Columbia:-

(1) Gwayasdums No. 1 and Umdagitis No. 9

(2) Dead Point No. 5

(3) Klickseewy No. 7

Will you please instruct as to which of the newspapers at the Coast such advertising should be offered.

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Make 5 copies - put file No. on last copy

Licence fee for B.C. is $50.00
Rental fee for B.C. is .20 an acre
rental = .20 x 97 = $19.40

Not less Rental for Provinces other than B.C must not be lower than $40.

COAT OF ARMS

TENDER FOR DEAD POINT TIMBER

SEALED TENDERS addressed to the undersigned and marked on the face of the envelope "Tender for Dead Point Timber" will be received until noon of Thursday August 15th, 1940, for the purchase of the merchantable timber ten inches and over in diameter at the stump, on the Dead Point Indian Reserve No. 5, Coast District, in the Province of British Columbia.

Sept 30.

The Reserve has an area of 97 acres and is reported to contain approximately 500,000 f.b.m. of mixed species of timber.

13 acres

Tenderers should state the prices they are prepared to pay for the various species and grades of timber per M.f.b.m., or per cord of 128 cubic feet; also the price per l.f. for piling, pit props, poles, etc., and no timber will be sold for less than an upset price of $3.00 per M.

Two years will be allowed in which to complete the cutting and removal of the timber under the provisions of the Indian Timber Regulations and the Indians of the Tanakteuk Band must be given the preference by way of employment in the work of cutting and removing the timber.

Tenderers must submit their offer on the Form of Tender provided for that purpose and each tender must be accompanied by an accepted cheque on any Canadian chartered bank for ~~the~~ sum ~~of~~ Ⓧ representing deposit and licence fee $50.00; such cheque to be made payable to the Receiver General and returnable to unsuccessful tenderers. The highest or any tender not necessarily accepted.

Should the tender be accepted the deposit will be held by the Department until the undertaking is completed to the satisfaction of the Minister of Mines and Resources.

Forms of Tender, Plan of the Reserve, and copy of the Timber Regulations may be had on application to the undersigned or to D. M. MacKay, Indian Commissioner, P.O. Box 70, Vancouver, B.C.

HAROLD W. McGILL,
DIRECTOR.

Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, July 1, 1940.

Ⓧ for a sum representing a deposit of ten per cent (10%) of the stumpage price and royalty tendered as applied to the total estimated quantity of timber on the limit, together with ground rental of $19.40 and licence fee $50.00; such cheque to be made etc.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30156-15
30156-13
30156-33

RESERVES AND TRUSTS

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa,

MEMORANDUM:

DIRECTOR:

The attached demands for advertising (4) the sale of timber require ~~the Deputy Ministeris~~ your signature before being forwarded to the King's Printer and are sent to you for transmission.

D. J. Allan,
Superintendent,
Reserves and Trusts.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001 Vol-2

ADDRESS REPLY TO THE SECRETARY, INDIAN AFFAIRS BRANCH

CANADA
DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE FILE 43168-8

OTTAWA July 10, 1940.

Dear Sir:

I beg to enclose for registration in your Department a surrender ~~given~~ signed on the 7th day of June, 1940, by the Dokis Band of Indians, in the district of Nipissing, on the Dokis Indian Reserve No. 9, in order that the same may be sold for their benefit.

in the province of Ontario,

The said surrender was duly accepted by Order in Council dated the 4th day of July, 1940, P.C. 2970.

Kindly return the document to ~~the Indian Affairs Branch of the Department of Mines and Resources~~ ~~to this office~~ with a certificate of registration endorsed thereon.

Encl.

Yours ~~very truly,~~ sincerely

~~Secretary.~~ D. M.

E. H. Coleman, Esq., K.C., LL.D.,
Under Secretary of State and
Deputy Registrar General,
O T T A W A.

Surrender of Minerals
in order that the same may be
disposed of for their benefit

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Re: Application A. H. Brunne & Company
to purchase timber on Whitefish
Lake Reserve

White Pine	(none under 12" dia. measured breast high to be cut)	upset price	$7.50	f.b.m.
Red pine	" " " " "	"	6.00	"
Spruce	(none under 10" dia. measured breast high to be cut)	"	5.00	"
Hemlock		"	4.00	"
Red Birch, Basswood, Elm and Ash		"	5.00	"
White Birch		"	4.00	"
Poplar		"	1.00	"

Cedar poles 2¢ per lineal foot

Cedar fence posts 2¢ each.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COAT OF ARMS

TENDER FOR DOKIS BERTH 8 TIMBER

SEALED TENDERS addressed to the undersigned and marked on the face of the envelope "Tender for Dokis Berth 8 Timber" will be received up till noon of Saturday, August 31, 1940, for the purchase of the merchantable timber ten inches and over in diameter measured breast high on Timber Berth No. 8 of Dokis Indian Reserve No. 9, District of Nipissing, in the Province of Ontario.

This Timber Berth No. 8 has an area of approximately 5,934 acres and is reported to contain 9,200,000 f.b.m., more or less, of mixed species of timber which is offered for sale with a fixed upset price for each species as follows:-

White and Red Pine	$6.00 per M.f.b.m.
Hardwood Logs	5.00 per M.f.b.m.
Basswood Logs	7.00 per M.f.b.m.
Spruce Logs	4.00 per M.f.b.m.
Hemlock Logs	3.00 per M.f.b.m.
Poplar Logs	1.00 per M.f.b.m.
Cedar Poles	0.02 per lin. ft.
Cedar Posts	0.02 each
Jack Pine Ties	0.10 each

Spruce & balsam pulpwood

and subject to the following conditions:-

That no red or white pine timber may be cut smaller than twelve inches, measured breast high; that all merchantable timber shall be cut and fully utilized and removed and paid for and any wastage of timber products shall be considered a breach of contract; that a strip of land one hundred feet wide, measured from highwater mark along the shores of Memesagamesing Lake, Portage Lake, Long Lake, Wood Cock Lake and Restoule River is set aside as foreshore reserve and from which strip no timber may be cut, save such mature timber as may be marked for cutting by a duly authorized Agent of the Department.

All brush and logging debris resulting from the operations must be piled and safely disposed of to the satisfaction of a competent officer of the Department and one half the cost of protecting the timber from fire must be borne by the Licencee.

Tenderers should state the price they are prepared to pay for the various species and grades of timber per M.f.b.m. Doyle Rule, or per cord of 128 cubic feet; also the price per l.f. for piling, pit props, poles, etc.

Five years will be allowed in which to complete the cutting and removal of the timber under the provisions of the Indian Timber Regulations, and the Indians of the Dokis Band must be given the preference by way of employment in the work of cutting and removing the timber.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

When advertising for tenders it is usual to state that such tariff of rates as have been established shall be the upset price on which all timber shall be based and that such tariff rates are incorporated in the tender.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COAT OF ARMS

TENDER FOR DOKIS BERTH S TIMBER

SEALED TENDERS addressed to the undersigned and marked on the face of the envelope "Tender for Dokis Berth S Timber" will be received up till noon of Saturday, August 31, 1940, for the purchase of the merchantable timber ten inches and over in diameter measured breast high on Timber Berth No. S of Dokis Indian Reserve No. 9, County of Parry Sound, in the Province of Ontario.

This Timber Berth No. S has an area of approximately 5,954 acres and is reported to contain 9,200,000 f.b.m., more or less, of mixed species of timber which is offered for sale with a fixed upset price for each species as follows:-

White and Red Pine	$6.00 per M.f.b.m.
Hardwood Logs	5.00 per M.f.b.m.
Basswood Logs	7.00 per M.f.b.m.
Spruce Logs	4.00 per M.f.b.m.
Hemlock Logs	3.00 per M.f.b.m.
Poplar Logs	1.00 per M.f.b.m.
Spruce and balsam pulpwood ..	1.00 per cord
Cedar Poles	0.02 per lin. ft.
Cedar Posts	0.02 each
Jack Pine Ties	0.10 each

and subject to the following conditions:-

That no red or white pine timber may be cut smaller than twelve inches, measured breast high; that all merchantable timber shall be cut and fully utilized and removed and paid for, and any wastage of timber products shall be considered a breach of contract; that a strip of land one hundred feet wide, measured from highwater mark along the shores of Manesaganessing Lake, Portage Lake, Long Lake, Wood Cook Lake and Restoule River is set aside as foreshore reserve and from which strip no timber may be cut, save such mature timber as may be marked for cutting by a duly authorized Agent of the Department.

All brush and logging debris resulting from the operations must be piled and safely disposed of to the satisfaction of a competent officer of the Department and one-half the cost of protecting the timber from fire must be borne by the Licensee.

Tenderers should state the price they are prepared to pay for the various species and grades of timber per M.f.b.m. Doyle Rule, or per cord of 128 cubic feet; also the price per l.f. for piling, pit props, poles, etc.

Five years will be allowed in which to complete the cutting and removal of the timber under the provisions of the Indian Timber Regulations, and the Indians of the Dokis Band must be given the preference by way of employment in the work of cutting and removing the timber.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Tenderers must submit their offer on the Form of Tender provided for that purpose and each tender must be accompanied by an accepted cheque on any Canadian chartered bank covering the first year rental $13.75, license fee $4.00, and a deposit of $1,500.00; such cheque to be made payable to the Receiver General and returnable to the unsuccessful tenderers.

1200.00

Should the tender be accepted the deposit of $1,500.00 will be held by the Department of Mines until the undertaking is completed to the satisfaction of the Minister of Mines and Resources.

The highest or any tender not necessarily accepted.

Forms of Tender, Plan of the Reserve, and copy of the Timber Regulations may be had on application to the undersigned or to Mr. J. A. Harlson, Indian Agent, Sturgeon Falls, Ontario.

HAROLD W. McGILL,
DIRECTOR.

Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, July 19, 1940.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

Poor Copy

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001-1-2

Ottawa, Ontario,
July 24, 1940.

PERMIT TO OCCUPY

TO WHOM IT MAY CONCERN:

Permission is hereby given to the K. B. FRASER LOGGING COMPANY LIMITED of Vancouver, B.C., to use and occupy a certain right-of-way approximately one thousand, three hundred and fifty feet (1,350) feet long, crossing the northwest portion of Nanoose Indian Reserve from the Island Highway to Fleet Point, and a certain area for dumping ground on the foreshore of Nanoose Bay for logging purposes, as shown on sketch plan recorded in the Department on File 13152-112, during a period of three (3) years dating from September 1, 1940, with the option of renewal for a further period of three (3) years, SUBJECT TO THE FOLLOWING CONDITIONS:-

1. That rental at the rate of one hundred and twenty dollars ($120.00) shall be payable in advance on the 1st day of September in each year.

2. That the Company shall maintain in a good state of repair during the term of occupancy the right-of-way and at the conclusion of their operations, or at the expiration of the term of occupancy shall leave the roadway in a good state of repair satisfactory to the local Indian Agent.

3. That the Company shall agree to give preference to the employment of Indians for booming of the logs and any other employment as far as possible

4. That the Company shall have exclusive and uninterrupted use of the right-of-way and dumping ground for logging purposes during the term of occupancy.

Director of Indian Affairs.

We, the members of the Nanoose Band of Indians do hereby agree to permit the K. B. Fraser Logging Company Limited of Vancouver, B.C., to occupy and use the right-of-way and dumping ground outlined in the Permit to Occupy above mentioned on the terms set forth.

And we the K. B. Fraser Logging Company Limited agree to rent the above mentioned right-of-way and dumping ground subject to the terms above outlined.

On behalf of Nanoose Band.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30128-8

Ottawa, August 7, 1940.

MEMORANDUM:

Mr. R. A. Gibson,
Director, Lands, Parks and
Forests Branch.

This will acknowledge receipt of your memorandum dated August 2nd enclosing copy of a report, "Re - Budget Determination for The Pas Working Circle", as submitted to you by E. H. Roberts, Director of Forests, Government of the Province of Saskatchewan.

We thank you for this information and will give due consideration to it when dealing with any applications for the purchase of timber from our Indian Reserves in the vicinity.

D. C. Scott,
Superintendent,
Reserves and Trusts.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C.T. 17A
25M—6-39

3 copies

18165-34

REQUISITION FOR CHEQUE

TO BE USED FOR ADVANCES OR AUTHORIZED PAYMENTS FOR WHICH THERE ARE NO ACCOUNTS

DEPT. NO.....

FYLE NO.....

TREAS. NO.....

DEPARTMENT..... Mines and Resources .....

BRANCH..... Indian Affairs, ... DATE..... August 8, 1940. .....

Reserves and Trusts Division

APPLICATION IS HEREBY MADE FOR THE ISSUE OF THE FOLLOWING CHEQUE OR CHEQUES:—

CHEQUE NO.	IN FAVOUR OF	AMOUNT
	R. G. McLeod If cheque is being sent out direct put on address, but if it is going with a covering letter don't put on address.	$5. 00

STATE BELOW, WITH DETAILS IN EVERY CASE, WHETHER (a) STANDING ADVANCE, (b) ADVANCE FOR SPECIFIC JOURNEY ESTIMATING NUMBER OF DAYS, (c) OTHER ACCOUNTABLE ADVANCE, OR (d) AUTHORIZED PAYMENT.

Refund of fee received in connection with renewal of Prospector's Permit.

CHARGE TO

VOTE..... Trust Account No. 148 ..... ENC. NO.....

ALLOTMENT.....

SUB-ALLOTMENT.....

I CERTIFY THAT THIS APPLICATION IS MADE UNDER THE REQUISITE AUTHORITY, AND THAT THE EXPENDITURE IS NECESSARY IN THE INTERESTS OF THE PUBLIC SERVICE.

HEAD OF BRANCH

DEPUTY HEAD

TREASURY OFFICE APPROVAL

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

LIST OF INDIAN AGENTS

Charles Hudson,	Richibucto, N.B.
R.P.G. Laurence,	Sault Ste. Marie, Ont.
P. G. Lazenby	Norway House, Man.
A. Strang	Lytton, B.C.
M. S. Todd	Alert Bay, B.C.
J. G. Burk	Port Arthur, Ont.
J. A. Marleau	Sturgeon Falls, Ont.

W. M. McCracken, Clerk in Charge, Indian Agency Office, Christian Island, Ont.

J. Waite,	Portage la Prairie, Manitoba.
A. O'N. Daunt,	New Westminster, B.C.
Clarence Fralick,	Scugog, Ontario.
A. Richard, Esq., M.D.,	Restigouche, Quebec.
C. R. Johnston,	Manitowaning, Ontario.
L. H. Minard,	Milton, N.S.
Frank Edwards	Kenora, Ontario.
Dr. E. Lavallee	Bersimis, Quebec.
J. L. Bryant, (replacing W.J.D. Kerley)	Kamsack, Sask.
W. J. D. Kerley	Broadview, Sask
R. H. Moore,	Duncan, B.C.
Gifford Swartman	Sioux Lookout, Ontario.
Don Robertson	Chippewa Hill, Ontario.

A. D. P. Heeney Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Any corres for Director's signature, always put ? when asking anything

Director's signature

Yours very truly,

All letters on embossed for "

Use embossed paper when writing outside the Department; otherwise thin paper.
Used embossed paper to Indian Agents.

Director.

Make original
1 white for each file
1 yellow.

For Mr. Allan's signature

Yours ~~very~~ truly,

Use paper with Reserves and Trusts

D. J. Allan,
Superintendent,
Reserves and Trusts.

Make original
1 white for each file
1 yellow

For Minister's signature

Don't put file no. on original and 1 extra white but put it on extra white to be returned, white for file and yellow.

Yours sincerely,

Make original
1 white for each file
2 extra whites to be sent with the letter - On 1 white mark
Copy to be returned to
Indian Affairs when signed.
1 yellow

Memorandum to Mr. Allan
make original
1 white
no yellow is required

MEMORANDUM

Mr. Allan

Memorandum to Deputy Minister for Director's signature
always make extra white copy to go to Deputy 's office.
besides white for file and yellow.

MEMORANDUM

The Deputy Minister

Director.

For Private Secretary's signature

Yours sincerely,

same number as for Minister's signature

W.J.F. Pratt,
Private Secretary.

T.R.L. MacInnes
Secretary.

Deputy Minister's signature
same no of copies as minister's

Yours truly,
Deputy Minister

Yours very truly
C. W. Jackson
Chief Executive Assistant

on deputy minister's paper

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

GOVERNMENT OF CANADA

CLASSES OF SERVICE

DAY MESSAGES
DAY LETTERS
NIGHT MESSAGES
NIGHT LETTERS

CANADA

RADIOTELEGRAPH SERVICE

ADMINISTERED BY
DEPARTMENT OF NATIONAL DEFENCE—OTTAWA, CANADA

TELEGRAPH, CABLE AND RADIO CONNECTIONS TO ALL PARTS OF THE WORLD

NUMBER	SENT TO	SENT BY	REC'D BY	TIME SENT	TIME FILED	CHECK

SEND THE FOLLOWING MESSAGE SUBJECT TO THE TERMS ON THE BACK HEREOF :—

Ottawa, August 3, 1940.

make 4 copies

original ~~and 3rd copy~~ confirmation
2nd copy on file
3+ 4th copy goes with yellows for record

address envelope for 2 confirmations to be sent to particular office either Inland Ports or Coastal Naval Stations.

Harold W. McGill,
~~Director of Indian Affairs.~~

Telegrams

make 4 copies
original for Telegraph Office
2nd copy on file
3rd and 4th for records.

N.D.—G. F. 4c.
—pads 100—6-38 (733)
H.Q. 82-20-5

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Fill out in triplicate

30156-33

CANADA

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

PAY TO The Victoria Daily Times,

ADDRESS Cor. Broad and Fort Streets,

Victoria,

British Columbia.

THIS SPACE FOR TREASURY ONLY

CHEQUE NO.

DATE

VOTE		AGENCY	
ALLOT.	E. R.	AMOUNT	
TOTAL			

EXAMINED AND FOUND CORRECT

DATE

DATE		SERVICE	AMOUNT	
		To advertise sale of timber from Klickscowy Indian Reserve No. 7, Kwamkowlth Band, as per attached account.	837	35
		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.

FORM No. I.A. 506
R. 142

Agent

Date August 10, 1940.

VOUCHER NO.

DATE

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Original
2 White
1 Yellow

30001 Vol 2

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

Ottawa, 29th June, 1940.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT the attached Surrender in duplicate of the timber on the Salmon River Reserve, in the district of Sayward, in the Province of British Columbia, has been duly executed in accordance with the provisions of the Indian Act and regulations by members of the Kahkahmatisis Band of Indians of the said Province, in order that the said timber may be sold for their benefit.

The undersigned, therefore, recommends that the Surrender of the timber on the Salmon River Indian Reserve, ~~under the terms set out herewith~~, be accepted as provided by Section 51 (4) of the Indian Act, Chapter 98, R.S. 1927, and that the said timber be offered for sale in accordance with the Regulations governing the disposal of timber on Indian Reserves in the Province of British Columbia, established under the provisions of Section 76 of the said Act.

Respectfully submitted,

Minister of Mines and Resources.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

Ottawa, ~~May 25~~ 9th August, 1940, 1940.

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL:

Authority for the expenditure of $1250 from the Capital Account of the Scugog Band for the purpose of purchasing the Indian interest in the land of the late Isaac Johnson from the devisees who are not entitled to reside on the Reserve.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

9th August, 1940.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT Isaac Johnson, Chief of the Scugog Band of Indians, died on or about the 30th day of October, 1927, having an individual interest in lands in the Scugog Indian Reserve as accorded by the Indian Act, Chapter 98, R.S. 1927;

THAT by will the said Isaac Johnson bequeathed his interest in the said lands to his heirs who are not entitled to reside on the said Reserve;

THAT Section 25, Subsection (3) of the Indian Act reads as follows:-

"No one who is not entitled to reside on the reserve shall by reason of any devise or bequest or by reason of any intestacy be entitled to hold land in a reserve, but any land in a reserve devised by will or devolving on an intestacy, to some one not entitled to reside on the reserve, shall be sold by the Superintendent General to the band or some member of the band and the proceeds thereof shall be paid to such devisee or heir" and, therefore, the purchase of the said Indian interest is necessary;

THAT officers of the Department have examined the property and report that the fair valuation of the interest in the land of the deceased Isaac Johnson in the said Reserve is One Thousand Two Hundred and Fifty Dollars ($1250.00);

THAT the Scugog Band of Indians has agreed to purchase the said individual interest from the capital account of the Band for the sum of One Thousand Two Hundred and Fifty Dollars ($1250.00);

THAT the balance in the capital account of the said Band of Indians is Twelve Thousand and Twenty-six Dollars and Seventeen Cents ($12,026.17).

The undersigned, therefore, recommends that he be authorized and directed to expend from the capital monies standing to the credit of the Scugog Band of Indians the sum of One Thousand Two Hundred and Fifty Dollars ($1250.00) to extinguish the individual interest of the Isaac Johnson estate in accordance with the provisions of Section 92, subsection (2) of the Indian Act, the said sum to be paid to the devisees or heirs of the said Isaac Johnson in accordance with Section 25, subsection (3) of the said Indian Act.

Respectfully submitted,

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001 Vol 2

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Ottawa, 16th August, 1940.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT the attached Surrender in duplicate of the timber on the Crane River Reserve No. 51, in the district of Lake Manitoba, in the Province of Manitoba, has been duly executed in accordance with the provisions of the Indian Act and Regulations by members of the Saulteaux Band of Indians of the said Province, in order that the said timber may be sold for their benefit.

The undersigned, therefore, recommends that the Surrender of the timber on the Crane River Reserve No. 51, ~~under the terms set out herewith~~, be accepted as provided by Section 51 (4) of the Indian Act, Chapter 98, R.S. 1927, and that the said timber be offered for sale in accordance with the Regulations governing the disposal of timber on Indian Reserves in the Province of Manitoba, established under the provisions of Section 76 of the said Act.

Respectfully submitted,

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001 Vol. 2

15th August, 1940.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

The undersigned has the honour to report:

THAT the attached Surrender in duplicate of the timber on the Whitefish Lake Reserve No. 6, in the district of Sudbury, in the Province of Ontario, has been duly executed in accordance with the provisions of the Indian Act and Regulations by members of the Whitefish Lake Band of Indians of the said Province, in order that the said timber may be sold for their benefit;

THAT the sale of such timber from the said Reserve shall be subject to upset tariff rates as set out hereunder:-

White Pine	(more under 12" dia. measured breast high to be cut)	$7.50	per M.f.b.m.
Red Pine	(more under 12" dia. measured breast high to be cut)	6.00	" "
Spruce	(more under 10" dia. measured breast high to be cut)	3.00	" "
Hemlock		3.00	" "
Red Birch, Basswood, Elm and Ash		3.00	" "
White Birch		4.00	" "
Poplar		1.00	" "
Cedar poles		.02	" Lin. foot
Cedar fence posts		.02	each

The undersigned, therefore, recommends that the Surrender of the timber on the Whitefish Lake Reserve No. 6, under the terms set out herewith, be accepted as provided by Section 51 (4) of the Indian Act, Chapter 98, R.S. 1927, and that the said timber be offered for sale in accordance with the Regulations governing the disposal of timber on Indian Reserves in the Province of Ontario, established under the provisions of Section 76 of the said Act.

Respectfully submitted,

Minister of Mines and Resources.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

.....

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT the attached surrender in duplicate, date ..... of all (that, those) parcel(s) or tract(s) of land and premises situate, lying and being in the ..... Indian Reserve Number ..... in the Province of ..... containing by admeasurement ..... acres, be the same more or less, has been duly executed in accordance with the provisions of the Indian Act and Regulations, by the members of the ..... Band of Indians in the said Province, in order that the said land(s) may be (leased, sold) for their benefit.

The undersigned, therefore, recommends that the surrender of the land(s) described hereunder in the ..... Indian Reserve Number .....be accepted, as provided by Section 51 (4) of the Indian Act, Chapter 98, R.S. 1927, and that direction be given as provided in Section 54 of the said Indian Act to (lease, sell) the said land(s) as agreed upon, subject to such terms and conditions as may be deemed necessary or advisable in the circumstances, and subject further to the conditions of the said surrender and the provisions of Part One of the said Indian Act.

DESCRIPTION

Respectfully submitted,

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL

Acceptance of surrender of land, dated ..... in the ..... Indian Reserve Number ..... in the Province of ..... In accordance with the provisions of Section 51 (4) of the Indian Act, Chapter 98, R.S. 1927, and authority for (leasing, sale) of the same as provided in Section 54 of the said Act. The area surrendered is ..... acres and the land will be (leased, sold) for the benefit of the Band.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Draft

PLEASE ADDRESS REPLY
CHIEF TREASURY OFFICER

FILE NO. 27129-4

ACCOUNT NO. ----------

INDIAN AFFAIRS BRANCH
DEPARTMENT OF MINES AND RESOURCES

OTTAWA, CANADA.

Name Dept National Revenue

Address Ottawa

This is to notify you that a payment ~~will fall~~ is due

on ..... in connection with your purchase

of Dock & Customs office site Cyclone Island Ind. Res. No. 37

1. Amount ..... $ 100.00

2. Arrears ..... $ _____

3. Total ..... $ 100.00

PARTICULARS

Land purchase for Dock and Customs office facilities Cyclone Island Indian Reserve No. 37 - surrendered by Northwest Angle Band 24th May 1940, accepted P.C. 3274 dated 28th July 1940 - Reference our letter August 20th 1940

MAKE YOUR REMITTANCES PAYABLE TO THE RECEIVER GENERAL.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

43160
Berth 4

TENDER FOR DOKIS BERTH 8 TIMBER

SEALED TENDERS addressed to the undersigned and marked on the face of the envelope "Tender for Dokis Berth ~~8~~ 4 Timber" will be received up till noon of Saturday, ~~August 31, 1940~~, for the purchase of the merchantable timber ten inches and over in diameter measured breast high on Timber Berth No. ~~2~~ 4 of Dokis Indian Reserve No. 9, County of Parry Sound, in the Province of Ontario.

This Timber Berth No. ~~8~~ 4 has an area of approximately ~~5,034 acres~~ and is reported to contain ~~9,200,000~~ f.b.m., more or less, of mixed species of timber which is offered for sale with a fixed upset price for each species as follows:—

White and Red Pine..	$ 6.00 per M f.b.m.
Hardwood Logs	5.00 per M f.b.m.
Basswood Logs	7.00 per M f.b.m.
Spruce Logs	4.00 per M f.b.m.
Hemlock Logs	3.00 per M f.b.m.
Poplar Logs	1.00 per M f.b.m.
Spruce and balsalm Pulpwood	1.00 per cord
Cedar Poles	0.02 per lin. ft.
Cedar Posts	0.02 each
Jack Pine Ties.....	0.10 each

and subject to the following conditions:—

That no red or white pine timber may be cut smaller than twelve inches, measured breast high; that all merchantable timber shall be cut and fully utilized and removed and paid for, and any wastage of timber products shall be considered a breach of contract; that a strip of land one hundred feet wide, measured from highwater mark along the shores of ~~Memesagamesing Lake, Portage Lake, Long Lake, Wood Cock Lake and~~ Restoule River is set aside as foreshore reserve and from which strip no timber may be cut, save such mature timber as may be marked for cutting by a duly authorized Agent of the Department.

All brush and logging debris resulting from the operations must be piled and safely disposed of to the satisfaction of a ~~competent~~ officer of the Department and one-half the cost of protecting the timber from fire must be borne by the Licensee.

Tenderers should state the price they are prepared to pay for the various species and grades of timber per M f.b.m. Doyle Rule, or per cord of 128 cubic feet; also the price per l.f. for piling, pit props, poles, etc.

Five years will be allowed in which to complete the cutting and removal of the timber under the provisions of the Indian Timber Regulations, and the Indians of the Dokis Band must be given the preference by way of employment in the work of cutting and removing the timber.

Tenderers must submit their offer on the Form of Tender provided for that purpose and each tender must be accompanied by an accepted cheque on any Canadian chartered bank covering the first year rental ~~$43.75~~, licence fee $4.00, and a deposit of ~~$1,500.00~~; such cheque to be made payable to the Receiver General and returnable to the unsuccessful tenderers.

Should the tender be accepted the deposit of ~~$1,500.00~~ will be held by the Department of Finance until the undertaking is completed to the satisfaction of the Minister of Mines and Resources.

The highest or any tender not necessarily accepted.

Forms of Tender, Plan of the Reserve, and copy of the Timber Regulations may be had on application to the undersigned or to Mr. J. A. Marleau, Indian Agent, Sturgeon Falls, Ontario.

HAROLD W. McGILL,
Director.

Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, July 23, 1940.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

Sent with this Form
Instructions to Agents.
2 Affidavits
2 Voters' List.

300 01 Vol 2

File No.....

DEPARTMENT OF MINES & RESOURCES
INDIAN AFFAIRS BRANCH

KNOW ALL MEN BY THESE PRESENTS THAT WE, the undersigned Chief and Principal men of Whitefish Lake Band resident on our Reserve Whitefish Lake Indian Res No. 6 in the Province of Ontario and Dominion of Canada, for and acting on behalf of the whole people of our said Band in Council assembled, Do hereby release and quit claim unto our Sovereign Lord the King, his Heirs and Successors, for a term of ten years from date hereof, ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Whitefish Lake Reserve in the County of Sudbury and Province of Ontario containing by admeasurement 16.5 acres be the same more or less and being composed of all that parcel or tract of land bordering on the northern shore of Parache Lake, containg 15 acres more or less, together with a roadway right of way approximately one half mile in length, 25 feet wide, containg 1.5 acres more or less, as shown upon a map or plan of record in the Department of mines and resources or Indian Affairs file #30019-7,

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

TO HAVE AND TO HOLD the same unto His said Majesty the King, his Heirs and Successors, in trust to lease the same for the period hereinbefore stated 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 leasing thereof shall be deposited to our Band Funds.

AND WE, the said Chief and Principal men of the said Whitefish Lake Band 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

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

SIGNED, SEALED AND DELIVERED)
In the presence of)

.....)

.....)

.....)

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

COPY

18128-1

OFFICE OF THE DIRECTOR

DEPARTMENT OF MINES AND RESOURCES

MINES AND GEOLOGY BRANCH

Memorandum to:

Dr. H. W. McGill,
Director,
Indian Affairs Branch,
Department of Mines & Resources.

Referring to your memorandum of September 4th concerning examination of rock samples, you might inform your Indian Agent at The Pas, Manitoba, that the examination and reporting on rock samples, provided no chemical examination is necessary, is one of the services freely furnished by our Bureau of Geology and Topography.

Request for examination should be addressed to The Chief, Bureau of Geology and Topography, Mines and Geology Branch, Department of Mines and Resources, Ottawa.

(Sgd.) John McLeish

Director.

Ottawa, September 6, 1940.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

10th September, 1940.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT Subsection 1 of Section 20 of The Regulations for the Disposal of Quartz Mining Claims on Indian Reserves in the Dominion of Canada, established by authority of Order in Council P.C. 2113, dated August 31, 1938, reads as follows:-

"20. (1) The recorded holder of a mineral claim heretofore or hereafter recorded shall, within 5 years immediately following the recording thereof, perform or cause to be performed thereon work which shall consist of stripping or opening up mines, sinking shafts or other actual mining operations to the extent of two hundred days' work of not less than eight hours per day, which work shall be performed as follows: At least thirty days' work within three months immediately following the recording of the claim, and not less than forty days in each of the remaining four years provided that in any one of the said five years ten days additional work shall be done to make up for the total of two hundred days."

THAT Section 28 of the said Regulations reads as follows:-

"28. Upon compliance with the requirements of the Indian Act and these regulations as aforesaid and upon application within one year from the date upon which all work on any mineral claim is required to be performed, the claim holder shall be entitled to a lease thereof in the prescribed form for 21 years. The rent payable thereunder for the first 5 years shall be $1.00 per acre per annum; for the second 5 years $1.50 per acre per annum, and for the remaining 11 years $2.00 per acre per annum with the right of renewal for further periods of 10 years, subject to such rentals, terms and conditions as may be deemed advisable by the Minister, provided the lessee shall furnish evidence satisfactory to the Minister to show that during the term of the lease or any renewal thereof he has complied fully with the provisions of such lease or renewal and with the provisions of the regulations in force from time to time during the currency of the lease or renewal and with the terms and requirements of the Indian Act."

THAT it is desirable to make these two clauses more practical in application under special justifiable conditions.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Now therefore, the undersigned recommends that authority be granted for the addition of a clause in the said Regulations to be numbered 28A, to provide as follows:-

"28A. Notwithstanding anything contained in these Regulations the Minister, or such officer to whom he may designate the responsibility of recording mineral claims on Indian Reserves, may grant (1) an extension of time up to six months for the initial thirty days' work to be performed, such extension shall not affect the total five year period as provided in Subsection 1 of Section 20; (2) an extension of time up to one year within which an application may be made for a lease of 21 years as provided for in Section 28.

Subject, however, to the following provisions: That the reasons given by the recorded holder of a claim, substantiated by sworn affidavit, are satisfactory to the mining recorder, and on the payment in each case of the sum of $2.00 for each claim so affected."

Respectfully submitted,

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

10th September, 1940.

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL

Authority for extension of time for performance of working conditions and application for 21 year lease under The Regulations for the Disposal of Quartz Mining Claims on Indian Reserves in the Dominion of Canada.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30159-51

When only 1 tender has been received.

Ottawa, October 4, 1940.

Memorandum:

Chief Treasury Officer

Re: Sale of Timber Chemias Indian Reserve No. 7,
N. F. Gibson & Sons - License No. 250

In accordance with the provisions of the Indian Act and Timber Regulations tenders were invited for the purchase of approximately 400,000 f.b.m. of mixed species of timber from the above mentioned Reserve. One tender only was received that of N. F. Gibson & Sons, North Vancouver, B.C., whose bid is understood to be as follows:-

Fir, Nos. 1, 2 and 3 grade.	300,000 f.b.m.	$3.00 per M f.b.m.	
Spruce, Nos. 1 and 2 grade	50,000 "	2.50 "	"
Hemlock & Miscellaneous species	50,000 "	1.00 "	"

This tender was accompanied with a cheque for $224.46 covering deposit $147.50; rental for one year $26.96; License fee $50.00.

The amount of the accepted cheque which is being held in your Division should be disposed of as follows:-

Deposit to be sent to the Finance			$147.50
Rental	$26.96)	To be credited	
License Fee	$50.00)	to Band funds	76.96
			$224.46

License No. 250 will be issued in due course.

D. J. Allan,
Superintendent,
Reserves and Trusts.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

18043-2

Ottawa, October 19, 1940.

Dear Sir:

With reference to your letter dated October 9th I enclose herewith Surrender document, in duplicate, pertaining to the surrender of the minerals on Dokis Indian Reserve No. 9, by the Indians of the Dokis Band, which Surrender you are hereby authorized to submit to the Indians in accordance with the provisions of Section 51 of the Indian Act.

Blank forms of voters' list, affidavit and copy of instructions regarding the taking of Surrenders are also enclosed.

Encls.

Yours very truly,

Director.

J. A. Marleau, Esq.,
Indian Agent,
Sturgeon Falls,
Ontario.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001 Vol 2

TRIPLICATE

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

Final Renewal 1945-46

File 43168-5

No. 249

LICENCE TO CUT TIMBER

ON

INDIAN RESERVES IN THE DOMINION OF CANADA

EXCEPTING THOSE SITUATE IN

THE PROVINCE OF BRITISH COLUMBIA

BY AUTHORITY of Chapter 81 of the Revised Statutes of Canada, and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:—I do hereby give unto

Lafreniere Brothers, North Bay, Ontario.

and unto their Agents and Workmen full power and Licence to cut merchantable timber 10 ins. and over in diameter, exclusive of the pine species which shall have a breast high diameter of not less than 12 ins. upon the Location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:—from October 1st 1940 to April 30th, 1941, and no longer; with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this Licence the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this Licence is subject to the ~~following~~ conditions, ~~xxxx~~ as set forth in the advertisement calling for tenders, copy of which is attached hereto. Scaling must be done on the skid and must be certified to by a qualified Ontario scaler.

That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:—

Under a sworn return furnished by a licensed scaler and on or before the 30th of November following the season in which the timber is cut:

That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this Licence, excepting in so far as Pine and Spruce merchantable timber are concerned, which this Licence will continue to control until all conditions of sale have been fulfilled;

That any person or persons may, under authority of the Minister of Mines and Resources, at all times, make and use Roads upon, and travel over, the ground hereby licensed;

That nothing herein shall prevent any person or persons, having authority from the Minister of Mines and Resources to do so, from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works;

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for them or by their permission.

[OVER]

Form No. I.A. 342.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

Triplicate
1940-41

LICENCE

No. 249

AUTHORIZING

Lafreniere Brothers

TO

CUT TIMBER ON INDIAN LANDS

Berth No. 4

Dokis Indian Reserve No. 9

Ontario.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

And further upon condition that the said Licensee or their representatives shall comply with all regulations that are or may be established by Order in Council, and shall submit all the Timber cut under this Licence to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized,—otherwise the said timber will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

GIVEN UNDER MY HAND at Ottawa, this day of

in the year of Our Lord one thousand nine hundred and

.....

Director of Indian Affairs

AMOUNT PAYABLE ON GIVING THIS LICENCE

BONUS,	$
DEPOSIT,	$ 1,500.00
GROUND RENT,	$ 40.00
LICENCE FEE, Orgl	$ 4.00

The above named Licensee shall be bound before or when paying the ground rent and renewal fee—if the Licence is renewed—to declare on oath whether they are still the *bona fide* proprietor of the limit hereby licensed, or whether they have sold, or transferred it, or any part of it, or for whom they hold it.

We have read and comprehend the nature of the obligations contained in this Licence, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this Licence, in the event of the above named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

SIGNATURE OF LICENSEE:—

.....

.....

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

The timber limit or berth covered by this Licence No. 249 comprises the following lands:—

Berth No. 4 of Dokis Indian Reserve No. 9,
County of Parry Sound, in the Province of Ontario,
comprising an area of approximately 5,154 acres.

Dues payable:—

Pine logs	per M f.b.m.	$2.50
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and basswood	"	2.50
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, hemlock, fir and tamarac	"	1.50
Logs cut from trees of deciduous species, softwood varieties, i.e., poplar and balm of gilead	"	1.50
Shingle bolts	per cord of 128 cu. ft	.75
Pulpwood (Spruce)	" "	1.50
" (Balsam)	" "	.75
" (Other)	" "	.40
Cordwood (hardwood)	" "	.50
Cordwood (softwood)	" "	.25
Ties	each	.10
Posts	"	.02
Poles, piling, spars, pit props, etc., per lineal ft		.02

All other forest products not enumerated, 25 p.c. ad valorem.

Stumpage payable:— Inclusive of dues:-

Oak Logs	$8.25	per M f.b.m.
Basswood, Yellow Birch Logs	7.25	per M f.b.m.
White & Red Pine Logs	7.25	" "
Other Hardwood Logs	5.25	" "
Spruce Logs	4.50	" "
Hemlock Logs	3.75	" "

This licence No. 249 renewable yearly, under the provisions of section No. 7 of the Regulations governing the disposal of timber on Indian Reserves with the exception of those situate in the province of British Columbia, for a period of five years.

Timber-mark to be placed on timber cut under authority of this Licence No. 249 thus:— I.R.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Triplicate
1940-41

LICENCE

No. 249

AUTHORIZING

Lafreniere Brothers

TO

CUT TIMBER ON INDIAN LANDS

Berth No. 4

Dokis Indian Reserve No. 9

Ontario.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COAT OF ARMS

TENDER FOR RED EARTH TIMBER

SEALED TENDERS addressed to the undersigned and marked on the face of the envelope "Tender for Red Earth Timber" will be received up till noon of Saturday, December 21, 1940, for the purchase of the merchantable timber on Red Earth Indian Reserve No. 29, Tps. 51 & 52, Rges. 6 & 7, West of 2nd Mer., Province of Saskatchewan.

This Indian Reserve has an area of approximately 3,595 acres and is estimated to contain 500,000 f.b.m. more or less of saw timber, chiefly white spruce and hardwoods. No spruce is to be cut or removed below thirteen inches in diameter outside bark, measured breast high, and an upset price of $3.00 per M f.b.m. is fixed for this species.

Tenderers should state the prices they are prepared to pay for each species, either per M f.b.m. Clark's International Rule, or per cord of 128 cubic feet for pulp or cord wood, inclusive of dues at tariff rates, and tenders must be submitted on the forms provided for that purpose.

It is also a condition of this sale that all merchantable timber cut will be fully utilized, removed and paid for and any wastage shall be considered a breach of contract; that such regulations governing the cutting of timber and disposal of slash and debris, as are in force in the Province of Saskatchewan, shall apply and shall be carried out to the satisfaction of the Provincial Forest Service; that one-half the cost of protecting the timber from fire must be borne by the licensee.

Five years will be allowed in which to complete the cutting and removal of the timber under the provisions of the Indian Act and Timber Regulations and members of the Red Earth Band must be given the preference by way of employment in the cutting and removal of the timber.

Each tender must be accompanied by an accepted cheque on any Canadian chartered bank covering the first year's ground rental $40.00, licence fee $4.00, and a deposit of $400.00, such cheque to be made payable to the Receiver General and returnable to the unsuccessful tenderers.

Should the tender be accepted, the deposit of $400.00 will be held by the Department of Finance until the undertaking is completed to the satisfaction of the Minister of Mines and Resources.

The highest or any tender not necessarily accepted.

Forms of Tender, Plan of the Reserve, and copy of the Timber Regulations may be had on application to the undersigned or to Samuel Lovell, Indian Agent, The Pas, Manitoba.

HAROLD W. McGILL,
Director.

Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, , 1940.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30019-7

Have Miss Russell note Lease
before it is sent out.

Send original down to Revenue
to note.

Ottawa, Ontario,
December 5, 1940.

Dear Sir:

I am sending you herewith for the usual disposition the duplicate and triplicate copies of Lease of Land issued in favour of A. H. Brunne and Company, Port Loring, Ontario, covering 16.5 acres, more or less, in the Whitefish Lake Indian Reserve No. 6 in the Province of Ontario, for the purpose of a millsite and roadway right-of-way, the yearly rental being $40.00, payable in advance.

Encls.

Yours very truly,

Director.

J. A. Marleau, Esq.,
Indian Agent,
Sturgeon Falls,
Ontario.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY OF DRAFT.

Ottawa, 30th September, 1938.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT the attached surrender dated the day of 1938, of the land deemed to contain all minerals (precious and base) underlying the surface of the area lying within the boundaries of the (blank) Indian Reserve in the Province of has been duly executed in duplicate in accordance with the provisions of the Indian Act and Regulations by the members of the Band of Indians of the said Province.

The undersigned, therefore, recommends that the surrender of the land deemed to contain salt, petroleum, natural gas, coal, gold, silver, copper, iron or other minerals underlying the surface of the area within as above described be accepted as provided by subsection (4) of section 51 of the Indian Act, Chapter 98, R.S. 1927, and that direction be given as provided by section 54 of the said Act to manage, lease and sell any of the said lands and minerals and to grant in respect of such land the right to prospect for, mine, recover and take away any or all of such minerals and to lease to any person authorized to mine any of the aforesaid minerals, surface rights over such area of any land within the said Reserve containing any such minerals as may be necessary for the mining thereof under regulations established by Your Excellency in Council in accordance with the authority contained in section 50, subsection (2) of the said Indian Act and to any other conditions as may be deemed necessary or advisable in the circumstances and subject further to the conditions of the said surrender and the provisions of Part I of the said Act.

Respectfully submitted,

Minister of Mines & Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

December 4, 1940.

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL:

Acceptance of the surrender of the land deemed to contain all minerals, underlying the surface of the area lying within the boundaries of the Dokis Indian Reserve No. 9, in the Province of Ontario, in accordance with the provisions of Section 51 (4) of the Indian Act, Chapter 98, R.S. 1927, and authority to manage, lease or sell such lands, or to grant in respect to such lands the right to prospect for, mine, recover and take away any and all minerals contained therein, in accordance with the regulations governing the disposal of minerals on Indian Reserves established under the provisions of Section 50 (2) of the said Act.

Surrender executed in duplicate, triplicate copy attached.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Paragraph to be added to "Surrender of Minerals"

and such timber contained within the boundaries of any mineral claim staked or leased in accordance with the Regulations, as may be necessary for the development and proper working of such mineral deposits, subject to the payment of stumpage dues thereon; providing however, that a recorded holder of a mineral claim may, free from dues, lop, top or cut down trees growing on the mineral claim, removal of which is necessary for the proper working of the claim.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

18144-3

Copy for Indian Agent
enclosing duplicate copy
of Prospector's Permit.

Ottawa, Ontario,
December 14, 1940.

Dear Sir:

Enclosed herewith is Prospector's Permit No. 144-64-8 authorizing you to enter upon Fort Hope Indian Reserve No. 64 for the purpose of prospecting for minerals.

Encl.

Yours very truly,

C. H. Taggart,
Acting Mining Recorder.

William Pauloski, Esq.,
c/o Messrs. Hales & Burt,
Barristers and Solicitors,
Royal Bank Building,
6 King Street, East,
Toronto 2, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

3008 Vol-2

ADDRESS REPLY TO THE SECRETARY, INDIAN AFFAIRS BRANCH

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 18130-8

OTTAWA January 2, 1941.

Dear Sir:

I beg to enclose for registration in your Department a Surrender of Minerals given on the 21st day of October, 1940, by the Eagle Lake Band of Indians, in the district of Kenora, on the Eagle Lake Indian Reserve No. 27, province of Ontario, in order that the same may be disposed of for their benefit.

The said Surrender was duly accepted by Order in Council dated the 24th day of December, 1940, P.C. 7582.

Kindly return the document to this office with a certificate of registration endorsed thereon.

Encl.

Yours very truly,

Secretary.

E. H. Coleman, Esq., K.C., LL.D.,
Under Secretary of State and
Deputy Registrar General,
O T T A W A.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

65 000
4
260 0.00

Re Sale of 65 000 Yds Gravel
from The Pas I R.

We have your letter dated Oct. 28 in regard to a revision of price, from 5¢ per yd. to 4¢ at to be charged the Tomlinson Construction Co. for as authorized in our letter dated 17th ult.

The lowest usual price charged for gravel is 5¢ per yd., but quantities are not in most cases as large is the present sale involves. In view of the large quantity you may revise the price as suggested.

It is presumed that you are safe guarding any Indian improvements that may be effected, or other assets that might possibly be impaired.

At the first opportunity you should have this sale approved by the Board by the usual resolution.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

CANADA

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

PROSPECTOR'S PERMIT

Miner's Certificate

No.....

Date.....

Province.....

Agency .....

Date.....

To whom it may concern:

Permission is hereby given to.....

of the.....

in the.....

to prospect (either surface or subterranean) for mineral deposits (precious metals only) on the.....

Indian Reserve for a term of one year from the above mentioned date, with a view to obtaining a mining location for the same in accordance with the Indian Mineral Regulations.

Recording Fee:—$5.00.

.....

Indian Agent

Form No. I.A. 330
R. 7956

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

DECLARATION

IN THE MATTER OF PROSPECTING FOR MINERALS AND THE STAKING OF MINING CLAIMS WITHIN THE EAGLE LAKE INDIAN RESERVE NO. 27, IN THE PROVINCE OF ONTARIO.

TO WHOM IT MAY CONCERN,-

TAKE NOTICE that I, Thomas Alexander Crerar, Minister of the Department of Mines and Resources for Canada,

DO HEREBY DECLARE that the Eagle Lake Indian Reserve number 27, District of Kenora, Province of Ontario, shall on the FIFTEENTH day of JANUARY, A.D. 1941, at the hour of SEVEN o'clock (Standard Time) in the forenoon, be open for staking as provided by section number six of the Regulations for the Disposal of Quarts Mining Claims on Indian Reserves in the Dominion of Canada, established by authority of Order in Council P.C. 2113, dated 31st day of August, 1938.

Minister.

Dated at Ottawa, Ont.,
this day of January, 1941.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

18129-8

Ottawa, October 25, 1940.

MEMORANDUM:

The Deputy Minister

Herewith is a Declaration in the matter of prospecting for minerals and staking of mining claims within the Rat Portage Indian Reserve No. 38A, in the Province of Ontario, which, to become effective, requires the signature of our Minister in order that prospecting and staking may proceed as provided for in the Regulations for the Disposal of Quartz Mining Claims on Indian Reserves in the Dominion of Canada.

On receipt of the document bearing the Minister's signature it is proposed to have typewritten copies made, one to be posted in the office of the Indian Agent at Kenora, Ontario, and one in the Post Office at Kenora, Ontario.

Encl.

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

13167-66

OFFICE OF THE DIRECTOR

CANADA
DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

CANCELLATION OF PERMIT TO OCCUPY.

WHEREAS a PERMIT TO OCCUPY the Sechelt Reserve No.6 was granted on Jan.4th.1938 to the BARROWS ARM LOGGING COMPANY LIMITED of Vancouver,B.C. such permit being subject to certain conditions,one of which being the payment of an annual rental of $120 AND WHEREAS it has been represented and established to my satisfaction that the condition as to payment of the annual rental has been violated,

NOW THEREFORE I hereby cancel the said PERMIT and as and from date terminate the right to use and occupy the said Reserve.

Director of Indian Affairs.

Now therefore, by and in virtue of the powers & duties vested in the SG of Ja by the Indian Act. Chap. 98 RS, 1927. I hereby cancell the said ~~permit~~ & rescind

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

F. 13167-68.

Ottawa.Nov.24th.1937.

PERMIT TO OCCUPY

TO WHOM IT MAY CONCERN:

Permission is hereby given to the

STOLTZ LOGGING COMPANY LIMITED of Harrison Lake,B.C.

to use and occupy a certain right-of-way as shown on sketch plan by Keith Shaw,recorded on F.13167-68,across the AIKSUCKS INDIAN RESERVE No.15,during a period of FIVE years, with the option of renewal for a further period of TWO years, SUBJECT TO THE FOLLOWING CONDITIONS:-

1. That rental at the rate of SEVENTY FIVE DOLLARS ($75.00) shall be paid in advance on the 24th.day of November of each and every year.

2. That royalty at the rate of $3.00 per M.f.b.m. for FIR and $2.00 per M.f.b.m.for other species,shall be paid under a certified scale for all timber cut on such right-of-way.

3. That the trestle bridge shown on the said sketch plan shall be left in good condition when this permit is relinquished.

Director of Indian Affairs.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

1916-21.

3001 Vol 2

Ottawa, March 17th, 1939.

PERMIT TO OCCUPY

WHEREAS Hedley Chief Mines Limited have been granted a lease of a certain mineral claim on the Upper Similkameen Reserve No. 2, known as the "Gold Crown" claim, having an area of 31.65 acres, by the District Gold Commissioner, prior to August 31st, 1938.

AND WHEREAS the current annual rental at the rate of 50 cents per acre, amounting to $25.85 has been paid.

Permission is hereby given to use and occupy the said land for mining development purposes only, during the term of the aforesaid mineral lease, dating from the First day of January 1938, provided the annual rental of $25.85 is paid in advance each year.

Director of Indian Affairs.

The original of this Document has been removed for safekeeping in the Records of the Indian Land Registry.

Signature

April 20/72

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

18043-2

Ottawa, Ontario,
January 30, 1941.

Dear Sir:

I am enclosing herewith Prospector's Permits Nos. 043-9-1, 043-9-2, and 043-9-3 in the names of T. H. Gauthier, Oscar Gauthier and Arthur Gauthier, authorising them to enter upon Dokis Indian Reserve No. 9 for the purpose of prospecting for minerals.

Please have these Permits transmitted to the respective holders and the duplicate copies should be retained for your records.

Encls.

Yours very truly,

Director.

J. A. Marleau, Esq.,
Indian Agent,
Sturgeon Falls,
Ontario.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

18168-38

Ottawa, January 17, 1941.

Memorandum:

Mr. Burns.

Re: Permits to Occupy to Stewart Canal Gold Mines Limited, Scamakounst Indian Reserve No. 19, British Columbia.

Permits to Occupy have been issued for the use of an aerial tramline right-of-way and site for an ore testing plant in favour of the Stewart Canal Gold Mines Limited. Rentals in this connection were sent in in advance by the Indian Agent sometime ago and are shown in the recent statement of moneys in suspense.

Will you please see to it that these moneys are now taken from the suspense list and placed in their proper accounts.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

300N Vol 2

Ottawa, February 5, 1941.

MEMORANDUM:

Miss Churchill

Please be advised that a sale of timber in Beaucage Township, surrendered portion of Nipissing Indian Reserve No. 10, Nipissing District, Province of Ontario, is being advertised by public notice and tenders are invited to be received in this office up till noon of Saturday, February 15, 1941.

Public notices are being posted in the Post Offices at North Bay, Sturgeon Falls and Sudbury and in the Indian Agent's Office at Sturgeon Falls. No advertising is appearing in the public newspapers.

C. H. Taggart.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

30001 Vol 2

Ottawa, January 31, 1941.

PERMIT TO OCCUPY

TO WHOM IT MAY CONCERN:

Permission is hereby given to the McGIBBON LUMBER COMPANY of Penetanguishene, Ontario, to use and occupy such portion of Lot 10, Concession 3, Gibson or Watha Indian Reserve No. 31, in the Township of Gibson, Province of Ontario, as may be agreed upon, not to exceed six acres, between the Company and the Indian Locatee, Peter Decaire, No. 52 of the Gibson Band, Location Ticket No. 7037, as may be required for the purpose of erecting, using and maintaining a mill for the manufacture of lumber for a period of one year dating from January 1st, 1941, subject to the following conditions:-

1. That a rental of one hundred dollars ($100.00) will be paid in advance for the period of one year and that this Permit may be renewed for a further period of one year at the pleasure of the Minister on the payment of the sum of one hundred dollars ($100.00) on the first day of January, 1942;

2. That such land shall not be used for any other purpose than above stated;

3. That no place for trading with the Indians or other persons will be established on the property by the Company, nor will the Company permit any others to do such trading;

4. That no intoxicating liquors of any kind whatsoever will be permitted by the Company to be brought into any of their buildings or camps or unto the Reserve by any member of the Company or its employees;

5. That the Company will not cut timber on the Reserve without proper authorization from the Department through the Indian Agent and that no timber cut by Indians on the Reserve will be purchased by the Company unless the Indian offering it for sale is in possession of an official permit to cut such timber;

6. That the Company will pay all rents and dues direct to the Department through the office of the Indian Agent;

7. That in all respects the Company will be guided by the provisions of the Indian Act and Timber Regulations.

Director of Indian Affairs.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

30001 v.12

Ottawa, Ontario,
January 15, 1941.

PERMIT TO OCCUPY

TO WHOM IT MAY CONCERN:

Permission is hereby given to the STEWART CANAL GOLD MINES LIMITED of Stewart, B.C., to use and occupy a certain right-of-way approximately seven hundred and seventy feet (770 feet) in length and having a width of twenty feet (20 feet) for the purpose of operating and maintaining an aerial tramway across Scamakounst Indian Reserve No. 19, the said right-of-way to be on a straight line between a fixed point situate on the east boundary of the said Indian Reserve eight hundred and seventy-five feet (875 feet), more or less, measured northerly along the said east boundary from the southeast corner of the said Reserve, and a fixed point on the left bank of Bear River, a distance of eighteen hundred feet (1,800 feet), more or less, measured north-easterly along the bank of Bear River, as shown on a copy of sketch plan attached hereto the original of which is of record in the Department on file 18168-38. The period of this Permit is for one year renewable yearly thereafter at the pleasure of the Minister, dating from the first day of January, 1941, subject to the following conditions:-

1. That rental at the rate of one hundred dollars ($100.00) per year shall be paid in advance on the first day of January in each and every year;

2. That the Company shall have free and uninterrupted access to the right-of-way for the purpose of construction and maintenance of its aerial tramline and shall be permitted to clear the said right-of-way of all trees necessary to the construction and maintenance of the said aerial tramline on the understanding that compensation at prevailing rates will be paid for any merchantable timber so cut at the discretion of the Indian Agent;

3. That the Company shall agree to give employment as far as possible to Indians of the Band in the construction of the tramline

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

4. That the Company shall pay compensation at a fair valuation to be mutually determined by a representative of the Company, the Chief of the Indian Band and the Indian Agent, for any damage done or improvements affected.

Director of Indian Affairs.

We, the members of the Kincolith Band of Indians, do hereby agree to permit the Stewart Canal Gold Mines Limited of Stewart, B.C., to occupy and use the right-of-way outlined in the above Permit in accordance with the terms mentioned therein.

On behalf of Kincolith Band

.....

.....

.....

Witness .....

.....

.....
Indian Agent.

And we, the Stewart Canal Gold Mines Limited of Stewart, B.C., agree to rent the above mentioned right-of-way subject to the terms as above outlined.

.....
For Stewart Canal Gold Mines Limited.

Witness

.....

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

KODAK SAFETY FILM

30011 v.1.2

Ottawa, Ontario,
January 15, 1941.

PERMIT TO OCCUPY

TO WHOM IT MAY CONCERN:

Permission is hereby given to the STEWART CANAL GOLD MINES LIMITED of Stewart, B.C., to use and occupy a certain parcel or tract of land containing an area of sixteen hundred square feet (1,600 square feet), more or less, within the boundaries of Scamakounst Indian Reserve No. 19, to be used as a site for an ore testing mill, which parcel may be more particularly described as follows:-

Commencing at the point on the left bank of Bear River, which defines the southerly limit of the aerial tramline right-of-way granted under "Permit To Occupy" dated January 15th, which point is situate on the left bank of the Bear River approximately eighteen hundred feet (1,800 feet) measured in a north-easterly direction along the bank of the said river from the southwest corner of the said Indian Reserve; thence south-easterly forty-two feet measured along the southerly limit of the aforementioned aerial tramline right-of-way; thence due south forty feet (40 feet); thence due west to the bank of Bear River; thence along the bank of the said Bear River to the point of beginning, as shown on a copy of sketch plan attached hereto, original of which is of record in the Department on file 18168-38, subject to the following terms:-

1. That this Permit shall authorize the Company to occupy the said land for a period of three months as from the first day of February, 1941, at a rental for such period of twenty-five dollars ($25.00) payable in advance. This Permit may be renewable for a further period of three months at the same rate at the pleasure of the Minister.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

2. That the Company will compensate the Indian owners through the office of the Indian Agent for any damage done or improvements affected.

3. That the Company shall enjoy uninterrupted access to the property when properly engaged in the process of his business of mining and shall at the expiration of his ore testing and having satisfactorily fulfilled the terms of this Permit of Occupation, on application to the Indian Agent, have the right of removing any machinery installed thereon.

Director of Indian Affairs.

We, the members of the Kincolith Band of Indians, do hereby agree to permit the Stewart Canal Gold Mines Limited of Stewart, B.C., to occupy and use the millsite outlined in the above Permit in accordance with the terms mentioned therein.

On behalf of Kincolith Band

.....

.....

.....

.....

.....

Witness

.....

Indian Agent.

And we, the Stewart Canal Gold Mines Limited of Stewart, B.C., agree to rent the above mentioned millsite subject to the terms as above outlined.

.....
For Stewart Canal Gold Mines Limited.

Witness

.....

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

When making out a "Cancellation of Permit" type 4 copies. Leave 2 copies on file so that Treasury can have a copy for their records.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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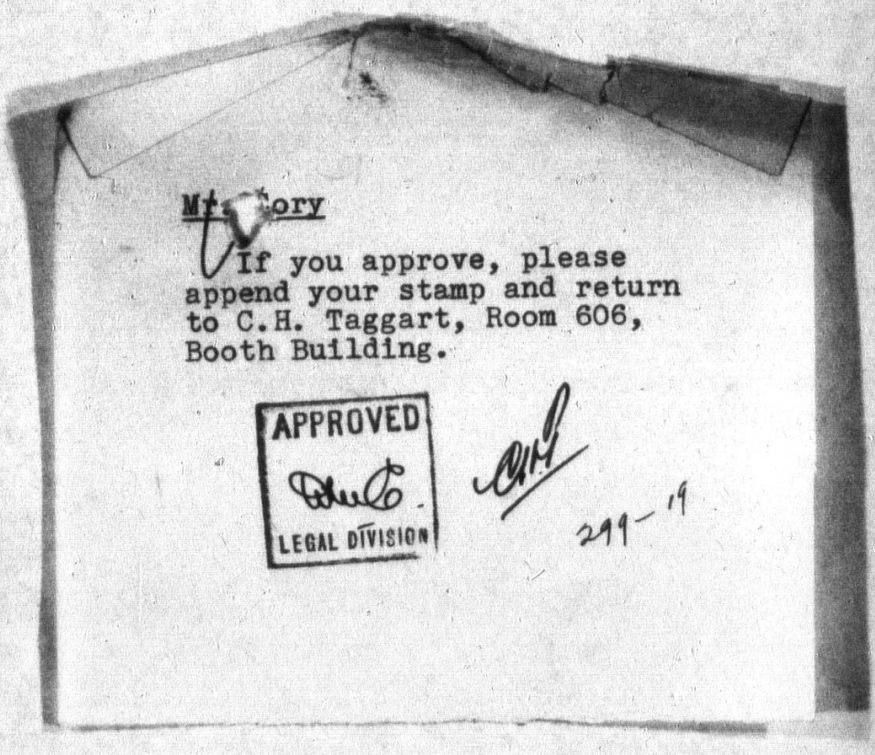
CANADA



Mr. Cory

If you approve, please append your stamp and return to C.H. Taggart, Room 606, Booth Building.

APPROVED
LEGAL DIVISION

299-19

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

30165-13

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

OFFICE OF THE
DIRECTOR

INDIAN AFFAIRS
BRANCH

Ottawa, Ontario,
April 1, 1941.

Dear Sir:

Re: Permit to Cut for Sale 200,000 feet
of Fir from Indian Reserve No. 14

Your letter dated March 25th, in regard to the above is acknowledged.

Your recommendation is approved and this will be your authority to issue the necessary permit on the understanding that stumpage dues at the rate of $2.00 per M will be returned to be credited to Band funds.

It will be your duty to make certain that slash and logging debris resulting from this operation are properly disposed of in accordance with the requirements of the British Columbia Forest Service, in order to minimize forest fire hazard.

You are aware, no doubt, that all permits for cutting timber expire on April 30th ~~as provided for in the Timber Regulations~~. In this case, however, since we are so close to that expiry date, this permit may be stated to be valid until the 30th April, 1942.

Yours very truly,

Director.

A. Strang, Esq.,
Indian Agent,
Lytton, B.C.

For B.C. You are aware, no doubt, that the general policy is that all permits for cutting timber expire on April 30th. In this case, etc.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE OF THE DIRECTOR

CANADA
DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

PROSPECTOR'S PERMIT

No. 158-12-1

TO WHOM IT MAY CONCERN:-

Permission is hereby given to JOSEPH GRAHAM of Vancouver, B.C., to PROSPECT for COAL on the Nanoose Indian Reserve, with a view to obtaining a coal claim in accordance with the provisions of Regulations for the Disposal of Coal on Indian Reserves.

This PERMIT is non-transferable and expires on the 31st day of March, 1942.

OTTAWA,
April 1, 1941.
Fee:- $5.00

Director, Indian Affairs Branch.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

18152-12

Ottawa, Ontario,
April 4, 1941.

Dear Sir:

This will acknowledge receipt of your letter dated March 24th, enclosing a Money Order for $5.00 in connection with your application for a Permit to prospect for coal on Nanoose Indian Reserve.

Herewith you will find "Permit to Prospect for Coal" for a period of one year from April 1st, 1941; also please find enclosed a copy of "Regulations for the Disposal of Coal on Indian Reserves".

Encls.

Yours very truly,

Director.

Joseph Graham, Esq.,
St. Francis Hotel,
Vancouver, B.C.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

21152-20

RESERVES AND TRUSTS

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa, Ontario,
April 16, 1941.

Dear Sir:

Please refer to your Agency Receipt No. 1915, March 13, 1941, amount $61.36, Rental for use of right-of-way log-dump, Malahat Indian Reserve. Please supply details in connection with this service.

Yours very truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

R. H. Moore, Esq.,
Indian Agent,
Duncan, B.C.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

43168-6.

C.T. 17A
100M—10-40

REQUISITION FOR CHEQUE

TO BE USED FOR ADVANCES OR AUTHORIZED PAYMENTS FOR WHICH THERE ARE NO ACCOUNTS

DEPT. NO. .....
FILE NO. .....
TREAS. NO. .....

DEPARTMENT .....

BRANCH ..... DATE .....

APPLICATION IS HEREBY MADE FOR THE ISSUE OF THE FOLLOWING CHEQUE OR CHEQUES:—

CHEQUE No.	IN FAVOUR OF	AMOUNT	
	S7 2 3 f Acct.		
	c/o J a M S7 2	231	50

STATE BELOW, WITH DETAILS IN EVERY CASE, WHETHER (a) STANDING ADVANCE, (b) ADVANCE FOR SPECIFIC JOURNEY—ESTIMATING NUMBER OF DAYS, (c) OTHER ACCOUNTABLE ADVANCE, OR (d) AUTHORIZED PAYMENT.

[illegible] E of 516 D I R no 9

CHARGE TO
VOTE T.F. 182 Cap. ENC. No. .....
ALLOTMENT .....
SUB-ALLOTMENT .....

I CERTIFY THAT THIS APPLICATION IS MADE UNDER THE REQUISITE AUTHORITY, AND THAT THE EXPENDITURE IS NECESSARY IN THE INTERESTS OF THE PUBLIC SERVICE.

HEAD OF BRANCH

TREASURY OFFICE APPROVAL

DEPUTY HEAD

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

CONTRACT TO CUT TIMBER
BEAUCAGE TOWNSHIP
MIPISSING INDIAN RESERVE NO. 10

.....

THIS INDENTURE, made in triplicate this twenty-third day of April, in the year of our Lord one thousand nine hundred and forty-one,

BETWEEN His Majesty King George the Sixth, represented herein by the Minister of Mines & Resources, hereinafter called the Party of the First Part,

AND WILFRED DAVIDSON

of the town of Sturgeon Falls, in the Province of Ontario, hereinafter called the Party of the Second Part,

WITNESSETH that for and in consideration of dues, covenants, and agreements, herein contained, on the part of the Party of the Second Part to be paid, observed, and performed, the Party of the First Part does grant unto the Party of the Second Part full power and authority for himself, his agents, and workmen, to enter upon for the purpose of cutting, skidding and removing the remaining merchantable saw timber (pulpwood excluded) standing upon

Lot No. 10, Concession No. 4, Beauoage Township, being a part of the Surrendered Portion of Mipissing Indian Reserve No. 10, Province of Ontario,

under the following terms and conditions:-

1. That no Pine timber shall be cut of smaller diameter than twelve inches, spruce ten inches and poplar and hardwoods eight inches, measured eighteen inches above the ground;

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

2. That all merchantable saw timber shall be cut and removed and paid for and that all timber cut shall be fully utilized, and that any wastage of such timber products shall be considered a breach of contract;

3. That all logs cut shall be properly piled on skids suitable for accurate scaling, and that all logs on being measured by the culler shall bear on one end the initials of the culler, inscribed thereon by him personally with waterproof crayon, and that no logs shall be removed from the property or otherwise disposed of until they have been properly scaled;

4. That all logs cut shall be scaled or measured by a culler fully qualified by the Forest Service of the Province of Ontario and acceptable to the Department, and that the returns of such quantities, species and types of timber cut under this contract shall consist of a statement of the scaler, Doyle rule, on forms to be supplied on request, which shall be accompanied by a sworn affidavit of the culler, as well as by the Party of the Second Part;

5. That the Party of the Second Part shall pay to the Party of the First Part to be credited to the funds of the Indians of the Nipissing Band, dues or royalties at the following rates:-

Red and White Pine	$7.50	per M	f.b.m.
Poplar	2.00	" M	"
Hemlock	4.00	" M	"
Spruce	5.50	" M	"
Hardwoods	5.50	" M	"

6. That all timber authorized to be cut under this contract shall be removed and paid for by April 30th, 1942;

7. That the Party of the Second Part shall pay, on the signing of this agreement to the Party of the First Part, a license or registration fee of four dollars ($4.00); and shall deposit with the Party of the First Part the sum of fifty dollars ($50.00) as a guarantee for the carrying out of the terms of this contract in a manner satisfactory to the Minister, which deposit shall be forfeited to the Party of the First Part for non-fulfilment;

8. That the Party of the Second Part will assume all responsibility for any forest fires

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

originating on the area of his operation, as covered by this contract from causes traceable to his operation, and that in order to reduce the hazard of forest fires, he will cause and see to it that all tree tops, resulting from his cutting, are limbed and that all slash and logging debris are scattered to lie flat on the ground during the actual cutting operation.

SIGNED, SEALED AND DELIVERED
In the presence of

As to the signature of the
Director of Indian Affairs
and

As to the signature of the
Party of the Second Part

Director of Indian Affairs

Party of the Second Part

Poor Copy

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originating on the area of his operation, as covered by this contract from causes traceable to his operation, and that in order to reduce the hazard of forest fires, he will cause and see to it that all tree tops, resulting from his cutting, are limbed and that all slash and logging debris are scattered to lie flat on the ground during the actual cutting operation.

SIGNED, SEALED AND DELIVERED
In the presence of

As to the signature of the Director of Indian Affairs and

As to the signature of the Party of the Second Part

Director of Indian Affairs

Party of the Second Part

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DEPARTMENT
OF
MINES AND RESOURCES

Ottawa, April 25, 1941.

TENDER FOR PEDLEY TOWNSHIP TIMBER

SEALED TENDERS addressed to the undersigned and marked on the face of the envelope "Tender for Pedley Timber" will be received up till noon of Thursday, May 15, 1941, for the purchase of the merchantable saw timber, pulp and fuel wood on Lot 1, Concession 6, Pedley Township, being a part of the surrendered portion of Nipissing Indian Reserve No. 10, Nipissing District, Province of Ontario.

This Lot contains an area of 320 acres, more or less. It is reported that there is a small quantity of pine, spruce, hemlock and hardwood saw timber, together with an estimated quantity of 1,000 cords of pulpwood and 800 cords of fuel wood, most poplar, and in addition an unknown number of cedar poles, posts and some ties, which are offered for sal at upset prices as follows:-

White Pine	$7.50 per M.	Cedar Poles	2¢ per lin. ft.
Red Pine	6.50 " M.	Cedar Posts	4¢ each
Hemlock	4.00 " M.	Ties	10¢ each
Hardwoods	6.00 " M.		

Pulpwood, per cord of 128 cubic feet, Spruce $1.50 per cord, Balsam $1.10 per cord, Poplar 85¢ per cord, Fuelwood (hard) 60¢ per cord, Fuelwood (soft) 40¢ per cord and subject to the following conditions:-

That no red or white pine ~~may~~ half be cut smaller than twelve inches; spruce, hemlock and hardwoods ten inches; poplar eight inches, measured eighteen inches above the ground.

That all the merchantable timber shall be cut and fully utilized, removed and paid for, and any wastage of timber products shall be considered a breach of contract; that the saw timber shall be properly piled on skids and the pulp and fuelwood piled in rows suitable for accurate scaling, which shall be done by a qualified Ontario scaler, acceptable to the Department, and that the returns of such scale shall be accompanied by sworn declaration by each, the scaler and the purchaser; that all tree tops resulting from the cutting shall be limbed and the slash and debris shall be scattered to lie flat on the ground at the time of actual cutting.

That two years shall be allowed in which to complete the cutting and removal of the timber under the provisions of the Indian Act and Timber Regulations, that is Licence to Cut Timber shall expire the 30th day of April, 1943.

Each tender must be accompanied by an accepted cheque on any Canadian chartered Bank covering the first year's ground rental of $40.00, licence fee of $4.00, and a deposit of $170.00, such cheque to be made payable to the Receiver General and returnable to the unsuccessful tenderers.

Should the tender be accepted the deposit of $170.00 will be held by the Department of Finance until the undertaking is completed to the satisfaction of the Minister of Mines and Resources; the highest or any tender not necessarily accepted.

Forms of Tender, Plan of the Lot, and copy of the Timber Regulations may be had on application to the undersigned, or to J. A. Marleau, Indian Agent, Sturgeon Falls, Ontario.

HAROLD W. McGILL,
Director of Indian Affairs.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

Votes and Proceedings No. 59, page 1.

QUESTION - Mr. Ross

1. Were tenders called for the purchase of merchantable timber 10 inches in diameter, on timber berth No. 4, of Dokis Indian Reserve No. 9, District of Parry Sound, Ontario?

2. If so, what persons, firms or corporations tendered?

3. What was the amount of each tender?

4. What tender was accepted?

ANSWER - Mr. Crerar

1. Yes.

2. Lafreniere Brothers, North Bay, Ontario.
   Laidlaw, Belton Lumber Company, Sarnia, Ontario.

3. Lafreniere Brothers - $27,525.00

   Laidlaw, Belton Lumber Company - $25,800.00

4. Lafreniere Brothers.

April 29, 1941.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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RESERVES AND TRUSTS

CANADA

DEPARTMENT
OF
MINES AND RESOURGES

9027-13

INDIAN AFFAIRS
BRANCH

Ottawa, Ontario,
May 26, 1941.

Dear Sir:

Enclosed herewith is cheque No. A020525 in favour of Mrs. Dow Taylor, a member of the Mud Lake Band, being the final payment in connection with the sale of her interest in the estate of the late Austin Gosse of Scugog, to Mrs. Ina Goose and Elwin McCue.

Please deliver this cheque to Mrs. Taylor, whose address is said to be Curve Lake, Ontario, after she has signed the receipt enclosed, which receipt should be returned to this office.

Encls.

Yours very truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

V. M. Eastwood, Esq.,
Indian Agent,
385 Water Street,
Peterborough, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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COAT OF ARMS

TENDER FOR BEAUCAGE TOWNSHIP TIMBER

SEALED TENDERS addressed to the undersigned and marked on the face of the envelope "Tender for Beaucage Timber" will be received up till noon of Saturday, June 21, 1941, for the purchase of the merchantable saw timber (pulpwood excluded) on Lots 1, 2, 3, 4, 5, 6 and 11, Concession 3; Lots 1, 4, 5 and 6, Concession 4; Lots 3, 4, 5 and 6, Concession 5; Lots 1, 2, 3, 7 and 8, Concession 6, Beaucage Township, being a part of the surrendered portion of Nipissing Indian Reserve No. 10, Nipissing District, Province of Ontario.

These Lots contain an area of 5,534 acres, more or less. It is reported that the timber consists approximately of Pine, red and white, 1,200,000 f.b.m.; Spruce 300,000; Hemlock 200,000; Hardwoods 100,000; and in addition an unknown number of Cedar poles, which are offered for sale at upset prices as follows:-

Red & White Pine Logs	$7.50 per M.	Cedar Poles	up to 25 feet	.02	l.f.
Spruce Logs	5.00 " M.	" "	25 to 30 "	.03	l.f.
Hemlock Logs	4.50 " M.	" "	30 to 35 "	.04	l.f.
Hardwood Logs	6.00 " M.	" "	35 to 50 "	.05	l.f.
Poplar Logs	2.00 " M.	" Posts		.03	each

and subject to the following conditions:-

That no red or white pine may be cut smaller than twleve inches; spruce and hemlock ten inches; poplar eight inches, measured eighteen inches above the ground.

That all the merchantable timber shall be cut and fully utilized, removed and paid for, and any wastage of timber products shall be considered a breach of contract; that the saw timber shall be properly piled on numbered skidways to insure accurate scaling, which shall be done by a qualified Ontario scaler, acceptable to the Department; that all tree tops resulting from the cutting shall be limbed and the slash and debris shall be scattered to lie flat on the ground at the time of actual cutting.

That operations must commence not later than the 1st day of November, 1941, and that four years will be allowed in which to complete the cutting and removal of the timber under the provisions of the Indian Act and Timber Regulations, that is Licence to Cut Timber shall expire the 30th day of April, 1946.

Each tender must be accompanied by an accepted cheque on any Canadian chartered Bank covering the first year's ground rental of $43.00, licence fee of $4.00, and a deposit of $1,200.00, such cheque to be made payable to the Receiver General and returnable to the unsuccessful tenderers.

Should the tender be accepted the deposit of $1,200.00 will be held by the Department of Finance until the undertaking is completed to the satisfaction of the Minister of Mines and Resources; the highest, or any tender, not necessarily accepted.

Forms of Tender, Plan of the Lots, and copy of the Timber Regulations may be had on application to the undersigned, or to J. A. Marleau, Indian Agent, Sturgeon Falls, Ontario.

HAROLD W. McHILL,
DIRECTOR.

Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, June 3, 1941.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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COAT OF ARMS

TENDER FOR DOKIS BERTH 3 TIMBER

SEALED TENDERS addressed to the undersigned and marked on the face of the envelope "Tender for Dokis Berth 3 Timber" will be received up till noon of Wednesday, October 22, 1941, for the purchase of the merchantable timber on Berth No. 3, Dokis Indian Reserve No. 9, District of Parry Sound, in the Province of Ontario.

This Berth has been divided into two blocks by a north and south line drawn from a point 131 chains, more or less, west of the southeast corner, namely blocks "A" and "B", block "A" being the eastern portion. These blocks have an area of approximately 2,600 and 2,400 acres respectively and are ~~together~~ reported to contain 4,800,000 f.b.m. of softwoods, ~~mainly~~ hemlock, pine and spruce, and 4,700,000 f.b.m. of hardwoods, mainly basswood and yellow birch, which is said to be fairly evenly ~~scattered as to quantities in each of the blocks.~~ divided between the two blocks.

Tenders are invited for the purchase of each block separately and the sale is subject to the following upset prices for each species:-

Oak	$8.25 per M.	Cedar	$4.50 per M.
Red & White Pine	7.50 " M.	Cedar Poles	up to 25 feet .02 l.f.
Basswood & Yellow Birch	7.50 " M.	" "	25 to 30 " .03 l.f.
Spruce	5.00 " M.	" "	30 to 35 " .04 l.f.
Other Hardwoods	6.00 " M.	" "	35 to 50 " .05 l.f.
Hemlock	4.~~25~~ " M.	" Posts	.02 each
~~Poplar~~	~~2.00 " M.~~	Ties	.10 each

and subject to the following conditions:-

That no red or white pine may be cut smaller than twelve inches; spruce ten inches; hemlock, basswood and all other species not less than eight inches, measured eighteen inches above the ground; that all merchantable timber shall be cut and fully utilized and removed and paid for; that a strip of land one hundred feet wide measured from the highwater mark along the shore of the French River shall be set aside as foreshore reserve and from which strip no timber may be cut save such mature timber as may be marked for cutting by a duly authorized agent of the Department; that all logs cut shall be piled on properly constructed and numbered skidways with logs flush on one end to facilitate proper and accurate measurement; that no logs shall be removed from the bush to sawmill or otherwise disposed of until they have been piled and measured and every log stamped with the mark "I.R." and the number of the licence thereon; that logging operations covered by Licence to Cut Timber issuing as a result of this sale and the scaling of the logs so cut will be under the supervision of a qualified agent selected, employed and paid by the Department and the proportionate cost of such supervision and scaling shall be paid by the licensee as such accounts are rendered; that all slash and debris resulting from logging operations shall be disposed of by limbing all remaining tops, and the slash from coniferous trees shall be piled and burned and that from deciduous trees scattered to lie flat on the ground, slash and debris to be disposed of daily as the operation progresses; that one-half of any assessed costs for fighting forest fires or protecting against forest fires shall be paid by the licensee and in the case of forest fire originating on his berth the cause of which is traced and proven to be due to the licensee's operations shall be fully borne by the licensee; that the operations shall be carried out in all other respects in accordance with the provisions of the Indian Act and Timber Regulations.

Tenderers should state the prices they are prepared to pay for the various species and grades of timber per M f.b.m. Doyle rule, also the prices per lineal foot for piling, poles, posts and boom timber.

Operations shall begin during the season 1941-2.

Five years will be allowed in which to complete the cutting and removal of the timber and the Indians of the Dokis Band must be given the preference by way of employment in the work of cutting and removing the timber insofar as it is in the interests of economical operations.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(File 30052-3)

Ottawa, August 6, 1942.

FORFEITURE OF DEPOSIT ON PERMIT TO CUT TIMBER - JAMES F. HORNE - GRAND LAKE INDIAN RESERVE No. 13, NOVA SCOTIA.

In the Matter of Permit to cut Timber, issued to James F. Horne, Esquire, of Enfield, Nova Scotia, dated April 9th, 1935, authorizing the cutting and removal of the remaining stand of merchantable timber seven inches and over in diameter at the stump, from Grand Lake Indian Reserve No. 13, in the Province of Nova Scotia.

Whereas the terms of the said Permit provide:

That all timber shall be cut and removed within a period of gwo years from April 9th, 1935;

That all timber cut shall be measured by a qualified scaler and a sworn return thereof sent to the Department;

That a deposit of One hundred dollars be made with the Department as security for the proper carrying out of the undertaking.

The Department having fulfilled its responsibility in such sale; the permittee having failed to make any return of the scale of the timber cut and having made no response to several requests in writing until November 8, 1940, after having been visited by a Constable of the Royal Canadian Mounted Police, then only did he make a partial return and make payment for the same. No sworn declaration from a qualified scaler has been supplied in spite of many requests.

Now Therefore it is hereby declared that the deposit in the sum of One hundred dollars, with any accrued interest, now held by the Department of Finance, is forfeited to the Department for the benefit of the Indian owners of the Grand Lake Indian Reserve No. 13, because of the failure of the permittee, James F. Horne, to provide qdequate and satisfactory sworn returns of the timber cut and removed under the said Permit.

Minister of Mines and Resources.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA
DEPARTMENT
OF
MINES AND RESOURCES

Sample

Ottawa, September 19,1942.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to report:

THAT for some time the Town of Ladysmith has been endeavouring to secure a portion of former Indian Reserve Chemainus No. 12, in the Oyster District, Vancouver Island, Province of British Columbia, for park and recreational purposes;

THAT the above named Indian Reserve is land declared by the Royal Commission which investigated Indian lands in British Columbia, to be surplus to the needs of the Indians, and which falls within the category of "Cut-off" lands;

THAT by the provisions of the McKenna-McBride Agreement dated 24th day of September, 1912, made by representatives of the Government of Canada and the Government of the Province of British Columbia, all the "Cut-off" lands were placed under the control and administration of the Province, subject to the condition that they should be surveyed and sold by public auction and the net proceeds equally divided as between the Province and the Dominion;

THAT due to unfavourable market conditions and lack of demand for these lands, they have remained unsold and are, therefore, held jointly by the Dominion of Canada and the Province of British Columbia, as provided

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for in the said McKenna-McBride Agreement.

THAT in order to facilitate the granting of the request from the Town of Ladysmith, it is deemed desirable to make a division of this asset, for which purpose a Board of Appraisal consisting of a representative of the Dominion of Canada, one from the Province of British Columbia, and one from the Town of Ladysmith, was appointed to determine the value at which the Province of British Columbia might acquire full title by purchase of the Indian half interest;

THAT the report of the Board as presented recommends that the lands within the former Indian Reserve be divided into two parcels of approximately equal value. This suggestion has the approval of the Departments of the two Governments interested, and the dividing line has been regularly and officially surveyed to constitute two lots designated Lot No. 13G and Lot No. 14G, Oyster District, as surveyed and marked on the ground by E. R. Foster, B.C.L.S., March 1942, copy of plan and survey notes of record in the Department of Mines and Resources, Indian Affairs Branch;

THAT the said Lot No. 13G, which contains the portion required by the Town of Ladysmith, is acceptable to the Government of British Columbia, and that the said Lot 14G is acceptable to the Government of the Dominion of Canada;

The undersigned, therefore, recommends that, on the understanding that the Government of the Province of British Columbia will transfer to the Government of the Dominion of Canada, to be administered for the benefit of the Indian Bands,

(a) All its right, title and interest whatsoever as provided by the McKenna-McBride Agreement, in

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the lands within the said Lot 14G, exclusive of the area of the right of way of the Esquimalt and Nanaimo Railway; the area required for the presently constructed Island Highway and areas necessary for presently used, gazetted main roads;

(b) The right to the timber on the lands so transferred as above;

(c) By assignment, all subsisting leases, easements and agreements whatsoever involving land within the boundaries of the said Lot 14G;

the report and recommendation of the Board of Appraisal for the division of the lands within the former Indian Reserve be approved, and authority be given for the transfer of all right, title, or interest whatsoever possessed by the Government of the Dominion of Canada under the provisions of the McKenna-McBride Agreement, in the lands within the boundaries of the said Lot 13G, to the Government of the Province of British Columbia,

Respectfully submitted,

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Ottawa, August 6, 1942.

FORFEITURE OF DEPOSIT ON PERMIT
TO CUT TIMBER - JAMES F. HORNE -
GRAND LAKE INDIAN RESERVE No. 13,
NOVA SCOTIA.

In the Matter of Permit to cut Timber, issued to James F. Horne, Esquire, of Enfield, Nova Scotia, dated April 9th, 1935, authorizing the cutting and removal of the remaining stand of merchantable timber seven inches and over in diameter at the stump, from Grand Lake Indian Reserve No. 13, in the Province of Nova Scotia.

Whereas the terms of the said Permit provide:

That all timber shall be cut and removed within a period of two years from April 9th, 1935;

That all timber cut shall be measured by a qualified scaler and a sworn return thereof sent to the Department;

That a deposit of One hundred dollars be made with the Department as security for the proper carrying out of the undertaking.

The Department having fulfilled its responsibility in such sale; the permittee having failed to make any return of the scale of the timber cut and having made no response to several requests in writing until November 8, 1940, after having been visited by a Constable of the Royal Canadian Mounted Police, then only did he make a partial return and make payment for the same. No sworn declaration from a qualified scaler has been supplied in spite of many requests.

Now Therefore it is hereby declared that the deposit in the sum of One hundred dollars, with any accrued interest, now held by the Department of Finance, is forfeited to the Department for the benefit of the Indian owners of the Grand Lake Indian Reserve No. 13, because of the failure of the permittee, James F. Horne, to provide adequate and satisfactory sworn returns of the timber cut and removed under the said Permit.

Sent August 10 E.M.D.

Minister of Mines and Resources.

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Ottawa, September 29, 1942.

FORFEITURE OF DEPOSIT -
TIMBER CONTRACTS, MESSRS. COOK
& EVANS - COMMANDA TOWNSHIP,
NIPISSING INDIAN RESERVE.

In the Matter of Licence to cut Timber No. 253, dated 20th day of November, 1940, and Permit to cut Timber dated 24th day of November, 1939, issued to Messrs. Cook and Evans, of Sturgeon Falls, Ontario, authorizing the cutting and removal of the remaining standsof merchantable timber on certain lots in Commanda township, surrendered portion of Nipissing Indian Reserve No. 10, Province of Ontario.

Whereas the said firm of Cook and Evans did enter into contracts with the Department for the cutting and removal of timber, one of the principal conditions being a surety deposit, as provided for in section 5 of Timber Regulations, to ensure the proper carrying out of the undertaking, such deposit to be retained by the Department until the completion of the contract,and forfeited to the Department if the undertaking is not completed to the satisfaction of the Minister. Under the said Licence to cut Timber the deposit is $500.00, and with the Permit, $125.00, or a total of $625.00, and in addition, any accrued interest,to be stated by the Department of Finance.

Whereas the timber authorized to be removed in the said contracts has been declared by the Company to have been removed, and the contract completed. However, their operations are not deemed to have been carried out satisfactorily,-

(a) Because there is an account amounting to $100.00 for the services of a supervisor scaler supplied by the Department, remaining unpaid;

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(b) Because there is an account of unstated amount, for certain cedar poles which have not yet been scaled, remaining unpaid;

(c) Because the firm of Cook and Evans did, while driving the logs cut under the above mentioned contracts, through neglect, permit a log jam to occur at or near the entrance to a log slide or chute, at the control dam on Little Sturgeon River situate within the boundaries of Indian land. In order to remove said log jam, the Company did wilfully use dynamite, and thereby destroyed the log slide or chute, and caused considerable damage to the dam. Further, the said firm in driving their logs lower down the said stream did considerable damage to another control structure known as a "Tombreau" or rolling dam, apparently without regard to the fact that these control structures are maintained for common use of all operators.

Whereas another operator, Wilfred Davidson, cutting and removing timber under a Licence to cut Timber issued by the Department from certain other Indian lands also using the said Little Sturgeon River for conveying his logs to mill, could not without extensive temporary repairs, use said stream because of the damage caused by the said Cook and Evans.

And Whereas the said stream will be used in other seasons by Wilfred Davidson and others for driving their logs harvested from Indian lands, it is deemed advisable to make permanent repairs as far as possible to the above mentioned control ~~features~~ structures, and it has been agreed between the parties interested, namely, the Indians,

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Wilfred Davidson and Cook and Evans, that the cost of such repairs shall be borne one-third each.

Now Therefore, due to the unsatisfactory conditions as stated above, and to safeguard the Indian interest,

It is Ordered that such portion of the deposit of $625.00, with accrued interest, now held in the Department of Finance, necessary to meet the accounts and expenditures mentioned above, be forfeited to the Department, and only the balance, if any, be made available for disposal by the firm of Cook and Evans.

Minister of Mines and Resources.

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File No. 30119-18

LEASE OF SURFACE RIGHTS
Petroleum and Natural Gas

THIS INDENTURE, made in triplicate this Eighth day of October in the year of our Lord one thousand nine hundred and forty-two,

Between HIS MAJESTY KING GEORGE VI, represented by the Minister of Mines and Resources,

of the first part,

And HECTOR OILS LIMITED, of 721 - 2nd Street West, Calgary, Alberta,

of the second part;

WITNESSETH that the Party of the First Part, in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Party of the Second Part, its administrators and assigns, to be paid, done, and performed, he the said Party of the First Part, hath demised and leased, and by these presents doth demise and lease, unto the said Party of the Second Part, its administrators, and assigns, ALL that parcel or tract of land situated in the Stony Indian Reserve in the Province of Alberta and Dominion of Canada, containing by admeasurement ten acres, be the same more or less, being composed of a parcel of land surrounding Noreen Well No. 1 within the area of land described in Petroleum and Natural Gas Lease to Hector Oils Limited, dated March 2, 1942, and as shown on plan of surface rights a copy of which is attached hereto.

TOGETHER with all and singular the appurtenances to the said premises belonging, TO HAVE AND TO HOLD the said premises, with the appurtenances, unto the said Party of the Second Part, its administrators and assigns, for, and during, and unto, the full end and term of twenty-one years to be computed from the Second day of March, one thousand nine hundred and forty-two, and to run concurrently with Petroleum and Natural Gas Lease of the same date (issued under authority of Clause 1 (d) of the Regulations for the Disposal of Petroleum and Natural Gas Rights on Indian Reserves).

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and from thenceforth ensuing, and fully to be completed and ended, SUBJECT NEVERTHELESS, to a determination or cession of the said Term before the expiration thereof, under the proviso or condition hereinafter mentioned, yielding and paying yearly during the said Term, unto the said Party of the First Part, the clear yearly rent or sum of Ten dollars ($10.00), payable yearly in advance on the Second day of March, without any deduction whatsoever, payment of the first year's rent being hereby acknowledged.

And the said Party of the Second Part doth hereby for itself and its administrators covenant with the said Party of the First Part, his successors and assigns, that it the said Party of the Second Part, its administrators, or assigns, shall and will from time to time, and at all times during the continuance of the said term, well and truly pay to the said Party of the First Part, his successors or assigns, the said yearly rent, on the days and times the same shall respectively become due, as aforesaid, and also well and truly pay all taxes and charges, dues and duties whatsoever which now are, or hereafter shall, during the said term, be payable in respect of the aforesaid premises, whether the same be rated or assessed on the landlord or the tenant thereof; and also that it the said Party of the Second Part, shall not, nor will, during the said term grant, or demise, assign, transfer, or set over, or otherwise by any act, or deed, procure or cause the said lands and premises hereby demised or intended so to be, or any part thereof, or any estate, term or interest therein, to be granted, assigned, transferred, or set over, to any person or persons whomsoever, without the consent in writing of the said Party of the First Part first had and obtained; which said consent in writing, it is also declared and agreed, shall be necessary to a second and subsequent assignment or transfer of the premises, or any part thereof, or any term of interest therein; nor shall or will it do

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or suffer any act or deed whereby the said term, or any unexpired part thereof, shall or may be taken in execution, seized or sold. And also that it, the said Party of the Second Part, its administrators, or assigns, shall not at any time during the said term, lop, top, cut down, or destroy any timber or trees growing on the said land further than may be necessary for fuel, fences and building timber for the use of the said premises, and to be used thereon. And shall not, nor will sell, or permit or suffer to be sold or used, on said premises, any spirituous liquors, ale, beer or any intoxicating beverage whatever. Nor shall it, except under license of the Minister of Mines and Resources or the duly appointed agent for the Reserve of which the lands duly leased form a part, cut, or allow to be cut, any wood or timber, except for fuel or fencing of lands covered by this lease, or sell or otherwise dispose of any wood or timber standing or lying upon the said lands.

And further, that the said Party of the Second Part, its administrators, or assigns shall not, nor will do, suffer or commit, any unlawful or voluntary waste, spoil or destruction whatsoever upon the said premises.

And further, that the said Party of the Second Part, its administrators, or assigns, shall at the termination of this lease remove from the said premises all buildings, fences, derricks or other structures erected thereon by it.

And the said Party of the First Part, for himself, and his successors, doth hereby covenant to and with the Party of the Second Part, its administrators, or assigns, that the said Party of the Second Part, its administrators, or assigns, well and truly paying the said yearly rent hereby reserved and observing and performing the covenants hereinbefore contained, shall quietly

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and peaceably hold and enjoy the said lands and premises, with the appurtenances, during the said term, without any disturbance whatever by the said Party of the First Part, his successors or assigns,

PROVIDED ALWAYS, and it is hereby agreed that, if the rent hereby reserved, or any part thereof, shall at any time or times during the said term be in arrear or unpaid for the space of Thirty days next after the days or any of them whereon the same shall become due, according to the reservations thereof hereinbefore contained, whether the same be demanded or not, or in case of breach or non-performance of any or either of the covenants herein contained on the part of the said Party of the Second Part, its administrators or assigns, to be observed and performed, then and in such cases or either of them, it shall be lawful for the said Party of the First Part, his successors or assigns, or any of them, at any time after the expiration of the said Thirty days, into and upon the said lands, tenements, and premises, or any part thereof, in the name of the whole to re-enter, and the same to have again, repossess and enjoy, as if this indenture had never been made, and in case of such re-entry, this present indenture, and every clause, matter, and thing herein contained, and the term hereby granted, shall cease, determine and be absolutely void to all intents and purposes whatever, and the said Party of the First Part, his successors or assigns, shall thereupon hold the said lands and premises with the appurtenances, utterly discharged of this lease, and of all covenants and provisos herein contained, without the payment or allowance by the said Party of the First Part, of any sum of money whatever to the said Party of the Second Part, its administrators, or assigns, or any tenants or occupiers of the said land, for any houses, buildings, and improvements, erected or made by the said Party of the Second Part, its administrators and

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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assigns, or the tenants or occupiers of the said lands and premises or any part thereof.

Provided further that if the rent hereby reserved or any part thereof shall be unpaid for thirty days after becoming payable (whether formally demanded or not) or if any covenant, proviso, stipulation or condition on the part of the Lessee herein contained shall not be performed or observed, then and in any of the said cases it shall be lawful for the Minister by notice in writing under his hand to cancel these presents and terminate the estate or term hereby demised and thereupon these presents and everything therein contained and the estate or term hereby created shall, from the time of the giving of such notice, absolutely cease, determine and be null and void without any re-entry or any other act and without any suit or other legal proceedings being brought or taken, provided further that His Majesty shall nevertheless be entitled to recover from the lessee the rent then accrued or accruing, and provided further that any right of action of His Majesty against the Lessee in respect of any antecedent breach of any of the said covenants, provisos, stipulations, or conditions, shall not be thereby prejudiced.

And provided further that any notice affecting the tenancy hereunder which the Lessor may desire to serve upon the Lessee shall be sufficiently served on the Lessee if left addressed to it on the demised premises or posted to it addressed to its last known address, or if left at the said address. A notice sent by post shall be deemed to be given at the time when in due course of post it would be delivered at the address to which it is sent.

PROVIDED ALWAYS that if any portion of the tenements or hereditaments hereby demised shall be under a lease to any other person, then this lease shall be considered as excluding such land, without thereby causing any diminution of rent.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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IN WITNESS WHEREOF the Director of the Indian Affairs Branch of the Department of Mines and Resources, on behalf of the Minister, and the Lessee have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED and DELIVERED in the presence of

.....
As to the signature of the Director of Indian Affairs.

.....
Director of Indian Affairs.

.....
As to the signature of the Party of the Second Part.

.....
Party of the Second Part.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File No. 30119-15

LEASE OF SURFACE RIGHTS

Petroleum and Natural Gas.

MINISTER OF MINES AND RESOURCES

- to -

SUPERIOR OILS LIMITED

- of -

a parcel of land in the

Stony Indian Reserve,

Alberta,

for twenty-one years

from

March 2, 1962.

DATED October 8, 1962.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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ORIGINAL. (Form)

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PROSPECTOR'S PERMIT

No. 159-20-2

To Whom It May Concern:-

Permission is hereby given to William Burnip, of Port Alberni, B. C., to PROSPECT for coal on the Tsahaheh Indian Reserve No. 1, Alberni District, B. C., with a view to obtaining a coal lease in accordance with the provisions of Regulations for the Disposal of Coal on Indian Reserves, as established by Order in Council No. 1510, dated September 3rd, 1924.

This PERMIT is non-transferable and expires on the 31st day of March, 1943.

Ottawa, June 1st, 1942.

Fee:- $5.00

Director, Indian Affairs Branch.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

30001 v.1 2

File No. 20103-105.

Department of Mines and Resources,
Indian Affairs Branch,
Ottawa, February 16, 1943.

WHEREAS on the 31st day of July, 1939, petroleum and natural gas lease issued in favour of Lionel Chaffey West, 1814 Royal Bank Building, Toronto, covering an area of 640 acres in the Blood Indian Reserve, in the Province of Alberta; on the 20th day of September, 1939, petroleum and natural gas lease issued in favour of Stuart B. Parker, Room 1701 - 372 Bay Street, Toronto, covering an area of 180 acres, more or less, in the Blood Indian Reserve, in the Province of Alberta.

AND WHEREAS these leases were (the West lease on July 31, 1939, and the Parker lease on September 20, 1939) both assigned to West Petroleum Limited, of 1814 Royal Bank Building, Toronto, Ontario, which Assignments were accepted and approved by the undersigned on the dates specified.

AND WHEREAS West Petroleum Limited, in a letter dated October 14, 1942, requested the cancellation of these leases without further liability on the Company, in view of the fact that all their interests in the Blood Indian Reserve had with the approval of the Minister been ~~were being~~ assigned to the Imperial Oil Limited. As ~~the~~ West Petroleum Limited was in arrears in rental, an arrangement was made whereby the leases would be cancelled on payment of specified rentals accrued to date of such cancellation ~~$906.60~~, which arrangement was accepted by West Petroleum Limited, and the specified sum $906.60, has now been received by the Indian Affairs Branch.

NOW THEREFORE by and in virtue of the powers (~~and duties~~) vested in the Superintendent General of Indian

(over)

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Affairs by the Indian Act, Chapter 98 Revised Statutes of Canada, I hereby cancel the said petroleum and natural gas leases as from the 20th day of September, 1942, (the Parker lease) and the 31st day of December, 1942 (the West lease).

Deputy Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

30001 Vol 2

(Cancellation of Petroleum & Natural Gas Lease)

File No. 20120-11

Department of Mines and Resources,
Indian Affairs Branch,
Ottawa, June 21, 1943.

WHEREAS by Indenture dated the 23rd day of May, 1940, those certain parcels or tracts of land situated in the Sarcee Indian Reserve, in the Province of Alberta, containing 1400 acres, more or less, and described as follows:- The west half of section thirty; legal sub-divisions 2, 7 and 10 and the west half of section 31, all in Township 23, Range 3, West of the 5th Meridian; also section 36, Township 23, Range 4, West 5th Meridian, were leased by Leroy James Chown, of the City of Calgary, Province of Alberta;

AND WHEREAS the said lease was on the 31st day of August, 1941, assigned to Western Exploration Company, Limited, under section 17, Petroleum and Natural Gas Regulations, the said Assignment being approved by the Director of Indian Affairs on the 15th day of December, 1941;

AND WHEREAS on the 17th day of April, 1942, the said assignee made application in writing, under section 13 of Petroleum and Natural Gas Regulations, for an extension of time within which to pay the rental of $1400.00 due on May 15th, 1942, which extension was granted to the 1st day of October, 1942, by the Director of Indian Affairs on the 24th day of April, 1942;

AND WHEREAS on the first day of October, 1942, the said rental was in default and so continued for some time, notwithstanding several requests for payment

(over)

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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of rental being sent to last known addresses of the assignees (the Western Exploration Company Limited), such requests being subsequently returned by postal authorities "unable" to locate;"

AND WHEREAS during the currency of the said lease said Western Exploration Company Limited failed to comply with conditions provided in the Regulations for the Disposal of Petroleum and Natural Gas rights on Indian Reserves, particularly with respect to payment of rentals;

NOW THEREFORE, pursuant to section 9, subsection (d) of the said Regulations for the Disposal of Petroleum and Natural Gas Rights on Indian Reserves the said lease dated 23rd day of May, 1940, and assigned on 31st day of August, 1941, to Western Exploration Company Limited, is hereby cancelled and the land resumed.

Dated at Ottawa this day of 1943.

Deputy Minister,
Department of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001/62

In the Matter of Section 18 of
Regulations for the Disposal of Petroleum
and Natural Gas Rights on Indian Reserves.

WHEREAS application has been made by Shell Oil Company of Canada, Limited, to the Minister, Department of Mines and Resources, to abandon approximately 5,000 acres of petroleum and natural gas lease located on the Stony Indian Reserve and drawn on behalf of Robert Arthur Brown, Jr., Calgary, Alberta, on the 17th day of October, 1942, and first assigned to Shell Exploration Alberta Limited on November 6th, 1942, and subsequently assigned to the Shell Oil Company of Canada, Limited, the said 5,000 acres to be abandoned being described as follows:-

> Commencing at the southwest corner of the said Reserve; thence easterly along the said south boundary a distance of 10,560 feet; thence northwesterly parallel to the westerly boundary of the said Reserve to the southern boundary of the Calgary Power Company's reservoir; thence southwesterly along the southern shore of said reservoir to the westerly boundary of the said Reserve; thence southeasterly along the western boundary of the said Reserve to the southwest corner of the said Reserve, this being the point of commencement, excepting therefrom the Canadian Pacific Railway right of way and the right of way of the Calgary Power Company transmission line and the surveyed trail from Morley to the south boundary of the Reserve, the whole to be surrendered containing approximately 5,000 acres more or less.

WHEREAS all rentals due and accruing due under said lease have been paid in full;

I DO HEREBY DIRECT that the Shell Oil Company of Canada Limited be permitted to relinquish the land lastly above described from the said leasing agreement, and that the lease shall hereafter relate only to the balance of the property, containing an area of 4,000 acres, more or less.

Dated at Ottawa the day of 1943.

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001/62

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> Commencing at the southwest corner of the said Reserve; thence easterly along the said south boundary a distance of 10,560 feet; thence northwesterly parallel to the westerly boundary of the said Reserve to the southern boundary of the Calgary Power Company's reservoir; thence southwesterly along the southern shore of said reservoir to the westerly boundary of the said Reserve; thence southeasterly along the western boundary of the said Reserve to the southwest corner of the said Reserve, this being the point of commencement, excepting therefrom the Canadian Pacific Railway right of way and the right of way of the Calgary Power Company transmission line and the surveyed trail from Morley to the south boundary of the Reserve, the whole to be surrendered containing approximately 5,000 acres more or less.

WHEREAS all rentals due and accruing due under said lease have been paid in full;

I DO HEREBY DIRECT that the Shell Oil Company of Canada Limited be permitted to relinquish the land lastly above described from the said leasing agreement, and that the lease shall hereafter relate only to the balance of the property, containing an area of 4,000 acres, more or less.

Dated at Ottawa the day of 1943.

Minister of Mines and Resources.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Y. 600868

July 22/43

PRECIS FOR THE CLERK OF THE PRIVY COUNCIL.

Authority to sell the timber stand on Arrow Lake Indian Reserve under Clause 76 of the Indian Act, without surrender because a surrender of the timber cannot be obtained in the usual way, as there are no male members of the Band, the sale price to be inclusive of ground rental, not assessed.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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RESERVES AND TRUSTS

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

File 30109-1

INDIAN AFFAIRS
BRANCH

Ottawa, August 24, 1943.

Dear Sir,-

Re: James Smith Reserve,
John Smith Reserve
Beardy's Reserve, and
One Arrow Reserve.

I acknowledge your letter of August 20th, to which was attached your letter of August 14th, addressed to the Department of Natural Resources, Regina, Sask., and returned to you by that Department, having reference to the Chiefs of the above mentioned Indian Reserves, who are complaining about payment of dues on certain wood materials cut for sale on Indian Reserves.

For your information I would advise that dues paid by Indians for any timber cut for sale on their reserves are in accordance with the terms of the Indian Act and Regulations for the Disposal of Timber on Indian Reserves, such dues being set out under section 20 of the Regulations, copy of which is attached for your information.

The procedure followed in issuing permits when an Indian or Indians of the Band wish to cut timber on their reserve for sale is, to have a request made to their Agent by band resolution for a permit to cut timber for sale or for their own use in repairing their own buildings, erecting new ones, or fencing, etc.
If the resolution is favourably considered by the Band, it is then forwarded to this office by the Agent with his recommendation. Such recommendations are given due consideration, and the Agent is given authority to issue the necessary permits in accordance with the request.
In this connection I would direct your attention to section 15 of the Regulations.

(Over)

J. J. F. MacIsaac, Esq.,
Barrister, etc.,
Imperial Bank Building,
Prince Albert, Sask.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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When a band resolution on behalf of Indians to cut wood for sale is received, and the Agent is authorized to issue permits, he is also informed that the permit is issued to the Indian or Indians concerned, subject to the collection of dues at tariff rates as mentioned in section 20 of Regulations, and according to the kind of material being sold. All moneys so collected are forwarded to this office to be credited to the band funds, and will subsequently be used only for the benefit of that particular band.

Should, however, Indians require wood, posts, etc., for their own particular use, such as improving their property in the erection of new buildings, repairs to existing buildings, etc., or as a means of relief, then they are usually given permits covering the amount of material required; dues in such case are invariably waived. (See paragraph two, sec. 15, Regulations).

I hope I have given you sufficient information to enable you to convince your clients that the dues charged are fair and just, and are in accordance with the Indian Act and Regulations for the Disposal of Timber on Indian Reserves.

Yours truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

Enclosure.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30028-1

Ottawa, September 22, 1943.

PERMIT TO CUT PULPWOOD AND FUEL WOOD.

Permission is hereby given to Mr. Michel Castonguay, of St. Alexandre, Kasouraska County, Province of Quebec, to cut 200 cords of rough pulpwood (a cord to consist of 128 cubic feet) and 100 cords of three foot fuel wood (a cord to consist of 90 cubic feet) on the Viger Indian Reserve, County of Temiscouata, Quebec, subject to the following conditions:-

1. That the cutting and removal of the 200 cords of pulpwood and 100 cords of fuel wood shall be completed one year from the above date.

2. That the pulpwood is to be paid for by Mr. Castonguay at the rate of $1.20 per cord of 128 cubic feet, and the fuel wood at 40 cents per cord of 90 cubic feet, and the permittee is required to make a surety deposit of $50.00 to Indian Agent, Mr. Joseph Berube, upon receiving this permit.

3. That cutting operations shall be under the supervision of Indian Agent Jos. Berube, who will also be assured that the wood is properly scaled, and will collect the balance owing by Mr. Castonguay as each 100 cords of wood is removed from the Reserve.

4. That the permittee shall comply in all respects with such laws and regulations as may be imposed by the Government of the Province of Quebec for the disposal of slash and debris resulting from the cutting operations and the prevention and fighting of forest fires.

Director of Indian Affairs.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

File No. C.18000

DEPARTMENT OF MINES & RESOURCES
INDIAN AFFAIRS BRANCH

CIRCULAR LETTER
To Indian Agents.

Ottawa September 12th, 1938

SYNOPSIS OF REGULATIONS for the disposal of quartz mining claims on Indian Reserves, approved by Order in Council, No. P.C. 2113, dated August 31st, 1938.

1. Indian Reserves may be declared by the Minister to be open for prospecting and staking, after the minerals have been surrendered by the Indians.

2. PERMITS TO PROSPECT are granted by the Director on payment of a fee of $5.00, to those persons only who are authorized under the provincial laws to prospect for minerals.

3. The mode of staking and the size and number of mineral claims must conform to the laws of the province in which the Reserve is situate.

4. MINERAL CLAIMS must be recorded within thirty days after staking and a fee of $10.00 must be paid for each claim recorded.

5. TRANSFERS of minerals claims are subject to a fee of $2.00

6. The recorded holder of a mineral claim must perform 200 days work on such claim within a period of 5 years from the date of recording, and if such work is completed within the first two years, no rental is charged. If not completed within the first two years, rental at the rate of 50 cents per acre per annum must be paid during the third, fourth and fifth years.

7. The recorded holder of a mineral claim shall not cut or remove any timber growing on such claim further than may be necessary for the proper working of the claim.

8. Upon compliance with the regulations, the holder of a mineral claim is entitled to a lease thereof for a term of 21 years. The rent payable thereunder for the first 5 years shall be $1.00 per acre, per annum, for the second five years $1.50 per acre, per annum, and for the remaining 11 years $2.00 per acre, per annum, with the right of renewal for further periods of 10 years, subject to such rentals, terms and conditions as may be deemed advisable by the Minister.

9. All claims in unsurveyed territory must be surveyed by a qualified surveyor at the expense of the applicant for the lease thereof.

10. Royalty is to be paid in proportion to the annual net profit and at the following rates:-

1.	Upon annual profits up to $100,000	3	per	centum
2.	On the excess above	$100,000	up to	$200,000	4	"	"
3.	"	"	"	$200,000	"	$300,000	5	"	"
4.	"	"	"	$300,000	"	$400,000	6	"	"
5.	"	"	"	$400,000	"	$500,000	7	"	"
6.	"	"	"	$500,000	"	$600,000	8	"	"
7.	"	"	"	$600,000	"	$700,000	9	"	"
8.	"	"	"	$700,000	"	$800,000	10	"	"
9.	10% on the excess above $800,000.								

600-785.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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18160-2

Ottawa, Ontario,
June 20, 1941.

TRANSFER OF
PERMIT TO OCCUPY

WHEREAS under date of October 16, 1939, permission was granted to Angus Chisholm of Quesnel, B.C., to occupy an area of land approximately thirty-seven (37) acres on Quesnel Indian Reserve No. 1, for the purpose of placer mining,

AND WHEREAS the said Angus Chisholm has faithfully paid the annual rental amounting to sixty dollars ($60.00),

AND WHEREAS the said Angus Chisholm has, by letter dated June 4, 1941, requested that the privileges granted to him under the above mentioned "Permit to Occupy" be transferred to G. E. Turner, of Quesnel, B.C.

THEREFORE, permission is hereby given to the said G. E. Turner to use and occupy the said land, which is designated as Placer Mining No. 3320 as issued by the Gold Commissioner for British Columbia under date of August 5, 1939, under the same terms and conditions, at the pleasure of the Minister of Mines and Resources, on the payment of an annual rental of sixty dollars ($60.00).

Director of Indian Affairs.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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August 4,1944.

PERMIT TO OCCUPY.

TO WHOM IT MAY CONCERN:

This will certify that in consideration of One hundred dollars paid by the D'Auteuil Lumber Company, Limited, Brown Corporation, of Quebec, Quebec, has been granted permission to occupy such portion of the Timber Berth on Bersimis Indian Reserve presently held by the permittee under license, as may be required for the erection and operation of a portable saw-mill, until the 31st day of December, 1944, subject to the following conditions:-

1. That the land covered by this Permit shall not be used for any other purpose than that specified above.

2. That no trading with Indians or others shall be carried on by the permittee, nor shall it permit anyone whomsoever in its employ or otherwise so to do.

3. That intoxicating liquors shall be prohibited from the land or in the buildings thereon covered by this Permit.

4. That this permit may be assigned to such operator as the permittee may nominate but on the express condition that the permittee accepts full responsibility for its proper operation by such nominee.

Deputy Minister.

The Brown Corporation, of Quebec, Quebec, agrees to rent the above mentioned mill site, subject to the terms as above outlined.

.....

Witness .....

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

Ottawa, Ontario,
October 10, 1941.

Dear Sir:

In reply to a letter dated October 4th just received from Mr. D. J. Allan of this Service, who has recently visited you, I am setting out hereunder the procedure necessary in the disposal of timber from Indian Reserves.

The Indian Act coupled with the Timber Regulations are the primary provisions in the disposal of any timber on Indian Reserves. A copy of "Regulations for the Disposal of Timber on Indian Reserves", Form No. I.A. 348, is enclosed for your guidance. In order that you may have a ready understanding of the Regulations I am setting out hereunder some notes that may be of help.

Timber on Indian Reserves may be disposed of in two ways - sale to white operators and sale by Indians. Thus such sales and the operations necessary for the removal of the timber are governed by the Regulations. The first step in disposing of timber to white operators is that the Indians themselves, by Band resolution, must request the sale and on receipt of this request Surrender of Timber Forms, duly filled out to meet the case of each individual Reserve, are sent to the Indian Agent to be executed by the Chief and Councillors of the Band, whereby they surrender their rights in the timber to His Majesty the King to be sold for their benefit. A copy of this Surrender Form is herewith for your information. Such Surrender duly executed on return to this office is submitted for approval to the Governor in Council. When acceptance has been officially given it is registered with the Secretary of State.

W. H. McPhail, Esq.,
Indian Agent,
Perth,
New Brunswick.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Timber may be sold to white operators on competitive bids only. After the timber has been properly cruised and a valuation established, the timber sale is advertised and tenders invited for the purchase of the same. Usually upset prices are stated and the conditions under which the timber operations are to be carried out are outlined. A copy of one of these advertisements is herewith.

When the quantity of timber to be sold is not large enough to warrant the expense of cruising and evaluating the same, such valuation may be estimated from a report setting out the details secured through the Indian Agent or some other responsible officer. In the advertisement calling for tenders a time limit for the receipt of such tenders is usually stated, allowing any where from twenty-one to thirty days for an examination of the timber.

Where the value of the timber is not larger than $500.00 a sale may be made without public advertisement at the discretion of the Minister.

Tenders must be made on forms which are supplied by the Department, a copy of which is herewith. Ground rental is demanded at the rate of $5.00 per square mile per annum in advance and in computing such ground rental no licence shall be charged at less than eight square miles in area.

A deposit of at least ten per cent of the estimated value of the timber being tendered upon must accompany each tender. The deposit made by the accepted tenderer is deposited with the Department of Finance and is held as a guarantee that the terms of the contract have been satisfactorily carried out by the licensee, and if these terms have not been satisfactorily complied with the deposit may be declared forfeited for the benefit of the Indian owners. It is usual to state that the highest or any other tender is not necessarily accepted. It is usual to provide that preference in the way of employment in the cutting and removal of the timber shall be given to Indians of the Band who own the timber.

The Licence to Cut Timber is issued to the accepted tenderer, a copy of this licence form is herewith.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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The original licence, after being duly signed by the licensee and the Director of Indian Affairs, is kept in this office; the duplicate copy is sent to the licensee, and the triplicate copy is returned to the office of the Indian Agent for his records. All licences to cut timber expire on the 30th day of April each year automatically, and according to the regulations must be renewed annually. An application for renewal must be made by the 1st of July in each year. Renewals cannot be granted until all charges, rental, dues or royalties have been paid covering the operation of the previous year.

Timber sold to white operators is measured by an independent and qualified scaler, who shall send in his returns under sworn declaration that they are correct. A copy of the"Culler's Return" and "Affidavit of Culler" are enclosed.

Licensees are required to pay certain charges for forest fire protection as circumstances may warrant.

When a licensee has completed operations or for any legitimate reason it is deemed advisable to terminate his licence, clearance must be given before the deposit which the Department is holding can be returned to him. It is usual to have the declaration made by the Indian Agent that the operator has carried out logging operations in a proper manner, and to have the local or district forestry officer for the province declare that the operations have been carried out in a satisfactory manner and that no fire hazard has been left by the operator.

No white men are allowed to cut and remove timber under any other authority than by Licence to Cut Timber. Indians of the Band, however, may request by Band resolution, through the office of the Indian Agent, for a permit to cut timber for sale. In such cases the Indians are required to do all the work in connection with the cutting operations. This is provided for under Sections 118 and 119 of the Indian Act and Section 15 of the Timber Regulations. A tariff of dues below which timber from a Reserve may not be sold has been established by Order in Council and is set forth on the white sheet herewith

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(c) Permit to Indian individuals for his own use, such as for building purposes, fencing, etc.

(a) On the recommendation of the Indian Agent, supported by a resolution of the Band, such permit may be authorized by the Director (see Form No. 86). When this authority is given the Indian Agent may issue such permits to individual Indians engaged in cutting the timber, which is their authority for such action. Copies of such permits must be sent to headquarters for record.

(b) Where an individual Indian is desirous of cutting timber for sale in order to provide for his living, he must first have the consent of the Band by resolution duly passed, and the recommendation of the Indian Agent. Where an Indian cuts timber for sale the name of the prospective buyer should, if possible, be sent into headquarters and such purchaser of timber cut by Indians must supply the Department with a statement giving details as to the species, grade, quantity, etc. of such purchase. In no case can timber be removed from the Reserve either by Indians themselves or a purchaser of the same until the dues, according to tariff or otherwise fixed, have been paid. The purchaser is held responsible with the Indian Agent to see that these dues are properly handled. All dues collected from the sale of timber cut by Indians under permit are returned to head office to be credited to Band funds and such dues represent in a measure the equity the whole Band have in the portion of timber sold. All permits issued to Indians expire automatically on the 30th day of April in each year, and if it is required to have them valid a new application should be made.

(c) In cases where Indians, either as individuals or collectively as a Band, apply for the privilege of cutting timber from their own Reserve for

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personal use, such as building material for their houses, barns, etc., fence posts or other construction purposes in connection with their home development or for development purposes common to the Band, this may be granted by the Agent on authority from headquarters, but the Agent must first make his recommendation and assure the Department that the material requested will be used in a bona fide manner for the purposes outlined above. In no case may an Indian be permitted to sell timber cut under such a permit.

The foregoing I trust will give you some idea of how to proceed in the disposal of timber from Reserves in your Agency. If there are any questions or any other information that this office can supply you with, please feel at liberty to write fully and we will do our best to assist you.

Yours very truly,

C. H. Taggart,
In Charge of Timber Sales.

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30001

Ottawa, Ontario,
July 4, 1941.

EXD.
4.

Dear Sir:

We are making a note of the request contained in your letter dated June 23rd and in future you will be notified of any sale of timber that may be advertised.

Yours very truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

END

A. G. Wilson, Esq.,
Lumber Manufacturer,
Boulter, Ontario.

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OFFICE OF THE INDIAN AGENT

CANADA

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

Fredericton, N. B.,
October 4, 1941.

Department of Mines & Resources
Indian Affairs Branch
OCT 8 194
REGISTERED

C. H. Taggart, Superintendent,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Canada.

Dear Harry:-

I was speaking last night to Indian Agent, MacPhail at Perth. It appears that he has 5 or 6 thousand acres of timber lands on which there is, first: A fairly substantial standing of white spruce and balsam fir and saw-log timber, and second: A second crop of pulp. The operators are examining with a view to submitting an offer for its purchase on a stumpage basis and pulp or box-wood by the cord. Mr. MacPhail has a very vague idea of procedure and asked me, if I would have it outlined to him in detail.

Please send him Timber Regulations and a full explaination of procedure, that is, Indian surrender (with forms). Explain the Order-In-Council and advertisement. Send him sample copies of advertisement and all general information. Also advise him what he may do under Indian Permit. He has an idea that he might organize the Indians themselves to take out poplar box-wood. He says there is quite a fine standing of spruce, and that it should be cut, since it is forty years since the last cutting. They use box-wood here in 3 or 4 foot lengths in the manufacture of potatoe crates.

This letter may not have my signature, but if Miss Miller signs it for me, please give it your immediate attention. We have had a good trip so far. Will be in Fredericton all day today, and go as far tomorrow as the oil controller will let us.

Regards,

Alice Miller
for

D. J. Allen.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

Ottawa, Ontario,
October 10, 1941.

Dear Sir:

In reply to a letter dated October 4th just received from Mr. D. J. Allan of this Service, who has recently visited you, I am setting out hereunder the procedure necessary in the disposal of timber from Indian Reserves.

The Indian Act coupled with the Timber Regulations are the primary provisions in the disposal of any timber on Indian Reserves. A copy of "Regulations for the Disposal of Timber on Indian Reserves", Form No. I.A. 348, is enclosed for your guidance. In order that you may have a ready understanding of the Regulations I am setting out hereunder some notes that may be of help.

Timber on Indian Reserves may be disposed of in two ways - sale to white operators and sale by Indians. Thus such sales and the operations necessary for the removal of the timber are governed by the Regulations. The first step in disposing of timber to white operators is that the Indians themselves, by Band resolution, must request the sale and on receipt of this request Surrender of Timber Forms, duly filled out to meet the case of each individual Reserve, are sent to the Indian Agent to be executed by the Chief and Councillors of the Band, whereby they surrender their rights in the timber to His Majesty the King to be sold for their benefit. A copy of this Surrender Form is herewith for your information. Such Surrender duly executed on return to this office is submitted for approval to the Governor in Council. When acceptance has been officially given it is registered with the Secretary of State.

N. H. McPhail, Esq.,
Indian Agent,
Perth,
New Brunswick.

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Timber may be sold to white operators on competitive bids only. After the timber has been properly cruised and a valuation established, the timber sale is advertised and tenders invited for the purchase of the same. Usually upset prices are stated and the conditions under which the timber operations are to be carried out are outlined. A copy of one of these advertisements is herewith.

When the quantity of timber to be sold is not large enough to warrant the expense of cruising and evaluating the same, such valuation may be estimated from a report setting out the details secured through the Indian Agent or some other responsible officer. In the advertisement calling for tenders a time limit for the receipt of such tenders is usually stated, allowing any where from twenty-one to thirty days for an examination of the timber.

Where the value of the timber is not larger than $500.00 a sale may be made without public advertisement at the discretion of the Minister.

Tenders must be made on forms which are supplied by the Department, a copy of which is herewith. Ground rental is demanded at the rate of $5.00 per square mile per annum in advance and in computing such ground rental no licence shall be charged at less than eight square miles in area.

A deposit of at least ten per cent of the estimated value of the timber being tendered upon must accompany each tender. The deposit made by the accepted tenderer is deposited with the Department of Finance and is held as a guarantee that the terms of the contract have been satisfactorily carried out by the licensee, and if these terms have not been satisfactorily complied with the deposit may be declared forfeited for the benefit of the Indian owners. It is usual to state that the highest or any other tender is not necessarily accepted. It is usual to provide that preference in the way of employment in the cutting and removal of the timber shall be given to Indians of the Band who own the timber.

The Licence to Cut Timber is issued to the accepted tenderer, a copy of this licence form is herewith.

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The original licence, after being duly signed by the licensee and the Director of Indian Affairs, is kept in this office; the duplicate copy is sent to the licensee, and the triplicate copy is returned to the office of the Indian Agent for his records. All licences to cut timber expire on the 30th day of April each year automatically, and according to the regulations must be renewed annually. An application for renewal must be made by the 1st of July in each year. Renewals cannot be granted until all charges, rental, dues or royalties have been paid covering the operation of the previous year.

Timber sold to white operators is measured by an independent and qualified scaler, who shall send in his returns under sworn declaration that they are correct. A copy of the"Culler's Return" and "Affidavit of Culler" are enclosed.

Licensees are required to pay certain charges for forest fire protection as circumstances may warrant.

When a licensee has completed operations or for any legitimate reason it is deemed advisable to terminate his licence, clearance must be given before the deposit which the Department is holding can be returned to him. It is usual to have the declaration made by the Indian Agent that the operator has carried out logging operations in a proper manner, and to have the local or district forestry officer for the province declare that the operations have been carried out in a satisfactory manner and that no fire hazard has been left by the operator.

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DISTRICT	European Spruce Sawfly	Leconte's Sawfly	Balsam Fir Sawfly	Jack Pine Sawflies	Yellow-headed Sawfly	Larch Sawfly	Forest Tent Caterpillar	Fall Cankerworm	Pine Shoot Moth	Spruce Budworm	Jack Pine Budworm	Black-headed Budworm	Birch Leaf Skeletonizer	Larch Case-bearer	Bronze Birch Borer	Poplar Borer	Dendroctonus spp.	Spruce Gall Aphid	Balsam Woolly Aphid	Beech Scale	OUTSTANDING FOREST INSECT of each district
Nova Scotia	○	–	–	–	–	–	–	○	–	–	–	–	–	◒	◒	–	–	–	●	●	Beech Scale
Cape Breton & P.E.I.	○	–	–	–	–	–	–	–	–	–	–	–	–	–	○	–	–	–	◒	◒	Beech Scale
Southern N.B.	○	–	–	–	–	◒	–	○	–	–	–	–	○	◒	●	◒	–	–	●	●	Bronze Birch Borer
Northern N.B.	◒	–	–	–	–	○	–	–	–	–	–	–	◒		◒	–	–	–	–	◒	Bronze Birch Borer
Gaspé	◒	–	○	–	–	–	–	–	–	–	–	–	◒	–	○	–	○	–	–	–	Spruce Sawfly
Eastern Townships	◒	–	○	–	◒	–	○	–	–	–	–	–	○	○	○	–	–	◒	–	–	Spruce Gall Aphid
North Shore	◒	–	○	–	○	○	–	–	–	–	–	–	○	–	○	–	–	–	–	–	Spruce Sawfly
Lake St. John	◒	○	○	–	–	○	–	–	–	–	–	–	◒	○	○	–	–	–	–	–	Spruce Sawfly
St. Maurice	◒	○	○	○	○	○	–	–	–	○	–	–	○	○	○	–	–	–	–	–	Spruce Sawfly
Abitibi	◒	–	○	–	–	◒	○	–	–	●	–	–	◒	–	○	–	–	–	–	–	Spruce Budworm
Gatineau-Pontiac	○	–	○	○	–	○	–	–	–	○	–	–	○	○	○	–	–	○	–	–	Spruce Budworm
Timiskaming	○	–	○	○	○	○	○	–	–	◒	–	–	◒	○	○	–	–	–	–	–	Spruce Budworm
Southwestern Ont.	○	○	○	–	–	○	–	●	●	○	○	–	–	◒	○	–	–	●	–	–	Pine Shoot Moth
Southeastern Ont.	○	◒	◒	◒	○	○	○	◒	–	◒	–	–	◒	◒	○	–	–	○	–	–	Spruce Budworm
Nipissing	○	○	●	–	○	◒	–	–	–	●	–	–	●	○	○	–	–	○	–	–	Spruce Budworm
Algoma	–	○	○	○	○	◒	◒	–	–	●	–	–	–	–	○	–	–	○	–	–	Spruce Budworm
Cochrane-Hearst	–	–	–	–	–	○	●	–	–	○	–	–	◒	–	○	–	–	◒	–	–	Tent Caterpillar
Northwestern Ont.	–	–	–	○	○	○	–	–	–	○	◒	–	●	–	◒	◒	○	○	–	–	Jack Pine Budworm
Prairies	–	–	–	–	–	–	○	●	–	–	–	–	–	–	○	◒	–	–	–	–	Fall Cankerworm
Manitoba	–	–	–	–	◒	◒	●	–	–	◒	○	–	◒	–	○	○	–	○	–	–	Spruce Budworm
Northern Sask.	–	–	–	–	◒	–	●	–	–	–	○	–	–	–	○	–	–	◒	–	–	Tent Caterpillar
Northern Alta.	–	–	–	–	◒	–	◒	–	–	–	–	–	–	–	–	○	◒	○	–	–	Tent Caterpillar
Northern B.C.	–	–	–	–	–	–	◒	–	–	◒	–	–	–	–	–	–	–	–	–	–	Spruce Budworm
B.C. interior	–	–	–	–	–	◒	–	–	–	◒	–	–	–	–	–	–	–	–	–	–	Larch Sawfly
B.C. coast	–	–	–	–	–	–	–	–	○	–	–	◒	–	–	–	–	○	–	–	–	Black-headed Budworm

TABLE OF FOREST INSECT INFESTATIONS BY DISTRICTS

● Heavy ◒ Medium

30001

TO ALL EMPLOYERS AND EMPLOYEES ENGAGED IN PULPWOOD OPERATIONS IN THE PROVINCE OF ONTARIO

Gentlemen:

IN THE MATTER of the Wartime Wages Control Order, P.C. 5693, and

IN THE MATTER of applications by several Companies, firms or corporations, who operate camps for the purpose of cutting pulpwood logs, requesting the Board to prescribe the maximum rates of wages which may be paid for all classes of employees engaged in woods operations in connection with the Pulp and Paper Industry, in the Province of Ontario.

FINDING AND DIRECTION

The said applications having been considered by the Board and the applicants having been heard in person by the Board and all parties interested having been heard by the Board or given an opportunity to make representations to the Board:

The Regional War Labour Board for the Province of Ontario finds that the present rates of wages being paid by operators in the Thunder Bay, Rainy River and Fort Frances Districts in the Province of Ontario are, with certain modifications hereinafter set out, declared to be fair and reasonable, and therefore orders that the Schedule of wages hereinafter set out be established and confirmed as the maximum rates of wages which may be paid by any employer in the Province of Ontario to the classifications of labour indicated in the said Schedule.

JOB CLASSIFICATION	MINIMUM MONTHLY RATE.	MAXIMUM MONTHLY RATE.	MAXIMUM DAILY RATE.
ON 30 DAY MONTH BASIS			
COOKEES		$ 54.00	$ 1.80
BULL COOKS OR CHORE BOYS		57.00	1.90
COOKS	$ 60.00	150.00	5.00
CAMP WATCHMAN		54.00	1.80
BARN BOSS		69.00	2.30
NIGHT WATCHMAN		57.00	1.90
DAM AND STORAGE GROUND WATCHMEN.		54.00	1.80

IN ADDITION TO THE WAGES PAID EMPLOYEES SHALL BE PROVIDED WITH SUITABLE BOARD AND LODGING FOR ALL DAYS IN THE CALENDAR MONTH, INCLUDING SUNDAYS AND HOLIDAYS.

- -

ON 26 DAY MONTH BASIS			
GENERAL LABOUR		$ 54.60	$2.10
LOADERS AND UNLOADERS		57.20	2.20
SKIDDERS' HELPERS, ROLLERS & SWAMPERS		57.20	2.20
TEAMSTERS, SKIDDING		63.70	2.45
TEAMSTER, LESS THAN FOUR HORSES.		63.70	2.45
TEAMSTER, FOUR HORSES AND OVER		68.90	2.65
TEAMSTER, PORTAGING, less than four horses		63.70	2.45
TEAMSTER, CAMP		63.70	2.45
BLACKSMITHS	$ 85.00	100.00	3.85
BLACKSMITHS' HELPERS		65.00	2.50
HANDYMEN	$ 75.00	90.00	3.46
HANDYMEN'S HELPER		54.60	2.10

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ON 26 DAY MONTH BASIS(cont'd.)	MINIMUM MONTHLY RATE.	MAXIMUM MONTHLY RATE.	MAXIMUM DAILY RATE.
MECHANIC		$143.00	$5.50
CAMP BUILDER		81.90	3.15
DAM BUILDER		81.90	3.15
TRACTOR DRIVERS: PORTAGING		104.00	4.00
BREAKING ROADS.		104.00	4.00
HAULING TRAINS.		104.00	4.00
FORWARDING FROM STRIPS.		104.00	4.00
TRACTOR DRIVER USING SCRAPER, GRADER, ETC		140.00	5.39
TRUCK DRIVER, HAULING TRAINS, TRAILER-		110.00	4.23
TRUCK DRIVER, PORTAGING, HAULING ON BODY.		92.30	3.55
TRACTOR AND TRUCK HELPERS		57.20	2.20
OUTBOARD MOTOR OPERATORS		83.20	3.20
MECHANIC HELPERS		65.00	2.50
COMPRESSOR OPERATOR		117.00	4.50
JACK HAMMER OR HAND DRILLERS		80.00	3.08
RIVER DRIVERS AND WATERING WOOD ON DRIVE.		83.20	3.20
RIVER DRIVERS, BOATMEN, BOW & STERN.		89.70	3.45
OUTBOARD MOTOR OPERATORS ON DRIVE		89.70	3.45
SORTERS AND SLUICERS		57.20	2.20
FEEDERS OF TIES TO JACKLADDER		57.20	2.20
FEEDERS OF LOGS OR PULP TO JACKLADDER.		57.20	2.20
RAFTSMEN, INLAND WATERS LOGMEN		83.20	3.20
RAFTSMEN, GREAT LAKES RAFTING OUT LOGMEN		96.20	3.70
STORAGE GROUND LOGMEN		83.20	3.20

WORK BOAT OPERATORS, (other than outboard motor operators): THE RATES NOW BEING PAID BY THE INDIVIDUAL OPERATORS SHALL BE CONSIDERED HIS MAXIMUM RATES.

IN ADDITION TO THE WAGES PAID, EMPLOYEES SHALL BE PROVIDED WITH SUITABLE BOARD AND LODGING FOR ALL DAYS IN THE CALENDAR MONTH, INCLUDING SUNDAYS AND HOLIDAYS.

- - - -

PULPWOOD LOADERS TO SLEIGHS IN BUSH-DOUBLE CORD-PEELED-PER DOUBLE CORD.$0.50
PULPWOOD LOADERS TO BOATS.....SINGLE CORD-ROUGH-PER SINGLE CORD...$0.50
PULPWOOD LOADERS TO BOATS.....SINGLE CORD-PEELED-PER SINGLE CORD..$0.45
PULPWOOD LOADERS TO BOATS.....DOUBLE CORD-ROUGH-PER DOUBLE CORD...$1.00
PULPWOOD LOADERS TO BOATS.....DOUBLE CORD-PEELED-PER DOUBLE CORD..$0.90
PULPWOOD LOADERS TO BOATS,JACKPINE....54" ....-ROUGH-PER SINGLE CORD...$0.50
PULPWOOD LOADERS TO BOATS,JACKPINE.DOUBLE CORD-ROUGH-PER DOUBLE CORD...$1.00
PULPWOOD LOADERS TO BOATS,JACKPINE..9'.....ROUGH-PER DOUBLE CORD...$1.20
PULPWOOD LOADERS TO BOATS EMPLOYED ON HOURLY BASIS.....$0.65per hour.

STACKING WOOD IN CARS.....SINGLE CORD-ROUGH-PER SINGLE CORD...$0.30
STACKING WOOD IN CARS.....SINGLE CORD-PEELED-PER SINGLE CORD..$0.25
STACKING WOOD IN CARS.....DOUBLE CORD-ROUGH-PER DOUBLE CORD...$0.60
STACKING WOOD IN CARS.....DOUBLE CORD-PEELED-PER DOUBLE CORD..$0.50
UNLOADERS ON BANK LANDINGS.....SINGLE CORD-ROUGH-PER SINGLE CORD...$0.15
UNLOADERS ON BANK LANDINGS.....DOUBLE CORD-ROUGH-PER DOUBLE CORD...$0.30
UNLOADERS ON BANK LANDINGS.....SINGLE CORD-PEELED-PER SINGLE CORD..$0.12
UNLOADERS ON BANK LANDINGS.....DOUBLE CORD-PEELED PER DOUBLE CORD..$0.24
UNLOADERS ON ICE LANDINGS.....SINGLE CORD-ROUGH-PER SINGLE CORD...$0.15
UNLOADERS ON I CE LANDINGS.....DOUBLE CORD-ROUGH-PER DOUBLE CORD...$0.30
UNLOADERS ON ICE LANDINGS.....SINGLE CORD-PEELED-PER SINGLE CORD..$0.12
UNLOADERS ON ICE LANDINGS.....DOUBLE CORD-PEELED-PER DOUBLE CORD..$0.24
UNLOADERS ON TO SLEIGHS.....SINGLE CORD-ROUGH-PER SINGLE CORD...$0.15
UNLOADERS ON TO SLEIGHS.....DOUBLE CORD-ROUGH-PER DOUBLE CORD...$0.30
UNLOADERS ON TO SLEIGHS.....SINGLE CORD-PEELED -PER SINGLE CORD.$0.12
UNLOADERS ON TO SLEIGHS.....DOUBLE CORD-PEELED-PER DOUBLE CORD..$0.24
TIE LOADERS BY HAND OFF GROUND.....PER TIE.....$0.022
TIE LOADERS OFF JACKLADDER.....PER TIE.....$0.011
SKIDDING TIE LOGS.....8'.....PER TIE LOG..$0.038
SKIDDING TIE LOGS.....16'.....PER TIE LOG..$0.06
SKIDDING TIES.....PER TIE LOG..$0.03

HORSE HAULING, TEAM SUPPLIED BY EMPLOYER:

½ mile haul.....SINGLE CORD-ROUGH-PER SINGLE CORD..$0.15
½ mile haul.....DOUBLE CORD-ROUGH-PER DOUBLE CORD..$0.30
½ mile haul.....SINGLE CORD-PEELED-PER SINGLE CORD.$0.12
½ mile haul.....DOUBLE CORD-PEELED-PER DOUBLE CORD.$0.24
1 mile haul.....SINGLE CORD-ROUGH-PER SINGLE CORD..$0.20
1 mile haul.....DOUBLE CORD-ROUGH-PER DOUBLE CORD..$0.40
1 mile haul.....SINGLE CORD-PEELED-PER SINGLE CORD.$0.16
1 mile haul.....DOUBLE CORD-PEELED-PER DOUBLE CORD.$0.32
1½ mile haul.....SINGLE CORD-ROUGH-PER SINGLE CORD..$0.25
1½ mile haul.....DOUBLE CORD-ROUGH-PER DOUBLE CORD..$0.50
1½ mile haul.....SINGLE CORD-PEELED-PER SINGLE CORD.$0.20
1½ mile haul.....DOUBLE CORD-PEELED-PER DOUBLE CORD.$0.40
2 mile haul.....SINGLE CORD-ROUGH-PER SINGLE CORD..$0.30
2 mile haul.....DOUBLE CORD-ROUGH-PER DOUBLE CORD..$0.60
2 mile haul.....SINGLE CORD-PEELED-PER SINGLE CORD.$0.24
2 mile haul.....DOUBLE CORD-PEELED-PER DOUBLE CORD.$0.48
3 mile haul.....SINGLE CORD-ROUGH-PER SINGLE CORD..$0.40
3 mile haul.....DOUBLE CORD-ROUGH-PER DOUBLE CORD..$0.80
3 mile haul.....SINGLE CORD-PEELED-PER SINGLE CORD.$0.32
3 mile haul.....DOUBLE CORD-PEELED-PER DOUBLE CORD.$0.64

(1) EMPLOYERS ARE AUTHORIZED TO PAY TO THOSE OF THEIR EMPLOYEES WHO REMAIN IN THE CONTINUOUS SERVICE OF ANY EMPLOYER FOR A PERIOD OF THREE MONTHS OR MORE FOLLOWING THE DATE ON WHICH THEY ARE HIRED FOR THE CURRENT SEASON, A SERVICE BONUS OF TEN DOLLARS ($10.00) PER MONTH COVERING THE ENTIRE PERIOD OF EMPLOYMENT.

IF FOR ANY REASON BEYOND HIS CONTROL AN EMPLOYEE CANNOT REMAIN FOR THREE MONTHS, FOR EXAMPLE, IF THE CAMP DOES NOT OPERATE FOR THREE MONTHS, OR IF THE EMPLOYEE IS PREVENTED FROM WORKING BY REASON OF ILLNESS OR ACCIDENT EITHER TO HIMSELF OR TO MEMBERS OF HIS IMMEDIATE FAMILY, OF IF HE IS DRAFTED FOR MILITARY SERVICE, OR DRAFTED INTO OTHER EMPLOYMENT BY AN ORDER OF A NATIONAL SELECTIVE SERVICE OFFICER, THEN THE ADVISORY COMMITTEE FOR THE ZONE IN WHICH THE EMPLOYEE WAS WORKING WILL DETERMINE THE AMOUNT OF BONUS PAYABLE TO SUCH EMPLOYEE UPON APPLICATION BY HIS EMPLOYER.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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NOTE:
NO SERVICE BONUS IS TO BE PAID EXCEPT UNDER THE CONDITIONS NOTED ABOVE. APPLICATIONS FOR PERMISSION TO PAY A SERVICE BONUS TO AN EMPLOYEE WHO DOES NOT REMAIN FOR THREE MONTHS OR MORE IN CAMP SHALL BE MADE IN WRITING TO THE ADVISORY COMMITTEE, HEREINAFTER SET UP TO ASSIST IN THE ENFORCEMENT OF THIS SCHEDULE OF RATES, AND SUCH APPLICATION SHOULD BE ACCOMPANIED BY THE RECOMMENDATION OF THE OFFICER OF THE DEPARTMENT OF LANDS AND FORESTS WHO ASSISTS IN THE ENFORCEMENT OF THIS SCHEDULE IN THE CAMP OF THE EMPLOYER CONCERNED.

THE DECISION OF ANY ADVISORY COMMITTEE WITH RESPECT TO SUCH APPLICATION IS SUBJECT TO APPEAL TO THE REGIONAL WAR LABOUR BOARD.

(2) COST OF LIVING BONUS:
THE COST OF LIVING BONUS RECENTLY ANNOUNCED BY THE NATIONAL WAR LABOUR BOARD ON AUGUST 4, 1942, MUST BE PAID BY ALL EMPLOYERS TO ALL EMPLOYEES, AND IF THE COST OF LIVING INDEX SHOULD CHANGE, THE BONUS IS TO BE ADJUSTED AS DIRECTED BY THE NATIONAL WAR LABOUR BOARD BY FUTURE ORDERS.

(3) EMPLOYERS MAY PAY THE TRANSPORTATION OF EMPLOYEES TO AND FROM THEIR CAMP ONCE DURING THE SEASON, THAT IS, THEIR FARE IN AND OUT.

(4) ALL TOOLS, GOODS AND MERCHANDISE SOLD BY AN EMPLOYER TO AN EMPLOYEE SHALL BE SOLD AT A RETAIL PRICE NOT EXCEEDING AND NOT LESS THAN THE PREVAILING RETAIL PRICE OF SUCH TOOLS, GOODS AND MERCHANDISE AT THE NEAREST TOWN OR CITY TO THE CAMP WHERE SUCH TOOLS, GOODS OR MERCHANDISE ARE BEING USED BY THE EMPLOYEE.

(5) THE OPERATORS AGREE TO MAINTAIN IN ALL THEIR CAMPS, SANITARY CONDITIONS SET BY THE ONTARIO PROVINCIAL DEPARTMENT OF HEALTH.

(6) SCALE SLIPS TO BE ISSUED TO EMPLOYERS WITHIN SEVEN (7) DAYS AFTER THE WOOD HAS BEEN PILED BY PIECEWORKERS.

(7) MAIL SHALL BE DELIVERED FREE OF CHARGE AND AS OFTEN AS POSSIBLE.

(8) NO CHARGE SHALL BE MADE FOR LUGGAGE TRANSPORTATION.

(9) THE FOLLOWING ADVISORY COMMITTEES ARE HEREBY ESTABLISHED AND SUCH COMMITTEES ARE AUTHORIZED TO MAKE RECOMMENDATIONS TO THE REGIONAL WAR LABOUR BOARD IN RESPECT TO ANY MATTER PERTAINING TO THE ADMINISTRATION AND ENFORCEMENT OF THIS SCHEDULE OF MAXIMUM RATES IN THEIR RESPECTIVE DISTRICT, AND ARE ALSO AUTHORIZED TO DEAL WITH APPLICATIONS BY EMPLOYERS FOR PERMISSION TO PAY THE SERVICE BONUS TO EMPLOYEES, WHO FOR REASONS BEYOND THEIR CONTROL, ARE UNABLE TO REMAIN IN THE SERVICE OF THEIR EMPLOYER FOR A PERIOD OF THREE MONTHS OR MORE. IN ALL SUCH CASES THE ADVISORY COMMITTEES WILL DETERMINE A FAIR AND REASONABLE AMOUNT OF THE BONUS TO BE PAID PRO RATA ACCORDING TO THE TIME SPENT BY THE EMPLOYEE IN THE SERVICE OF THE EMPLOYER:

THUNDER BAY DISTRICT

B. F. Avery,	Great Lakes Paper Company,	Fort William, Ont.
D. A. Clark,	Don Clark Company Limited,	Port Arthur, Ont.
A. J. Auden,	Abitibi Paper Company,	Port Arthur, Ont.
W. E. Hunt,	Pigeon Timber Company,	Fort William, Ont.
Bruce Magnusson,	Local 2786, Lumber & Sawmill Workers Union,	Port Arthur,
W. R. Eggleton,	" " " "	" "

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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KENORA DISTRICT

J. A. Ryan,	Ontario & Minnesota Pulp & Paper Co. Ltd.,	Kenora, Ont.
Oliver Stewart,	An employee of the above Company,	

RAINY RIVER DISTRICT

J. A. Mathieu,	J. A. Mathieu Company,	Fort Frances, Ont.
G. H. Silver,	Local 2560, Lumber & Sawmill Workers Union, 134 Scott St.,	
	P. O. Box 861,	Fort Frances, Ont.

NOTE:
THE BOARD MAY ESTABLISH OTHER ADVISORY COMMITTEES LATER IF THE NEED FOR SAME SHOULD ARISE.

ENFORCEMENT AND INSPECTION

(10) OFFICERS OF THE DEPARTMENT OF LANDS AND FORESTS IN EACH AREA WILL CO-OPERATE WITH THE BOARD IN THE ENFORCEMENT OF THIS SCHEDULE.

(11) THIS SCHEDULE OF MAXIMUM RATES SHALL REMAIN IN EFFECT UNTIL FURTHER ORDER OF THIS BOARD AND SHALL NOT BE VARIED IN ANY WAY EXCEPT SUCH VARIANCE IN COST OF LIVING BONUS AS MAY BE DIRECTED FROM TIME TO TIME BY THE NATIONAL WAR LABOUR BOARD.

(12) THIS SCHEDULE OF MAXIMUM RATES SHALL BE EFFECTIVE FROM THE FIRST DAY OF SEPTEMBER, 1942, AND WILL REMAIN IN FORCE UNTIL FURTHER ORDER.

(13) UPON THE RECOMMENDATIONS OF THE ADVISORY COMMITTEES TO BE ESTABLISHED THE REGIONAL WAR LABOUR BOARD MAY FIX A SPECIAL RATE TO APPLY TO ABNORMAL OPERATIONS.

Peter Heenan

(Peter Heenan)
Chairman, Regional War Labour Board.

NOTE: - Section 52 of P. C. 5963 reads as follows:

(1) Any employer, or officer or agent thereof, who contravenes or fails or omits to observe any of the provisions of this Order, or of any authorization, declaration, direction, order or determination of any War Labour Board given or made pursuant to this Order, shall be guilty of an offence and liable on summary conviction to a fine of not less than one hundred dollars ($100.00) and not more than five thousand dollars ($5,000).

(2) Each payment of wages or of a cost of living bonus in accordance with a wage rate or a cost of living bonus paid in contravention of any of the provisions of this Order, or of any authorization, declaration, direction, order or determination of any War Labour Board given or made pursuant to this Order, shall constitute a separate offence.

(3) In any prosecution under this Order, the burden of proof that the payment of any wages, or of any cost of living bonus or other bonus of any kind whatsoever to any employee, is not in contravention of the provisions of this Order or is not in contravention of, or is made pursuant to any authorization, declaration, direction, order or determination of a War Labour Board given or made pursuant to this Order shall be upon the accused.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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KENORA DISTRICT

J. A. Ryan,	Ontario & Minnesota Pulp & Paper Co. Ltd.,	Kenora, Ont.
Oliver Stewart,	An employee of the above Company,	

RAINY RIVER DISTRICT

J. A. Mathieu,	J. A. Mathieu Company,	Fort Frances, Ont.
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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

30001

PLEASE QUOTE
FILE

Department of Mines & Resources
APR 15 1943
REGISTERED

Duncan, B. C.
April 9th. 1943.

Indian Affairs Branch, Dept. of Mines & Resources. Ottawa.

I have had a great many requests recently from prospective purchasers of timber on Indian Reserves regarding the manner of disposal.

In most of these cases I have had to write several letters trying to explain just what the requirements of this Department are in this respect, but even then after I have given all possible information they do not seem to understand just what is required.

I wonder if it would be possible for me to get about 25 copies of the printed Regulations governing the disposal of timber on Indian Reserves in B. C. which I could send out to these applicants so that they will have all the information to begin with thereby doing away with a lot of unnecessary correspondence, as invariably after these applicants find out just what the regulations are they drop the whole matter immediately, especially if they are not very reliable.

If I could not have copies of the printed regulations maybe it would be possible for the Department to send me some mimeographed copies of certain parts of the regulations which would answer the purpose just as well?

(R.H.Moore)
Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30001

EX'D.
A

Ottawa, April 16, 1943.

Mr. R. H. Moore, Indian Agent, Duncan, B. C.

This will acknowledge your letter of April 9th, advising that you have recently received many requests from prospective purchasers of timber on Indian Reserves.

In accordance with your request, I am enclosing herewith a supply of Regulations for the Disposal of Timber on Indian Reserves in the province of British Columbia, which I hope may meet your requirements.

D. J. Allan,
Superintendent,
Reserves and Trusts.

Enclosures.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

OFFICE OF THE GENERAL SUPERINTENDENT OF INDIAN AGENCIES

CANADA
DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

Mines & Resources
APR 17 1943
REGISTERED

File #300-4CM

Regina, April 14, 1943.

EX'D. A

Indian Affairs Branch, Department of Mines & Resources, OTTAWA.

I wish to bring to your attention something that is of importance to Canada, and that is the fuel situation.

As you know, a lot of our Indians make their living by getting out wood and selling it. In many places we have been more or less in the wood business for years but I have often been disappointed that the Indians had to haul the wood to town and sometimes that is a matter of ten or twelve, and even fifteen miles, and probably have to wait there for several hours before selling their wood, after which they were forced to go home, very often all of that distance after nightfall. I have many times thought how much better it would be if we could handle the wood ourselves, that is, buy it at so much per cord and then have it piled at the Agency. We would only pay probably about two thirds of the value of the wood that is sold. This is done in a few places where the Agent has a little money to handle the wood with and we got a start in this when relief was prevalent.

This matter was discussed at our meeting and it was again brought up the day Dr. Moore was here and he remarked right away that he was sure the Government of Canada would furnish us with funds that were required to buy wood. This was received enthusiastically by both the farming instructors and Indian agents and I promised them I would write to Ottawa immediately.

Today I was talking to Mr. Mackie, of the War Time Prices and Trade Board here in Regina, and I remarked that I wondered how much of the $1.00 a cord bonus the dealers will receive, which is supposed to be passed on to the producer, will reach the producer, and that in my opinion it would be very little. I then pointed out that we had been wood dealers ourselves for years and I could not see why we could not receive the $1.00 in question. Mr. Mackie thought my proposition was a reasonable one and the proper way to handle it. I believe this bonus terminates some time during the Summer.

Would you please discuss this matter with the Fuel Controller at Ottawa. In a short time I shall be able to let you know what amount we will require to handle this, etc. Some of the wood naturally will be brought in in poles but we can always arrange to saw it into cord wood and it will be piled near the Agency or farming instructor's place where trucks can come in and haul it away. There is all kinds of wood on some of our reserves. In other places dry wood is getting scarce but I will see that this is organized thoroughly in those places where there is an abundance of wood. I hope this matter will receive immediate attention.

M. Christianson

M. Christianson,
General Superintendent of Indian Agencies.

M Lawson is sending us 28/4/43

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30001

EX'D.

Ottawa, May 6, 1943.

Mr. D. Roy Cameron, Deputy Administrator, Wood Fuel Division,
Wartime Prices and Trade Board, Ottawa.

This Branch can by financing the operations out of Indian Band funds, make advances to Indians on many of the prairie reserves to cut and pile during the summer green cordwood for sale to adjoining towns and communities next fall and winter. Our agents would have to act as distributors. It is extremely doubtful if such operations could be undertaken without a loss unless our agents could be licenses as wood dealers in order that they might be eligible for the bonus paid by the Government, if such arrangement is to be continued beyond June first.

Could you please advise whether the Wartime Prices and Trade Board would license our agents as wood dealers or in some way recognize them as being entitled to collect the bonus on firewood provided by the Government?

D. J. Allen
Superintendent
Reserves and Trusts

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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R-[redacted]
(Wood Fuel)
File 21-4

OTTAWA, March 31, 1943.

For immediate delivery to

THE PRICES AND SUPPLY REPRESENTATIVE

THE LOCAL REPRESENTATIVE

Respecting assistance in wood fuel production

At the request of D.Roy Cameron Esq., Deputy Wood Fuel Controller, we forward the following important memorandum concerning Dominion Assistance in wood fuel production. The circular has been approved by J.G.Godsoe Esq., on behalf of the Wartime Industries Control Board.

"INSTRUCTIONS TO REGIONAL AND LOCAL OFFICES
WARTIME PRICES AND TRADE BOARD

re

ASSISTANCE IN WOOD FUEL PRODUCTION

The following information and instructions are given respecting the wood fuel subsidies announced by the Minister of Munitions and Supply on March 5, 1943. The policy laid down by the Department of Munitions and Supply respecting these subsidies was given in the press release of above date; a copy is enclosed. You are urged to study it carefully and base your answers to enquiries on the policy therein laid down. It will be noted that the subsidies are only one phase of the assistance the Government is proposing to give. Following are some details of Munitions and Supply policy respecting assistance in fuelwood production.

A. Re General Subsidy

1. The Coal Controller will have authority in his discretion to recognize as a dealer any person who was a dealer in fuelwood and who held a Wartime Prices and Trade Board trade licence as of March 5, 1943.

2. The Coal Controller will have authority to recognize as dealers those holding licences granted since March 5,1943, in special cases where, because of a possible real contribution to increased fuelwood supply, it would be in the public interest to take such action. All such special cases will require approval from the Controller's office at Ottawa.

3. Fuelwood used in the production of charcoal which is to be sold for use as a domestic fuel comes under the subsidy, but not fuelwood used in the manufacture of industrial charcoal used for processing purposes.

B. Re Transportation Subsidy

To pay on the recommendation of the Coal Controller such portion of transportation costs as the Coal Controller considers proper with respect to wood fuel, provided that a dealer must obtain approval from the Coal Controller before contracting for supplies.

Re A. 1.

It should be noted that the subsidy will be payable only to those dealers purchasing direct from producers and who can provide receipts signed by producers showing delivery of wood after March 5, 1943, and cut by producers before July 1, 1943.

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This subsidy is not necessarily confined to persons holding a wood fuel licence. It will be payable also, in the discretion of the Coal Controller, to those who hold any W.P.T.B. trade licence issued on or before March 5, 1943, provided that in the past the sale of wood fuel was an important integral part of their business. This ruling will bring in country storekeepers and others who have regularly dealt with wood fuel in the past.

For purposes of securing the subsidy it is not necessary that all wood should be actually delivered to dealers by July 1, 1943. However, a return must be filed by dealers with the Deputy Wood Fuel Controller not later than July 15, 1943, showing the amounts of fuelwood cut before July 1, 1943, on which subsidy has been or is to be claimed. Claims for subsidy based on quantities given in the return may be made up to December 31, 1943.

You will note that no authority exists under A. 1. for the payment of a subsidy to the farmer who sells direct to the consumer. In such cases the farmer, of course, gets the consumer delivered ceiling price. You will note also that the dealer who is also a producer is not included. However, as a matter of administrative practice, bona fide wood fuel dealers who have a W.P.T.B. trade licence issued on or before March 5, 1943, may obtain the subsidy provided they can produce receipts signed by their employees showing payment to the said employees for wood fuel cut before July 1, 1943, and delivered after March 5, 1943.

It is not intended that the subsidy should be payable to industrial establishments, such as cheese factories, bakeries, etc., who purchase wood fuel supplies direct from the producer and use the wood for heating or processing purposes in their factories. Neither will the subsidy be payable to school boards or similar organizations buying direct from the producers. The general rule is that the subsidy is payable on wood intended for resale.

Re A. 2.

The Coal Controller will interpret this section in his discretion. As you will have noted from the advertisements and press releases, it is the policy of the Department of Munitions and Supply to point out to municipalities that the problem of wood fuel supplies, because of its local nature, continues to be a municipal responsibility and that municipalities must take action to meet the needs of their citizens during the winter of 1943-44. It is expected that municipal and township authorities will act immediately and, with the aid of service clubs, church organizations, and other local bodies, make a survey of local requirements and set machinery in motion to ensure immediate production. However, in an individual case of merit, where the municipality finds it necessary to go into the fuelwood business to meet a real emergency and seeks the privilege of paying the subsidy to producers, such municipality can be brought under the subsidy, provided that the municipality takes out a Wartime Prices and Trade Board wood dealer's licence, either in its own name or in the name of an appropriate municipal officer given authority by the municipal council to take it out on the municipality's behalf.

Wartime Prices and Trade Board offices should accept applications from municipalities for wood fuel dealer's licences and forward them promptly to the Director of Licensing at Ottawa.

Re A. 3.

This ruling is of local application only and special instructions will be issued where these are necessary.

Re B.

It is not intended to grant the transportation subsidy indiscriminately to every applicant. A bona fide case must be made out in each instance, and no responsibility for payment will rest on the

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Government until the subsidy has been approved. It should be noted that to obtain the subsidy dealers must obtain the approval of the Coal Controller before contracting for the supplies to be moved under the subsidy.

In general, the granting of this transportation subsidy will be restricted to cases where it can be shown that there is an increased cost by reason of increased trucking charges, longer hauls, rail shipments replacing former truck haulage, or emergency shipments into distressed areas. The general rule will be, of course, that the subsidy will represent only the increased cost.

Forms FW-1, "Dealer's Application forRegistration for Eligibility to Receive Wood Fuel Subsidy", will be forwarded within the next few days to all dealers who hold a Wartime Prices and Trade Board wood fuel licence issued on or before March 5, 1943. There will, however, be a large number of other dealers in wood who have other W.P.T.B. licences. Supplies of this form will be forwarded to you for distribution on request to such persons. This form, of course, may also be obtained on application to the Deputy Wood Fuel Controller, Norlite Building, Ottawa.

Applicants for subsidies will be required to forward their applications in triplicate direct to the Deputy Wood Fuel Controller, Norlite Building, Ottawa, and further correspondence will be direct between that officer or Commodity Prices Stabilization Corporation and the applicant.

You will also be provided with copies of Form FW-5, "Dealer's Application for Wood Fuel Transportation Subsidy". This form will not be distributed direct from Ottawa to wood fuel dealers and must be obtained on application either from you or from the Deputy Wood Fuel Controller at Ottawa.

In British Columbia, where a separate Regional Wood Fuel Office is set up, all applications for eligibility for subsidy will pass through the hands of H. M Brown, Regional Wood Fuel Officer, 3rd Floor, Marine Building, Vancouver.

A good many requests are being received asking for governmental financial assistance in getting out wood. It is, of course, not the intention of the Government to grant any such assistance, nor to enter the wood fuel business through the purchase of timberlands, etc.

There is also the question of priorities for machinery and equipment. All applications in this connection should be forwarded to the Deputy Wood Fuel Controller at Ottawa who will take the cases up with the Director General of Priorities. Assurance has been given by that officer that every effort will be made to see that equipment is made available where possible, to purchasers desiring same for wood-cutting purposes.

Requests will be received for permission to truck-haul wood over the 35-mile limit. These should also be forwarded to the Deputy Wood Fuel Controller at Ottawa who has entered into arrangements with the Administrator of Services for the granting of permits relaxing the 35-mile limit in bona fide individual cases where wood fuel must be trucked beyond that limit.

The responsibility of the field officers of the Wartime Prices and Trade Board with respect to the policy herein set out is to give advice in accordance with the information above and to provide the necessary forms to applicants. Again your attention is directed to the necessity of familiarizing yourself with the attacked mimeographed copy of the release of the Minister of Munitions and Supply respecting Dominion assistance in encouraging wood fuel production.

G. W. Toole,
Reference Officer,
Regional Offices Division.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

PLEASE REFER
TO FILE_____

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Ottawa, Ontario.

Dear Sir:

Re Wood Fuel Subsidy

This will acknowledge your enquiry re wood fuel subsidy as announced by the Honourable Mr. Howe, Minister of Munitions and Supply. In explanation the following information is given:-

(1) Persons holding a dealer's licence, issued on or before March 5, 1943, are eligible to make application for the subsidy. It should be noted that the subsidy will be payable only to those dealers purchasing direct from producers and who can provide receipts signed by producers showing delivery of wood after March 5, 1943, and cut by producers before July 1, 1943.

(2) This subsidy is not necessarily confined to persons holding a wood fuel licence. It will be payable also, in the discretion of the Coal Controller, to those who hold any Wartime Prices and Trade Board trade licence issued on or before March 5, 1943, provided that in the past the sale of wood fuel was an important integral part of their business.

(3) The bona fide wood dealer who is also a producer and who has a Wartime Prices and Trade Board trade licence issued on or before March 5, 1943, may obtain the subsidy provided he can produce receipts signed by his employees showing payment to the said employees for wood fuel cut before July 1, 1943 and delivered after March 5, 1943.

(4) This subsidy is not payable direct to farmers or other producers as such; it is payable to dealers in order that they may have an additional $1.00 per cord to offer to producers as an encouragement to production. Farmers or other producers who sell direct to consumers are not eligible to receive the subsidy as they are in a position to obtain direct the consumer's delivered ceiling prices.

(5) Form WF-1, Dealer's Application for Registration for Eligibility to Receive Wood Fuel Subsidy, will be forwarded as soon as printed to all dealers who hold a Wartime Prices and Trade Board trade licence issued on or before March 5, 1943. Persons who have dealt in wood fuel but whose licences do not definitely record trade in that commodity can secure forms on application to the Deputy Wood Fuel Controller, Norlite Building, Ottawa, or from any Regional or Local Office of the Wartime Prices and Trade Board.

(6) For purposes of securing the subsidy it is not necessary that all wood should be actually delivered to dealers by July 1, 1943. However, a return must be filed by dealers with the Deputy Wood Fuel Controller not later than July 15, 1943, showing the amounts of fuelwood cut before July 1, 1943, on which subsidy has been or is to be claimed. Claims for subsidy based on quantities given in the return may be made up to December 31, 1943.

(Over)

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(7) While the subsidy will be paid on the basis of standard cords of 128 stacked cubic feet, it may be calculated on all lengths and qualities of wood as may be approved by the Deputy Wood Fuel Controller.

(8) Subsidies will be payable on fuelwood which is to be used in the production of charcoal to be sold for use as a domestic fuel. Subsidies will not be payable on fuelwood used in the manufacture of industrial charcoal to be used for processing purposes.

(9) The subsidy is not payable to industrial establishments such as cheese factories, bakeries, lime kilns, etc., who purchase wood fuel supplies direct from the producer and use the wood for heating or processing purposes in their factories. Neither will the subsidy be payable to school boards or similar organizations buying direct from the producer. The general rule is that the subsidy is payable on wood intended for resale.

(10) Subsidies are not payable on millwood.

(11) It is not the intention of the Dominion Government to finance private individuals or corporations for the production of wood fuel.

Yours very truly,

Deputy Wood Fuel Controller.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Room 502
Norlite Bldg
1 doz copies please

WHEN REPLYING
REFER TO FILE.....

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Ottawa, March 22, 1943.

Dear Sir:

This will acknowledge your enquiry re transportation subsidy for wood fuel as announced by the Honourable Mr. Howe, Minister of Munitions and Supply. In explanation the following information is given:-

(1) This subsidy will only be paid on recommendation of the Coal Controller or the Deputy Wood Fuel Controller.

(2) When applications for subsidy for wood fuel transportation are approved, payments will be limited to such portions of the cost of transportation of wood fuel from the point of production to place of consumption as are represented by:-

(a) An increase in trucking costs, for the same haul, over those charges made during the period July 1st to Dec. 31st, 1941.

(b) Increased transportation charges due to longer hauls because of impossibility of obtaining supplies from former sources.

(c) Increased costs due to lack of trucking facilities making rail shipments necessary, thus increasing transportation costs over trucking costs as charged during the period July 1st to Dec. 31st, 1941.

(d) Increased costs in obtaining emergency supplies during periods of acute wood fuel shortages.

(3) Forms for "Application for Wood Fuel Transportation Subsidy", may be obtained, on request, from the Deputy Wood Fuel Controller or from any Regional or Local Office of the Wartime Prices and Trade Board.

Yours very truly,

E. Roy Lagueroe

Deputy Wood Fuel Controller.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

WHEN REPLYING
REFER TO FILE.....

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Room 502,
Norlite Building,
Ottawa, April 10, 1943.

Circular Letter Re Wood Fuel Subsidy

Dear Sir:

As there has been some confusion on the matter, this is to advise that it is not necessary that all wood should be delivered to the dealer's yard by July 1st. The procedure is that a dealer files application (W.F.-1) for eligibility to receive a subsidy on a certain quantity of wood. If this is approved, he is forwarded direct from Commodity Prices Stabilization Corporation, Forms W.F.-2, Claim for Subsidy; Forms W.F.-3, Receipt from Producers, and Forms W.F.-4, Dealer's Return. A dealer is not restricted to one application for eligibility. If, for instance, in May he finds he can get more wood out, he can file another application, which if approved, will increase the quantity of wood on which he may obtain subsidy by the amount so approved.

A dealer can claim monthly for subsidy on Form W.F.-2 to the extent that he can produce receipts on Forms W.F.-3 showing delivery of wood to him by producers after March 5th last and certified to be cut before July 1st next.

Let us suppose that a dealer has had approval for subsidy on 1,000 cords, but that as of July 1st he has only taken delivery of 500 cords. In such a case, on his return on W.F.-4, which he must make to this office by July 15th next, he will indicate that he has claimed subsidy on 500 cords and has still 500 cords on which subsidy remains to be claimed. This return (W.F.-4) will be filed with Commodity Prices Stabilization Corporation and the Corporation will continue to pay claims up to December 31st next for the amount of wood indicated on the return as not claimed for as of July 1, 1943. It is understood, of course, that the total quantity of wood to be listed on the return (W.F.-4) cannot exceed the approval or approvals for subsidy originally obtained by a dealer on Form W.F.-1 returned to him.

From the above you will see that it will be quite in order for a dealer to arrange with a producer to have wood

(over)

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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cut to his account this spring, and held at point of origin until hauling conditions are good next fall or early winter. He will only get payment of subsidy when he can turn in receipts showing delivery by producer, and payment for wood, and of course subsidy will be granted only on wood cut before July 1, 1943.

Yours very truly,

D. Roy Cameron,
Deputy Wood Fuel Controller.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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FORM WF. 1

WARNING

Under section 15 of the Wartime Industries Control Board Regulations any person who fails to observe any order of a Controller or who obstructs, or makes any false statement or representation to or for the use or information of a Controller or any person acting under his authority is guilty of an offence and liable to a fine up to $5,000 or imprisonment up to 5 years or to both.

DO NOT USE

1.

5.

DEPARTMENT OF MUNITIONS AND SUPPLY—COAL CONTROL

DEALER'S APPLICATION FOR REGISTRATION FOR ELIGIBILITY TO RECEIVE WOOD FUEL SUBSIDY

A. NAME..... (Under which business is conducted) W.P.T.B. LICENCE NO.....

ADDRESS..... (No. and Street) (Town or Village) (County) (Province)

MARKET AREA SERVED..... (City, Town or Area) (Province)

B. I/We hereby make application for registration for eligibility to receive a subsidy of one dollar per full cord of 128 stacked cubic feet of fuel wood delivered or to be delivered after March 5th, 1943, from wood cut or to be cut prior to July 1st, 1943, and intended for sale in the above market area on the following estimated quantities:

KIND OF WOOD	STANDARD CORDS OF 128 STACKED CUBIC FEET	
	Number of Cords applied for	(For Controller's use only) Number of Cords approved
FIRST GRADE HARDWOODS (Hard Maple, Yellow Birch, Beech, Oak, only)		
MIXED HARDWOODS		
MIXED HARDWOODS AND SOFTWOODS		
WHITE BIRCH		
POPLAR		
SOFTWOODS		
TOTAL		

..... (Name under which Business is conducted)

..... (Signature of Owner, Partner, or if a Corporation, of a person authorized by by-law to sign)

DATE..... 194.....

..... (State Owner, Partner or Rank of Official, as the case may be)

C.

1. Only Dealers holding a Wartime Prices and Trade Board Licence on March 5th, 1943, may complete this form. Such Licence Number must be shown in Section "A" above.
2. **Subsidies are not payable in respect of mill wood.** Subsidies will be refused for kinds or grades of cord wood which in the opinion of the Coal Controller are not suitable for use in the area in which the wood is to be sold, and for quantities of Fuelwood, considered in excess of reasonable market requirements.
3. Payment of Subsidy will be made only on submission of a claim for Subsidy (Form WF.2) supported by receipts (Form WF.3) showing payment in full for the wood by the Dealer to the Producer and provided that all claims are in the hands of the Deputy Wood Fuel Controller, Department of Munitions and Supply, Ottawa, not later than December 31st, 1943.
4. A return (Form WF.4) showing all Wood Fuel cut for Dealers' account prior to July 1st, 1943, on which Subsidy has been or will be claimed must be filed with the Deputy Wood Fuel Controller, Department of Munitions and Supply, Ottawa, not later than July 15th, 1943. Failure to file this return (Form WF.4) will render the applicant ineligible for Subsidy payments.
5. One copy of this form (WF.1) will be returned to the applicant by the Commodity Prices Stabilization Corporation Ltd., showing the number of cords of wood approved by the Deputy Wood Fuel Controller as being eligible for Subsidy and a notation of the applicant's registration number in Section "D" below—this Registration Number is to be used by the Applicant on all claims for Subsidy and in all correspondence in respect to this Subsidy with the Deputy Wood Fuel Controller, or the Commodity Prices Stabilization Corporation Ltd.
6. Please indicate approximate number of receipt forms (Form WF.3) required on basis of one receipt per transaction.

..... Please fill in number of Receipts required.

D.

Applicant's Registration No.....

(Do not use this space—one copy of this form will be returned to you with this number filled in.)

E.

THIS SPACE FOR DEPARTMENT USE ONLY

....

DATE..... APPROVED..... Deputy Wood Fuel Controller.

NOTE:—Three copies of this form must be completed in **Ink** or **Typewriter** and signed in **Ink** and forwarded to the Deputy Wood Fuel Controller, Department of Munitions and Supply, Norlite Building, Ottawa. **Exceptions**—In the Province of QUEBEC forms will be forwarded to the Deputy Wood Fuel Controller, 417 St. Peter Street, Montreal; and in BRITISH COLUMBIA to the Regional Wood Fuel Officer, 3rd Floor, Marine Building, Vancouver.

Letters carrying application forms or correspondence with reference to this Subsidy must be stamped with sufficient postage.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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FORMULE
W.F. 1

AVIS

En vertu de l'article 15 des Règlements de la Commission de contrôle des industries en temps de guerre, une personne qui néglige de se conformer à une ordonnance d'un régisseur, qui y fait obstruction, ou qui fait une fausse déclaration ou un exposé inexact à un régisseur ou à une personne agissant en son nom ou pour leur usage, ou leur information, commet un délit punissable d'une amende n'excédant pas cinq mille dollars ou d'une peine n'excédant pas cinq ans d'emprisonnement ou des deux peines à la fois.

N'écrivez pas dans cet espace

1.

5.

MINISTÈRE DES MUNITIONS ET APPROVISIONNEMENTS—RÈGIE DU CHARBON

FORMULE DE DEMANDE D'INSCRIPTION DES MARCHANDS DE BOIS DE CHAUFFAGE DONNANT DROIT À UNE SUBVENTION POUR LE BOIS DE CHAUFFAGE

A. NOM..... LICENCE W.P.T.B. N°.....
(sous lequel le commerce est exploité)

ADRESSE.....
(numéro et rue) (ville ou village) (comté) (province)

RÉGION DESSERVIE.....
(cité, ville ou région) (province)

B. Je soumets par les présentes une demande d'inscription donnant droit à une subvention d'un dollar par corde, mesure pleine, de 128 pieds cubes de bois de chauffage cordé et livré ou devant être livré après le 5 mars 1943, provenant de bois coupé ou devant être coupé avant le 1er juillet 1943, et destiné à être vendu à l'endroit mentionné ci-haut et dont voici les quantités estimatives:

SORTE DE BOIS	CORDES ORDINAIRES DE 128 PIEDS CUBES DE BOIS CORDÉ	
	Nombre de cordes demandées	(A l'usage du régisseur seulement) Nombre de cordes approuvées
BOIS DUR DE PREMIÈRE QUALITÉ (Erable dur, merisier, hêtre, chêne, seulement)		
BOIS DUR MÊLÉ		
BOIS DUR ET BOIS MOU MÊLÉS		
BOULEAU BLANC		
PEUPLIER		
BOIS MOU		
TOTAL		

.....
(Nom sous lequel le commerce est exploité)

.....
(Signature du propriétaire, d'un associé, ou, si une corporation, d'une personne autorisée à signer par un règlement)

DATE.....194..... .....
(Indiquez si propriétaire ou associé, ou le titre du fonctionnaire, selon le cas)

C.

1. Une personne qui détenait une licence de la Commission des prix et du commerce en temps de guerre, le 5 mars 1943, peut remplir cette formule, si elle achète le bois de chauffage pour le revendre. Le numéro de la licence doit paraître au paragraphe A ci-haut.
2. **Pas de subvention pour le bois de scierie.** Les subventions seront refusées pour certaines essences ou pour certaines qualités de bois de corde qui, selon le régisseur du charbon, ne peuvent pas servir dans la région où le bois doit être vendu, et pour des quantités de bois de chauffage qui excèdent les besoins raisonnables du marché.
3. Le paiement de la subvention ne sera fait que sur présentation d'une réclamation de subvention (Formule WF.2) accompagnée de reçus (Formule WF.3) indiquant le paiement intégral du bois, par le Vendeur au Producteur, et pourvu que tous les reçus soient entre les mains du sous-régisseur du bois de chauffage, ministère des Munitions et approvisionnements, Ottawa, au plus tard le 31 décembre 1943.
4. Une déclaration (Formule WF.4) indiquant tout le bois de chauffage coupé pour le compte des marchands de bois de chauffage avant le 1er juillet 1943, et pour lequel une subvention a été ou sera réclamée, doit être adressée au sous-régisseur du bois de chauffage, ministère des Munitions et approvisionnements, Ottawa, au plus tard le 15 juillet 1943. A défaut de production de cette déclaration (Formule WF.4) le demandeur n'aura pas droit au paiement de ces subventions.
5. La Corporation de stabilisation des Prix Ltée retournera au demandeur une copie de la présente formule (WF.1), indiquant le nombre de cordes de bois pour lesquelles le régisseur adjoint du bois pourra accorder une subvention, et le numéro d'inscription du demandeur au paragraphe "D" ci-après. Le demandeur doit reproduire ce numéro d'inscription sur toutes les réclamations de subvention et dans la correspondance relative à cette subvention et adressée au sous-régisseur du bois de chauffage ou à la Corporation de stabilisation des Prix Limitée.
6. Veuillez indiquer le nombre approximatif de formules de reçus (Formule WF.3) que vous désirez recevoir. (Calculez le nombre requis, à raison d'un reçu par transaction avec un producteur.)

Indiquer ici le nombre de reçus requis.

D. Numéro d'inscription du demandeur.....
(N'écrivez pas dans cet espace—une copie de cette formule vous sera retournée avec ce numéro dûment inscrit.)

E. A L'USAGE DU MINISTÈRE SEULEMENT

....

DATE..... APPROUVÉE.....
(Sous-Régisseur du bois de chauffage)

REMARQUES:—Trois copies de cette formule doivent être remplies à l'**encre** ou au **dactylographe**, signées à l'**encre** et envoyées au sous-régisseur du bois de chauffage, ministère des Munitions et approvisionnements, Ottawa, à l'exception des formules remplies par les Licenciés de la Province de Québec, lesquelles devront être adressées au Sous-Régisseur du bois de chauffage, 417, rue Saint-Pierre, Montréal.
Les enveloppes contenant des formules de demande ou des lettres relatives à une subvention **doivent** être suffisamment affranchies.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

WHEN REPLYING
REFER TO FILE

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Department of Mines & Resources
MAY 13 1943
REGISTERED

Mr. Leslie
Please study this material & Report proposed procedure
Mr. McCrimmon
Mr. Leslie

Room 502,
Norlite Building,
May 12, 1943.

Dear Sir,

Your letter of the 6th instant, your file 30001, has been discussed with the Coal Controller. We are of the opinion that we could, within the terms of the authority granted in the Order in Council authorizing the payment of wood fuel subsidies, consider Indian agents as dealers and accept receipts from Indians showing delivery to the agent.

It would be necessary for your Department to arrange with the Licensing Division of the Wartime Prices and Trade Board to have wood dealers' licences taken out in the names of the Indian agents concerned. As soon as this is done we will be in a position to accept applications for eligibility to receive the subsidy on Form WF. 1, copy enclosed.

I am also attaching copies of some circular letters explaining the operation of the subsidy.

Encls.

Yours very truly,

D. Roy Cameron,
Deputy Wood Fuel Controller.

D. J. Allan, Esq.,
Superintendent, Reserves and Trusts,
Indian Affairs Branch,
Department of Mines and Resources,
O t t a w a.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001-1

30001-1

Ottawa, May 15, 1943.

Dear Mr. Stephens:

When you visited this office a few days ago, you referred to certain cordwood operations that might be undertaken in the Lake Winnipeg area. The significance of the statement made by you during the course of that conversation was brought home to me somewhat forcibly by an interview I had with Mr. Clarence Jackson yesterday. Mr. Jackson is convinced that the cordwood situation throughout the Dominion is becoming increasingly acute and that this Bra nch should do everything humanly possible to organize any Indian labour supply that may be available for cordwood operations.

I have discussed this subject still further with Mr. Allan this morning. Both Mr. Allan and myself feel that we are somewhat handicapped in that we have no information with respect to the number of able-bodied Indians who may be available for such work, nor have we information with regard to labour conditions, generally, in Manitoba. We do feel, however, that if you have the organization of certain cordwood camps in mind, the desirability of securing Indian help should be discussed with Inspector Hamilton and with our Indian agents, prior to our treaty payments of this year. In addition to this, Mr. Goodman's services might be used for recruiting men on the northern reserves if you deem such action necessary and desirable.

This Branch could, of course, advance funds to bands of Indians for cordwood operations, and limited sums for this purpose have already been advanced. We are not convinced, however, that this is the most effective approach to the problem in every case. I am sending a copy of this letter to Inspector Hamilton, and it would certainly be appreciated if you could discuss this matter with him at an early date and let us have an expression of your views.

Yours sincerely,

R. A. Hoey,
Supt. of Welfare & Training.

D. M. Stephens, Esq.,
Deputy Minister,
Dept. of Mines & Natural Resources,
Legislative Buildings,
W i n n i p e g, Man.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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WHEN REPLYING
REFER TO FILE.....

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Department of Mines & Resources
Indian Affairs
MAY 18 1943
REGISTERED

Room 502,
Norlite Building,
May 17, 1943.

Dear Sir,

The Regional Wood Fuel Officer at Vancouver is very anxious to have some arrangements made for the production of fuelwood on Indian reserves adjacent to the City of Vancouver.

Would it be possible for you to advise the appropriate Indian Agents that this is a policy that might be encouraged?

Yours very truly,

D. Roy Cameron,
Deputy Wood Fuel Controller.

Dr. H. W. McGill,
Director of Indian Affairs,
Department of Mines and Resources,
O t t a w a .

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Dr. McGill: 30001

Should this be Welfare & Training or Reserves & Trusts?

S. R & Y

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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RESERVES AND TRUSTS

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

30001-1
INDIAN AFFAIRS
BRANCH

Ottawa, May 22, 1943.

MEMORANDUM FOR FILE

RE: ADVANCES FOR WOOD

43

R. S. Davis ✓	- Touchwood Agency - F.30121-1	Muscowequan a/c 231 - $200 sent Apr.28/	
		Poorman's a/c 187 - $200 " " "	
J.P.B.Ostrander ✓	- Battleford Agency- F. 30105-1	Thunderchilda/c 305 - $400 " " "	
		Poundmaker a/c 264 - $400 " " "	
		Stoney a/c 332 - $400 " " "	
		Sweetgrass a/c 265 - $400 " " "	
Samuel Lovell ✓	- The Pas Agency F. 30128-7	- The Pas a/c 233 - $2000 authorized May 21/43	
Frank Booth	- Qu'Appelle Agency- F. 30114-7	$300 requested - departmental letter May 5/43 to Mr. Christianson asked for detailed report.	
S. H. Simpson ✓	- Duck Lake Agency F. 30109-6	- Kinistino a/c 268 - $200 sent May 22/43	

Wood dealers' licences applied for - for above Indian Agents May 22, 1943, F. 30001-1.

See also next page

A. G. Leslie,
For Chief, Trusts & Annuities Division.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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SamuelDevlin	- Parry Sound Agency F.30022-1	- $1,000.00 requested for Gibson Band. $200.00 forwarded May 26/43, a/c 123. Get wood dealers' licence.
A. G. Smith	- Birtle Agency F.600569	- $1,000.00 send June 9/43 in connection with wood cutting operations in Riding Mountain National Park. Also letter with enclosures re Government subsidy.
Frank Booth	-Qu'Appelle Agency F. 30114-7	- $300.00 requested for Carry-the-Kettle Band. Cheque Requisition June 21/43. Account No. 145. (Advance in connection with cord wood operations contemplated for Carry-the-Kettle Band, refundable when the wood is sold).

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

MC 30001-1

Ottawa, Ontario,
May 22, 1943.

Dear Sir:

In reply to a letter of ours to D. Roy Cameron, Deputy Wood Fuel Controller, dated May 6, 1943, copy of which is attached, he, on May 12th, advised that it would be necessary for us to arrange with the Licensing Division of the Wartime Prices and Trade Board to have wood dealers' licences taken out in the names of the Indian Agents concerned.

Would you please furnish us with directions and forms necessary to procure such licences for the following Indian Agents:-

R. S. Davis,	Indian Agent,		Punnichy, Saskatchewan.
J.P.B. Ostrander,	"	"	Battleford, Saskatchewan.
Samuel Lovell,	"	"	The Pas, Manitoba.
Frank Booth,	"	"	Muscow, Saskatchewan.
S. H. Simpson,	"	"	Duck Lake, Saskatchewan.

Encl.

Yours truly,

D. J. Allan,
Superintendent, Reserves & Trusts.

The Licensing Division,
Wartime Prices and Trade Board,
OTTAWA, Ontario.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30001-1

Ottawa, May 24, 1943.

Dear Sir:

We acknowledge your letter of May 17th and note that the Regional Wood Fuel Officer at Vancouver suggests some effort be made to produce fuel wood on Indian Reserves adjacent to that city.

We are writing Major D.M.MacKay, Commissioner for B.C., today suggesting that he get in touch with the Regional Wood Fuel Officer and see if they can work out any plan under which this Branch can co-operate to that end.

Yours very truly,

H. W. McGill

Director

D. Roy Cameron, Esq.,
Deputy Wood Fuel Controller,
Department of Munitions & Supply,
Room 502 Norlite Building,
O t t a w a.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30001-1

Ottawa, May 24, 1943.

Major D. M. MacKay, Indian Commissioner for B.C.
Vancouver, B.C.

We are in receipt of advice from the Deputy Wood Fuel Controller that the Regional Wood Fuel Officer at Vancouver is very anxious to make arrangements for the production of fuel wood from Indian Reserves adjacent to that city. It would be appreciated if you could get in touch with him and report.

It occurs to us that you might be able to suggest some method by which the wishes of the Deputy Wood Fuel Controller might be met. On the prairies we have arranged in certain instances to make advances from band funds to pay for green wood cut and piled for seasoning in order that it may be saleable next winter. If any of your agents could organize wood cutting camps to meet the threatened fuel shortage such an effort should be encouraged and this office will co-operate in any practical plan.

H. Jones

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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300017

CANADA

THE WAR PRICES AND TRADE BOARD

Licensing Division,
Temporary Building No. 7,
Ottawa, Ontario,
May 26th, 1943.

Department of Mines & Resources
Indian Affairs Branch
MAY 27 1943
REGISTERED

Mr. D. J. Allan,
Superintendent, Reserves & Trusts,
Department of Mines and Resources,
Ottawa, Ontario.

Dear Sir:

I have for acknowledgment your letter of the 22nd instant referring to the licensing of Indian Agents as dealers' in fuel wood.

As these are Crown Agencies I may advise you that they are not subject to the licensing regulations under Order # 202 of this Board. It would appear to be quite in order to produce and dispose of fuel wood as outlined in your letter of May 6th addressed to Mr. D.Roy Cameron.

Is it safe to infer from this that cord wood produced by Indians will receive the subsidy?

Very truly yours,

W. Thomson

W. Thomson,
Ass't Director of Licensing

DFM:KB

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

File 30001-1

EX'T
A

Ottawa, May 27, 1943.

Dear Sir:

In our letter to you of May 6th we asked if our Indian Agents who conduct fuel wood cutting operations on behalf of Indian Bands and act as distributors of the product, could be recognized as dealers and as such be eligible to collect the wood fuel subsidy.

In your reply dated May 12th you expressed the view that they could be recognized as dealers "and accept receipts from Indians showing delivery to the agent". You further expressed the view that we should obtain wood dealers' licenses in the names of the Agents from the Licensing Division of the Wartime Prices and Trade Board.

We are now in receipt of a letter from that Board over the signature of the Assistant Director of Licensing, copy attached, to the effect that as Crown Agencies the said Agents are not subject to the said licensing regulation, and that it would be in order for the Agents to produce and dispose of fuel wood as outlined in our letter to you first above quoted, ~~and~~ we ~~are~~ therefore now in a position to instruct our Agents to submit applications for eligibility to receive the subsidy on Form W.F.1, substituting on that form, where indicated, the words "Crown Agent" in the space provided for the applicant's license number.

If this is correct, could we please be furnished with a supply of forms W.F.1 for that purpose and such other forms as under the regulations the dealer would be expected to send in.

Yours very truly,

D. J. Allan
Superintendent
Reserves and Trusts

D. Roy Cameron, Esq.,
Deputy Wood Fuel Controller,
Department ~~of Munitions & Supply~~ Wartime Prices,
Room 502 Norlite Bldg.,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001-1

WHEN REPLYING
REFER TO FILE

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Department of Mines & Resources
Branch
JUN 1 1943
REGISTERED

Mr Munroe
Mr Leslie

Room 502,
Norlite Building,
May 29, 1943.

Dear Sir,

Replying to yours of the 27th instant, the procedure proposed by the Assistant Director of Licensing, W.P.T.B., is, of course, entirely satisfactory to this office.

I am forwarding you under separate cover 500 Forms WF. 1. You will note that these have to be submitted in triplicate.

If further supplies are required by any Indian Agent, he can probably obtain them direct from the nearest Local Office of the Wartime Prices and Trade Board. They can also be obtained from R. M. Brown, Regional Wood Fuel Officer, 331 Marine Building, Vancouver, or from J. C. Veness, Regional Wood Fuel Officer, Post Office Building, Fredericton, New Brunswick.

Yours very truly,

D. Roy Cameron,
Deputy Wood Fuel Controller.

D. J. Allan, Esq.,
Superintendent, Reserves and Trusts,
Indian Affairs Branch,
Department of Mines and Resources,
O t t a w a .

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001-1

WHEN REPLYING
REFER TO FILE.....

TROST

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Department of Mines & Resources
Indian Affairs Branch
JUN 1 1943
REGISTERED

Room 502,
Norlite Building,
May 27, 1943.

Dear Sir,

This will acknowledge with thanks yours of the 24th instant, stating that you are arranging to have Major MacKay get in touch with Mr. Brown, re production of fuelwood from Indian reserves near Vancouver.

Yours very truly,

D. Roy Cameron,
Deputy Wood Fuel Controller.

Dr. H. W. McGill,
Director, Indian Affairs Branch,
Department of Mines and Resources,
O t t a w a .

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

OFFICE OF THE GENERAL SUPERINTENDENT OF AGENCIES

CANADA
DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

File #310-4CM

Department of Mines & Resources
Indian Affairs Branch
JUN 14 1943
REGISTERED

Regina, June 9th, 1943.

Indian Affairs Branch, Department of Mines & Resources, OTTAWA.

With further reference to the cutting of cord wood by Indians and particularly to the $1.00 subsidy paid by the Federal Government I would like to be advised whether Indians turning over wood to our Agency staffs to be paid from public funds would get the $1.00 subsidy.

Indian Agent Bryant has written me a letter stating that he wishes to make arrangements with the Cote Indians to cut cord wood now for next Winter to be delivered in the Fall, and he wishes to know whether he can promise the Indians this extra $1.00 or not.

M. Christianson,
General Superintendent of Indian Agencies.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

MC 30001

Ottawa, Ontario,
June 19, 1943.

EX'D.
A.

M. Christianson, Esq., General Superintendent of Indian Agencies, Regina, Sask.

In reply to your letter of June 9, 1943, we are enclosing a number of circular letters issued by the Department of Munitions and Supply, which will inform you as to the conditions under which subsidy is paid. If there is any further information you desire in this connection please advise.

Encls.

D. J. Allan,
Superintendent, Reserves & Trusts.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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FORM
WF. 1

WARNING

Under section 15 of the Wartime Industries Control Board Regulations any person who fails to observe any order of a Controller or who obstructs, or makes any false statement or representation to or for the use or information of a Controller or any person acting under his authority is guilty of an offence and liable to a fine up to $5,000 or imprisonment up to 5 years or to both.

DO NOT USE

1.

5.

DEPARTMENT OF MUNITIONS AND SUPPLY—COAL CONTROL

DEALER'S APPLICATION FOR REGISTRATION FOR ELIGIBILITY TO RECEIVE WOOD FUEL SUBSIDY

A. NAME..... W.P.T.B. LICENCE No.....
(Under which business is conducted)

ADDRESS..... (No. and Street) (Town or Village) (County) (Province)

MARKET AREA SERVED..... (City, Town or Area) (Province)

B. I/We hereby make application for registration for eligibility to receive a subsidy of one dollar per full cord of 128 stacked cubic feet of fuel wood delivered or to be delivered after March 5th, 1943, from wood cut or to be cut prior to July 1st, 1943, and intended for sale in the above market area on the following estimated quantities:

KIND OF WOOD	STANDARD CORDS OF 128 STACKED CUBIC FEET	
	Number of Cords applied for	(For Controller's use only) Number of Cords approved
FIRST GRADE HARDWOODS (Hard Maple, Yellow Birch, Beech, Oak, only)		
MIXED HARDWOODS		
MIXED HARDWOODS AND SOFTWOODS		
WHITE BIRCH		
POPLAR		
SOFTWOODS		
TOTAL		

..... (Name under which Business is conducted)

..... (Signature of Owner, Partner, or if a Corporation, of a person authorized by by-law to sign)

DATE.....194.....

..... (State Owner, Partner or Rank of Official, as the case may be)

C.

1. Only Dealers holding a Wartime Prices and Trade Board Licence on March 5th, 1943, may complete this form. Such Licence Number must be shown in Section "A" above.
2. **Subsidies are not payable in respect of mill wood.** Subsidies will be refused for kinds or grades of cord wood which in the opinion of the Coal Controller are not suitable for use in the area in which the wood is to be sold, and for quantities of Fuelwood, considered in excess of reasonable market requirements.
3. Payment of Subsidy will be made only on submission of a claim for Subsidy (Form WF.2) supported by receipts (Form WF.3) showing payment in full for the wood by the Dealer to the Producer and provided that all claims are in the hands of the Deputy Wood Fuel Controller, Department of Munitions and Supply, Ottawa, not later than December 31st, 1943.
4. A return (Form WF.4) showing all Wood Fuel cut for Dealers' account prior to July 1st, 1943, on which Subsidy has been or will be claimed must be filed with the Deputy Wood Fuel Controller, Department of Munitions and Supply, Ottawa, not later than July 15th, 1943. Failure to file this return (Form WF.4) will render the applicant ineligible for Subsidy payments.
5. One copy of this form (WF.1) will be returned to the applicant by the Commodity Prices Stabilization Corporation Ltd., showing the number of cords of wood approved by the Deputy Wood Fuel Controller as being eligible for Subsidy and a notation of the applicant's registration number in Section "D" below—this Registration Number is to be used by the Applicant on all claims for Subsidy and in all correspondence in respect to this Subsidy with the Deputy Wood Fuel Controller, or the Commodity Prices Stabilization Corporation Ltd.
6. Please indicate approximate number of receipt forms (Form WF.3) required on basis of one receipt per transaction.

..... Please fill in number of Receipts required.

D. Applicant's Registration No.....
(Do not use this space—one copy of this form will be returned to you with this number filled in.)

E. THIS SPACE FOR DEPARTMENT USE ONLY

....

DATE..... APPROVED..... Deputy Wood Fuel Controller.

NOTE:—Three copies of this form must be completed in **Ink** or **Typewriter** and signed in **Ink** and forwarded to the Deputy Wood Fuel Controller, Department of Munitions and Supply, Norlite Building, Ottawa. **Exceptions**—In the Province of QUEBEC forms will be forwarded to the Deputy Wood Fuel Controller, 417 St. Peter Street, Montreal; and in BRITISH COLUMBIA to the Regional Wood Fuel Officer, 3rd Floor, Marine Building, Vancouver. Letters carrying application forms or correspondence with reference to this Subsidy **must** be stamped with sufficient postage.

M.& S. 1031

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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FORMULE
W.F. 1

AVIS

En vertu de l'article 15 des Règlements de la Commission de contrôle des industries en temps de guerre, une personne qui néglige de se conformer à une ordonnance d'un régisseur, qui y fait obstruction, ou qui fait une fausse déclaration ou un exposé inexact à un régisseur ou à une personne agissant en son nom ou pour leur usage, ou leur information, commet un délit punissable d'une amende n'excédant pas cinq mille dollars ou d'une peine n'excédant pas cinq ans d'emprisonnement ou des deux peines à la fois.

N'écrivez pas dans cet espace

1.

5.

MINISTÈRE DES MUNITIONS ET APPROVISIONNEMENTS—RÈGIE DU CHARBON

FORMULE DE DEMANDE D'INSCRIPTION DES MARCHANDS DE BOIS DE CHAUFFAGE DONNANT DROIT À UNE SUBVENTION POUR LE BOIS DE CHAUFFAGE

A. NOM..... LICENCE W.P.T.B. N°.....
(sous lequel le commerce est exploité)

ADRESSE.....
(numéro et rue) (ville ou village) (comté) (province)

RÉGION DESSERVIE.....
(cité, ville ou région) (province)

B. Je soumets par les présentes une demande d'inscription donnant droit à une subvention d'un dollar par corde, mesure pleine, de 128 pieds cubes de bois de chauffage cordé et livré ou devant être livré après le 5 mars 1943, provenant de bois coupé ou devant être coupé avant le 1er juillet 1943, et destiné à être vendu à l'endroit mentionné ci-haut et dont voici les quantités estimatives:

SORTE DE BOIS	CORDES ORDINAIRES DE 128 PIEDS CUBES DE BOIS CORDÉ	
	Nombre de cordes demandées	(A l'usage du régisseur seulement) Nombre de cordes approuvées
BOIS DUR DE PREMIÈRE QUALITÉ (Erable dur, merisier, hêtre, chêne, seulement)		
BOIS DUR MÊLÉ		
BOIS DUR ET BOIS MOU MÊLÉS		
BOULEAU BLANC		
PEUPLIER		
BOIS MOU		
TOTAL		

.....
(Nom sous lequel le commerce est exploité)

.....
(Signature du propriétaire, d'un associé, ou, si une corporation, d'une personne autorisée à signer par un règlement)

DATE..... 194.....

.....
(Indiquez si propriétaire ou associé, ou le titre du fonctionnaire, selon le cas)

C.

1. Une personne qui détenait une licence de la Commission des prix et du commerce en temps de guerre, le 5 mars 1943, peut remplir cette formule, si elle achète le bois de chauffage pour le revendre. Le numéro de la licence doit paraître au paragraphe A ci-haut.
2. **Pas de subvention pour le bois de scierie.** Les subventions seront refusées pour certaines essences ou pour certaines qualités de bois de corde qui, selon le régisseur du charbon, ne peuvent pas servir dans la région où le bois doit être vendu, et pour des quantités de bois de chauffage qui excèdent les besoins raisonnables du marché.
3. Le paiement de la subvention ne sera fait que sur présentation d'une réclamation de subvention (Formule WF.2) accompagnée de reçus (Formule WF.3) indiquant le paiement intégral du bois, par le Vendeur au Producteur, et pourvu que tous les reçus soient entre les mains du sous-régisseur du bois de chauffage, ministère des Munitions et approvisionnements, Ottawa, au plus tard le 31 décembre 1943.
4. Une déclaration (Formule WF.4) indiquant tout le bois de chauffage coupé pour le compte des marchands de bois de chauffage avant le 1er juillet 1943, et pour lequel une subvention a été ou sera réclamée, doit être adressée au sous-régisseur du bois de chauffage, ministère des Munitions et approvisionnements, Ottawa, au plus tard le 15 juillet 1943. A défaut de production de cette déclaration (Formule WF.4) le demandeur n'aura pas droit au paiement de ces subventions.
5. La Corporation de stabilisation des Prix Ltée retournera au demandeur une copie de la présente formule (WF.1), indiquant le nombre de cordes de bois pour lesquelles le régisseur adjoint du bois pourra accorder une subvention, et le numéro d'inscription du demandeur au paragraphe "D" ci-après. Le demandeur doit reproduire ce numéro d'inscription sur toutes les réclamations de subvention et dans la correspondance relative à cette subvention et adressée au sous-régisseur du bois de chauffage ou à la Corporation de stabilisation des Prix Limitée.
6. Veuillez indiquer le nombre approximatif de formules de reçus (Formule WF.3) que vous désirez recevoir. (Calculez le nombre requis, à raison d'un reçu par transaction avec un producteur.)

.....
Indiquer ici le nombre de reçus requis.

D.

Numéro d'inscription du demandeur.....
(N'écrivez pas dans cet espace—une copie de cette formule vous sera retournée avec ce numéro dûment inscrit.)

E.

A L'USAGE DU MINISTÈRE SEULEMENT

....

DATE..... APPROUVÉE.....
(Sous-Régisseur du bois de chauffage)

REMARQUES:—Trois copies de cette formule doivent être remplies à l'encre ou au dactylographe, signées à l'encre et envoyées au sous-régisseur du bois de chauffage, ministère des Munitions et approvisionnements, Ottawa, à l'exception des formules remplies par les Licenciés de la Province de Québec, lesquelles devront être adressées au Sous-Régisseur du bois de chauffage, 417, rue Saint-Pierre, Montréal.
Les enveloppes contenant des formules de demande ou des lettres relatives à une subvention doivent être suffisamment affranchies.

M.S. S. 1631

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RESERVES AND TRUSTS

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa, Ontario,
June 4, 1943.

This letter with enclosures
sent to the following Indian Agts.
R.S. Davis, Punnichy, Sask.
J.P.B. Ostrander, Battleford, Sask.
Samuel Lovell, The Pas, Man.
S. H. Simpson, Duck Lake, Sask.
Samuel Devlin, Parry Sound, Ont.
A. G. Smith, Birtle, Man.
Frank Booth, Muscow, Sask.

EX

Re: Government Subsidy for
Cordwood Operations

You are advised that arrangements have been made whereby you may now submit applications for eligibility to receive subsidy on Form W.F.1, substituting on that form, where indicated, the words "Crown Agent" in the space provided for the applicant's licence number.

We are enclosing a supply of Forms W.F.1, more of which may be had on request. These must be completed in triplicate and should be submitted directly to the Deputy Wood Fuel Controller, Department of Munitions and Supply, Norlite Building, Ottawa, except in the Provinces of Quebec and British Columbia, as per note on the bottom of the form.

We also enclose three circular letters in connection with wood subsidy, which it is hoped will be of assistance to you in this matter. You are reminded that all sentences and paragraphs dealing with the necessity for procuring a licence do not apply to you, since,as before stated, it has been arranged that the Licensing Division is prepared to dispense with fuel wood dealers' licence requirements for Indian Agents, as your office is regarded as a "Crown Agency" while acting within your authority as Indian Agent.

A careful perusal of the enclosed circulars and the W.F.1 should enable you to proceed with your Application for Registration for Eligibility to Receive Wood Fuel Subsidy.

Encls.

D. J. Allan,
Superintendent, Reserves & Trusts.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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WHEN REPLYING
REFER TO FILE.....

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Room 502,
Norlite Building,
Ottawa, April 10, 1943.

Circular Letter Re Wood Fuel Subsidy

Dear Sir:

As there has been some confusion on the matter, this is to advise that it is not necessary that all wood should be delivered to the dealer's yard by July 1st. The procedure is that a dealer files application (W.F.-1) for eligibility to receive a subsidy on a certain quantity of wood. If this is approved, he is forwarded direct from Commodity Prices Stabilization Corporation, Forms W.F.-2, Claim for Subsidy; Forms W.F.-3, Receipt from Producers, and Forms W.F.-4, Dealer's Return. A dealer is not restricted to one application for eligibility. If, for instance, in May he finds he can get more wood out, he can file another application, which if approved, will increase the quantity of wood on which he may obtain subsidy by the amount so approved.

A dealer can claim monthly for subsidy on Form W.F.-2 to the extent that he can produce receipts on Forms W.F.-3 showing delivery of wood to him by producers after March 5th last and certified to be cut before July 1st next.

Let us suppose that a dealer has had approval for subsidy on 1,000 cords, but that as of July 1st he has only taken delivery of 500 cords. In such a case, on his return on W.F.-4, which he must make to this office by July 15th next, he will indicate that he has claimed subsidy on 500 cords and has still 500 cords on which subsidy remains to be claimed. This return (W.F.-4) will be filed with Commodity Prices Stabilization Corporation and the Corporation will continue to pay claims up to December 31st next for the amount of wood indicated on the return as not claimed for as of July 1, 1943. It is understood, of course, that the total quantity of wood to be listed on the return (W.F.-4) cannot exceed the approval or approvals for subsidy originally obtained by a dealer on Form W.F.-1 returned to him.

From the above you will see that it will be quite in order for a dealer to arrange with a producer to have wood

(over)

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cut to his account this spring, and held at point of origin until hauling conditions are good next fall or early winter. He will only get payment of subsidy when he can turn in receipts showing delivery by producer, and payment for wood, and of course subsidy will be granted only on wood cut before July 1, 1943.

Yours very truly,

D. Roy Cameron,
Deputy Wood Fuel Controller.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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WHEN REPLYING
REFER TO FILE .....

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Room 502, Norlite Bldg.,
Ottawa, 1943.

W.F.C. 13

JUN 4 1943

Dear Sir:

This will acknowledge your enquiry re transportation subsidy for wood fuel as announced by the Honourable Mr. Howe, Minister of Munitions and Supply. In explanation the following information is given:-

(1) This subsidy will only be paid on recommendation of the Coal Controller or the Deputy Wood Fuel Controller.

(2) When applications for subsidy for wood fuel transportation are approved, payments will be limited to such portions of the cost of transportation of wood fuel from the point of production to place of consumption as are represented by:-

(a) An increase in trucking costs, for the same haul, over those charges made during the period July 1st to Dec. 31st, 1941.

(b) Increased transportation charges due to longer hauls because of impossibility of obtaining supplies from former sources.

(c) Increased costs due to lack of trucking facilities making rail shipments necessary, thus increasing transportation costs over trucking costs as charged during the period July 1st to Dec. 31st, 1941.

(d) Increased costs in obtaining emergency supplies during periods of acute wood fuel shortages.

(3) Forms for "Application for Wood Fuel Transportation Subsidy", may be obtained, on request, from the Deputy Wood Fuel Controller or from any Regional or Local Office of the Wartime Prices and Trade Board.

Yours very truly,

D.R. Cameron

Deputy Wood Fuel Controller.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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PLEASE REFER
TO FILE_____

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA, CANADA

Ottawa, Ontario.
JUN 4 1943

Dear Sir:

Re Wood Fuel Subsidy

This will acknowledge your enquiry re wood fuel subsidy as announced by the Honourable Mr. Howe, Minister of Munitions and Supply. In explanation the following information is given:-

(1) Persons holding a dealer's licence, issued on or before March 5, 1943, are eligible to make application for the subsidy. It should be noted that the subsidy will be payable only to those dealers purchasing direct from producers and who can provide receipts signed by producers showing delivery of wood after March 5, 1943, and cut by producers before July 1, 1943.

(2) This subsidy is not necessarily confined to persons holding a wood fuel licence. It will be payable also, in the discretion of the Coal Controller, to those who hold any Wartime Prices and Trade Board trade licence issued on or before March 5, 1943, provided that in the past the sale of wood fuel was an important integral part of their business.

(3) The bona fide wood dealer who is also a producer and who has a Wartime Prices and Trade Board trade licence issued on or before March 5, 1943, may obtain the subsidy provided he can produce receipts signed by his employees showing payment to the said employees for wood fuel cut before July 1, 1943 and delivered after March 5, 1943.

(4) This subsidy is not payable direct to farmers or other producers as such; it is payable to dealers in order that they may have an additional $1.00 per cord to offer to producers as an encouragement to production. Farmers or other producers who sell direct to consumers are not eligible to receive the subsidy as they are in a position to obtain direct the consumer's delivered ceiling prices.

(5) Form WF-1, Dealer's Application for Registration for Eligibility to Receive Wood Fuel Subsidy, will be forwarded as soon as printed to all dealers who hold a Wartime Prices and Trade Board trade licence issued on or before March 5, 1943. Persons who have dealt in wood fuel but whose licences do not definitely record trade in that commodity can secure forms on application to the Deputy Wood Fuel Controller, Norlite Building, Ottawa, or from any Regional or Local Office of the Wartime Prices and Trade Board.

(6) For purposes of securing the subsidy it is not necessary that all wood should be actually delivered to dealers by July 1, 1943. However, a return must be filed by dealers with the Deputy Wood Fuel Controller not later than July 15, 1943, showing the amounts of fuelwood cut before July 1, 1943, on which subsidy has been or is to be claimed. Claims for subsidy based on quantities given in the return may be made up to December 31, 1943.

(Over)

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(7) While the subsidy will be paid on the basis of standard cords of 128 stacked cubic feet, it may be calculated on all lengths and qualities of wood as may be approved by the Deputy Wood Fuel Controller.

(8) Subsidies will be payable on fuelwood which is to be used in the production of charcoal to be sold for use as a domestic fuel. Subsidies will not be payable on fuelwood used in the manufacture of industrial charcoal to be used for processing purposes.

(9) The subsidy is not payable to industrial establishments such as cheese factories, bakeries, lime kilns, etc., who purchase wood fuel supplies direct from the producer and use the wood for heating or processing purposes in their factories. Neither will the subsidy be payable to school boards or similar organizations buying direct from the producer. The general rule is that the subsidy is payable on wood intended for resale.

(10) Subsidies are not payable on millwood.

(11) It is not the intention of the Dominion Government to finance private individuals or corporations for the production of wood fuel.

Yours very truly,

D.C. Dennis

Deputy Wood Fuel Controller.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001-1

Records

DEPARTMENT OF
MINES AND NATURAL RESOURCES
DEPUTY MINISTER'S OFFICE
WINNIPEG

May 19th, 1943.

Department of Mines & Resources
Indian Affairs Branch
MAY 25 1943
REGISTERED

Mr. R. A. Hoey,
Supt. of Welfare and Training,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Canada.

Dear Mr. Hoey:

I have your letter of May 15th in which you refer to the possibility of Indian labour being employed in connection with fuelwood operations in this Province.

Mr. R. H. Candy, of the Dominion Forest Service, who is on loan to the Wood Fuel Control, is at present conducting a survey of fuelwood supplies and probable requirements in this Province. In this regard Mr. Candy is being given full use of the information which has been assembled by this Department.

Mr. Candy is now in the field but expects to be in Winnipeg again within the next week or ten days. Upon his return to the city we will be going into the various alternatives which might be studied with a view to increasing fuelwood supplies.

As soon as Mr. Candy has completed his survey and we have had an opportunity to go into this matter in greater detail, I should be glad to discuss the situation further with Inspector Hamilton.

In the meantime I can assure you that there is at present an impending shortage and that any fuelwood that could be cut by Indians within reasonable access to markets would be of material assistance.

Yours very truly,

D. M. Stephens,
Deputy Minister.

DMS/MD

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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DEPARTMENT OF LABOUR - NATIONAL SELECTIVE SERVICE

Manpower Statistics Unit, 238 Sparks St., Ottawa

(Required Under The National Selective Service Civilian Regulations)

LABOUR REQUIREMENTS FOR LOGGING

To the Operator:

In order to make plans for supplying the necessary men for logging during the coming season, we must have complete information as to labour requirements. It is therefore to your advantage to give us prompt information on your own requirements. Please complete and mail two copies of this form in the attached envelope before June 19th, 1943. Retain the third copy in your files. Make a separate report on each logging operation.

1. Estimated Labour Needs for Logging

(a) How many men do you have at work in your logging camps as at June 12th, 1943 or nearest previous pay date?.....

(b) How many men will you need to have at work in your logging camps at each of the following dates?

EX'D A

July 31, 1943.....	December 31, 1943.....
August 31, 1943.....	January 31, 1943.....
September 30, 1943.....	February 29, 1944.....
October 31, 1943.....	March 31, 1944.....
November 30, 1943.....	April 30, 1944.....

2. Primary Logging Activity

Mark (1) opposite the type of logging which you will undertake on this operation during the coming season. If you will undertake more than one type, mark (1) against the principal type, (2) against the second most important type (3) against the next, and so on.

Pulpwood Logs.....( )	Telephone Poles.....( )
Saw Logs.....( )	Cordwood.....( )
Ties.....( )	Other Logging.....( )

3. Name and Address

Name of Firm.....

Address of Operation Covered by this Report.....

.....

Head Office Address (if different from address of Operation).....

.....

Signature of Official Supplying Information.....

NOTE: Your answers to the above questions are vital to our plans for supplying men to the industry and your co-operation will be appreciated. This return does not however, constitute an order for labour through the Employment Service. Orders for labour must be placed through the Employment and Selective Service Office in your area.

DO NOT WRITE BELOW THIS LINE

Males.....	L. O. Number.....
Employer's Number.....	Date Received.....

DLR 21 - June 8, 1943.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Age class of available men –
Area in which they should work –
Where they are working at present –
& for how long –

Experience –
If on farms seasonal – will they accept bush work –

pit props –

7169
J. W. Johnson

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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Consolidated Mining & Smelting Company of Canada Limited

July 7/43

ORDER No. 77829

King's Printer,
OTTAWA, Ont.

Legal Department,
Trail Smelter,
Trail, B.C.

Mail

Exceptions	Quantity and Description of Goods
	2 copies of Regulations for the disposal of timber on Indian reserves in the Province of British Columbia
lm	

This form of ACKNOWLEDGMENT MUST BE RETURNED to Purchasing Dept., C. M. & S. Co. of Canada Limited, Trail, B. C.

We can fill the above order as specified, with exceptions as noted in the margin. We will make shipment, 1, 2 & 3

on _____ from _____
DATE SHIPPING POINT

DATE _____

SIGNED _____

Form 129 16M-11-42 Q.P.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

The Consolidated Mining & Smelting Company
of Canada Limited

TRAIL, B. C. July 7/43

Order No. 77829

Ship to The C. M. & S. Co.

King's Printer,

OTTAWA, Ont.

Mr Monreal

Via Legal Department,
Trail Smelter,
Trail, B.C.

Mail

WARTIME PRICES AND TRADE BOARD LICENCE NO. 42064 | QUANTITY AND DESCRIPTION OF GOODS | WAR INDUSTRIES CONTROL BOARD 505

Department of Mines & Resources
Indian Affairs Branch
JUL 13 1943
REGISTERED

2 copies of Regulations for the disposal of timber on Indian reserves in the Province of British Columbia

2 copies

im

NOTE: ALL COMMUNICATIONS AND DOCUMENTS RELATIVE TO THIS ORDER MUST BE ADDRESSED TO THE PURCHASING DEPARTMENT, TRAIL, B. C., UNLESS OTHERWISE INSTRUCTED ABOVE.

KINDLY EXECUTE IN ACCORDANCE WITH INSTRUCTIONS ON THE REVERSE SIDE OF THIS ORDER. PARAGRAPHS 1, 2 & 3

The Consolidated Mining and Smelting Company of Canada Limited

PER

Form 132 15M-9-42 Q.P.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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1 Please ship via CANADIAN PACIFIC RAILWAY and connections unless definite routing is shown on the face of this order. All freight shipments should specify through junction routing on Bills of Lading. When cheaper, ship via express or mail.

SEPARATE INVOICES must be rendered against **EACH ORDER** Number.

Invoices must be in our possession before goods can be accepted. We remit on the 15th of each month only for goods received up to the last day of the preceding month, unless special arrangements exist. Notwithstanding prior payment to obtain cash discount, goods are subject to our inspection on arrival.

Please place our ORDER NUMBER on all Invoices, Bills of Lading, Packing Slips, Packages and Correspondence relating to same. All Communications and Documents, pertaining to this order should be mailed to **PURCHASING DEPT., TRAIL, B. C.** unless otherwise instructed.

2 Shipments destined for Tadanac, or Warfield, B. C. when cheaper by EXPRESS or MAIL, consign to TRAIL, B. C. There is no Express Agent or Post Office at Tadanac or Warfield, B. C.

All freight shipments destined for Warfield, B. C., should be consigned 'collect' (unless otherwise specified) as authorized in A. P. Leland's "Official List of Open and Prepay Stations."

3 **INVOICES REQUIRED IN DUPLICATE AND MUST SHOW F.O.B. POINT.**

4 Shipments of Foreign Origin require:

Triplicate COMMERCIAL and triplicate CUSTOMS INVOICES, the latter to be properly executed showing country of origin and price for home consumption at time shipped and mailed on same day as shipment. Where freight is prepaid the amount must be shown on Customs invoices as separate item.

5 **INVOICES REQUIRED IN TRIPLICATE AND MUST SHOW F.O.B. POINT.**

P. P. & S. DEPT

13 JUL 12 AM 8:45

KING'S PRINTER

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

File 30001

Ottawa, July 14, 1943

EXD.

Dear Sirs,-

I am enclosing herewith two copies of Regulations for the Disposal of Timber on Indian Reserves in the Province of British Columbia, in accordance with your request of July 7th, to the King's Printer, Ottawa.

Yours truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

Enclosures.

The Consolidated Mining & Smelting
Company of Canada Limited,
Legal Department,
Trail Smelter,
Trail, B. C.

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Poor Copy

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30001

DEPARTMENT OF MUNITIONS AND SUPPLY

FOR IMMEDIATE RELEASE

OTTAWA, June -- To aid in preventing a possible firewood famine next winter, the period during which the Government will subsidize cordwood production has been extended to December 31, it is announced by Munitions Minister Howe.

"I should like to remind farmers and farm workers, entitled to postponement of military training and living in areas where they can spare time from their normal agricultural pursuits, that their postponement will not be affected by engaging temporarily in cutting firewood," said Mr. Howe. "I might point out, however, that such temporary absences from the farm must not interfere with agricultural production."

When the Department's plan for meeting the emergency was announced on March 4, the decision at that time was to pay the $1.00 per cord subsidy to dealers only on commercial cordwood contracted for and cut on or before June 30, 1943, and delivered to a dealer or held to his account after March 5, 1943. Under the extension, the subsidy will be paid on the same basis for cordwood cut on or before December 31, 1943.

According to Mr. Howe, the shortage has been aggravated by the severity of the past winter and the lateness of the spring thaw. "Unless firewood is cut during the summer and early fall, the situation in many parts of Canada may be critical," he said. "For this reason, the subsidy will be extended for six months."

The Minister urged dealers to arrange, wherever possible, for the purchase of slabwood from the mills. "On such purchases a transportation subsidy will be paid, if the dealer can show that otherwise he could not obtain the wood for his customers," he said.

The transportation subsidy can apply not only to slabwood, but also to cordwood. The Wood Fuel Controller will authorize the payment of such portion of the transportation costs as he considers proper, particularly in instances where dealers, to procure supplies, find it necessary to contract for firewood at locations outside the area from which they normally derive their supplies. In order to receive any such subsidy, dealers must obtain a permit from the Controller before contracting for the supplies.

The cutting and transportation subsidies will be made available only to wood fuel dealers registered as such with the Wartime Prices and Trade Board.

"It is encouraging to note that many communities have realized the seriousness of the firewood shortage and are taking all possible steps to arrange for local solutions of the problem," said Mr. Howe. "On the other hand, there are communities where nothing at all has been done, and the citizens will face extreme hardship unless action is taken immediately."

The Minister pointed out that a coal shortage also exists, and warned not only that coal will not be available for use as a substitute for firewood, but because of the coal shortage firewood consumption is very likely to be greatly increased.

30

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THE CONSOLIDATED MINING AND SMELTING COMPANY OF CANADA LIMITED

LEGAL DEPARTMENT
A.L.JOHANNSON, SOLICITOR
C.H.B.FRERE, SOLICITOR
ASSISTANT SOLICITORS
R.H.S.ROOME P.[illegible]STEWART
M.H.[illegible]

TRAIL, BRITISH COLUMBIA

July 22nd, 1943.

Department of Mines & Resources
Indian Affairs Branch
JUL 27 1943
REGISTERED

Director of Indian Affairs,
Department of Mines and Resources,
OTTAWA, Ontario.

Dear Sir:

We thank you for your letter of the 14th day of July. We appreciate your prompt response in letting us have two copies of the Forest Regulations, in respect of the disposal of timber on Indian reserves. Could you let us have two further copies of the Regulations so that we may forward them to our branch offices at Pinchi Lake and Red Rose Mines in British Columbia.

Yours truly,

C.H.B. Frere

CHBF/McD

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001-1

WHEN REPLYING
REFER TO P-1;-43

CANADA

DEPARTMENT OF MUNITIONS AND SUPPLY
Office of the Timber Control
Dominion Public Building,
Winnipeg, Man.
October 18, 1943

Department of Mines & Resources
Indian Affairs
OCT 21 1943
REGISTERED

The Dept. of Indian Affairs,
Dominion Government
Ottawa, Ont.

Dear Sirs:

We would thank you to forward to this office, at your earliest convenience, a list of the producers who have applied for lumber in Manitoba and Saskatchewan for the season 1943/44, amounting to 100M feet and over. Please list the names, addresses and amounts.

We are particularly interested in the Reserve north of Prince Albert, Sask.

Yours very truly,

A.L. Rimmer,
Inspector for the Timber Control

ALR FW

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30001-1

Ottawa, October 22, 1943.

EX'D.
A.

Dear Sir,-

Your File P-1-43

Replying to your inquiry of October 18th, as to the number of applications received for lumber contracts during 1943-44, in the Provinces of Manitoba and Saskatchewan, amounting to 100,000 feet and over, I wish to advise that the only licence authorized by us this year was to R. D. and K. R. Brooks, of Prince Albert, Saskatchewan. This licence was issued on June 29th, last, authorizing the licensees to cut 12,000,000 feet of timber on Berths Nos. 2 and 3, Montreal Lake Indian Reserve, lying to the north of Prince Albert, Saskatchewan. The licensees have a period of five years to cut and remove the timber, i.e., from June 29th last to April 30th, 1948.

Yours truly,

D. J. Allan,
Superintendent
Reserves and Trusts.

A. L. Rimmer, Esq.,
Inspector for the Timber Control,
Dominion Public Building,
Winnipeg, Man.

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OFFICE OF THE
INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

Selkirk, Dec 6/43.

Department of Mines and Resources Indian Affairs Branch
DEC 9 1943
REGISTERED

Indian Affairs Branch, Dept of Mines & Resources, Ottawa, Ont.

Please forward a copy of the timber regulations and shhedule of dues for Indian Reserves.

E. McPherson,
Indian Agent

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30001

Ottawa, December 10, 1943.

Mr. E. McPherson, Indian Agent, Selkirk, Man.

As requested in your letter of December 6th, I enclose copy of Timber Regulations and the schedule of dues will be found under section 20 of the Regulations.

D. J. Allan,
Superintendent,
Reserves and Trusts.

Enclosure.

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File 30001

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Enclosure.

Poor Copy

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December 2, 1943

RECRUITING OF MANPOWER FOR WOODS OPERATIONS - INCLUDING PULPWOOD
Supplementary Report - December 1, 1943.
National Selective Service

1. Labour Priority (Please refer to paragraph 9, page 7 of the original report.)

The Interdepartmental Labour Priorities Committee has reported on its recommendations in regard to the labour priority for the industry. The Committee was unanimous in its readiness to improve the situation in any way feasible that would be consistent with the pulp and paper industry's contribution to wartime economy, and it was recommended that the woods operations only of the pulpwood cutting industry be assigned a temporary "B" priority rating, to be reviewed at the end of the year 1943. The Committee considers it advisable to except the woods operations of the industry from the "freezing" regulations that apply generally to "A" and "B" priority industries. It was also pointed out that under present war conditions, lumbering is and should continue to be entitled to a priority over pulpwood cutting where there is any conflict between the two industries.

2. Additional Publicity.

(a) A letter to farmers and other workers in Agriculture (English and French) has been prepared and is now being sent out by the Information Division. This letter contains a further appeal to men on farms who are not required in agriculture during the winter to accept employment in woods work or other essential industries.

(b) A second poster "Canada Calling! Farmers and Farm Workers" has been prepared. Distribution has now been completed to those already mentioned under paragraph 5 on page 4 of the original report.

(c) A letter has been prepared by the Regional Superintendent for Quebec asking farmers and farm workers who can be spared from agriculture to accept work in the woods. This has been read by the Parish Priests in the Province of Quebec to their congregations, in very many cases.

(d) A special circular (N.S.S. 306) has been sent to the Managers of Local N.S.S. Offices. In this circular other steps which local offices may take to support the campaign are also outlined, such as trying to secure announcements over local radio stations or having someone from the local office give five to six minutes' broadcast over the local station boosting the campaign. Attached to this letter are copies of a suggested press release to be inserted in local newspapers.

(e) Several additional national spot radio announcements, some during popular programmes such as the Imperial Oil Hockey Broadcast and Share the Wealth, have been arranged.

(f) Advertisements sponsored by interested Industry Associations have recently been inserted in local newspapers and national magazines.

(g) Special publicity has been undertaken by the provincial governments, under the Dominion Provincial Farm Labour Agreements. This includes, letters to provincial agricultural and other fieldmen; a number of local recruiting meetings in Central Ontario and Manitoba; the preparation and distribution of a special pamphlet in Manitoba entitled "Essential Winter Work"; and pertinent references to the appeal in the "Farm for Victory Committees" bulletins in Alberta. Moreover, in several provinces the Mobilization Boards have cooperated by preparing Special Statements reassuring farm workers that postponement of Military Service continues while on approved essential work off the farms.

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(h) Arrangements are being made in some areas to have the campaign presented at the National Film Board showings on rural circuits.

3. Canadian Forestry Corps.

(a) C.F.C. personnel returned from Overseas. The latest reports received (November 29th) on the placement of personnel of the C.F.C. returned from Overseas are as follows:

Camrose Camp, Alberta:-

Already despatched for work in British Columbia....	315
Ready for British Columbia but not yet despatched..	26
Already despatched to Ontario and Prairies	113
Ready for Ontario and Prairies but not despatched..	7
TOTAL	461

Another 40 men are awaiting operator's confirmation before being despatched (no details as to whether these are to go to British Columbia or East of Camrose).

Altogether it is estimated that 500 men will be sent out to operators before the end of the week.

Sussex, N.B.: The number of applications for leave of absence to work with designated operators is 153. Of these, 112 have been allocated, of which some 59 have actually been despatched.

(b) From C.F.C. Training Centre at Chicoutimi,P.Q. Two camps have been established to cut fuelwood and are in operation near North Bay. Another camp has been established at Moore Lake near Petawawa but is not yet in operation. Two other camps in Pontiac County and Algonquin Park respectively are under consideration. Each of the above camps comprises 74 soldiers, all ranks, thus some 370 men will be involved when these camps are operating. They are to cut fuelwood, mainly for use in Army Camps.

4. Indians. A report has been prepared on the availability of Indians for logging operations--the result of a survey recently conducted in cooperation with the Department of Indian Affairs by our Research and Statistics Branch. This, I believe, is the first attempt to find out the numbers of Indians who are available for and who find employment in the woods during the logging season.

5. Prisoners-of-War. Colonel R.S.W. Fordham, Director of Labour Projects (P. of W.) reports that to date some 2,050 prisoners-of-war have been placed with woods operators. This does not include prisoners in other industries. Enthusiastic reports have been received from the Nipigon Lake Timber Company at McKirdy, Ontario, expressing great satisfaction with the work being done there by some 200 prisoners-of-war. There are numerous applications for prisoners-of-war by various woods operators that are receiving attention.

6. Japanese. There are now over 1200 Japanese in woods operations chiefly in British Columbia and Ontario, cutting fuelwood, logs for lumber, pulpwood pit props, etc. Hundreds more are being recruited at present for these operations in the above provinces, and also for woods work in Alberta and Manitoba.

7. Leave to return to Lumbering Industry (H.Q. 54-27-1-51)
Circular Letter, March 30, 1943 (R407)
Circular Letter, July 23, 1943 (R455)

Some 300 men with actual logging experience in British Columbia have been granted leave of absence without pay and allowances to work in British Columbia. A request has recently been submitted to N.D.H.Q. that consideration be given to making this order generally applicable to all provinces in Canada.

8. Reports and Statistics. Due to the late farm season, it is too early yet to have available reliable statistics showing actual numbers of men who have taken woods work. Reports are expected from Regional Offices on or about December 10th. In addition, further and more up-to-date details of work done in the different provinces will be supplied to the Dominion Provincial Farm Labour Conference to be held in Ottawa next week.

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30001-1

Recruiting of Manpower for Woods Operations - Including Pulpwood

1. Cooperation with the Provinces

Manpower which can be spared from the farms during the winter months is the main source of labour for woods operations. Because of this fact, it was considered the best results would be secured by conducting recruiting campaigns in cooperation with the provinces. There are important reasons for this course of action.

(a) The Department of Labour has entered into a farm labour agreement with each province for joint action in supplying and retaining necessary labour for agriculture.

(b) The agreements provided that assistance would be secured from the provinces in recruiting labour for other essential industries - woods operations definitely included - during the off-season, when such labour could be spared from the farms.

(c) The provinces have a direct interest in a desire to aid in such a campaign. They wish to know what farm labour is being recruited, to be sure that men are not leaving livestock and dairy farms where production will decline because of their absence.

During the past month Department of Labour officials have met with members of the Government and officials of all the provinces to discuss this problem. Without exception they met with a ready and enthusiastic response to help. Machinery for doing the recruiting has already been set up and results are now being secured in most of the provinces.

In the Maritime Provinces, the agricultural field staffs will assist the Regional and local offices of National Selective Service by encouraging farm workers to accept work in woods operations if they can be spared from the farms. Approximately 1,000 provincial officials and 900 local Parish Committees will be supporting the recruiting campaign in Quebec. A letter signed by the Quebec Deputy Minister of Agriculture, Lands and Forests, and Colonization, was sent to every field man in the respective departments, urging them to do their utmost to induce farmers to work in the bush during the fall and winter months. A similar letter was sent to the secretaries of the parish committees by the Director of the Quebec Farm Labour Bureau.

Members of the Ontario Farm Service Force field staff will engage in actual recruiting in the southern part of the province. A definite procedure has been developed for their

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working in close contact with the local Employment Offices. The County Agricultural Representatives and fieldmen of other provincial departments, including Lands and Forests, Mines, Game and Fisheries and Municipal Affairs, are also assisting in the campaign. Recruiting in the northern part will be done by company agents, as described in another section of this report.

The organization dealing with farm labour in Manitoba under the Agreement is known as the "Farm Help Service". The entire staff, including a contact man in every important town in the province, will actively engage in recruiting farm workers for woods operations if such workers can be spared from the farms. In fact, this had already begun immediately after harvest was completed. The Deputy Minister of Agriculture spoke recently over a network of Manitoba stations urging farmers to take other essential work if they could leave their farms for the winter.

More than 380 Secretaries of "Win the War" Committees, (Secretaries of rural municipalities and local improvement districts) are already recruiting farm labour in Saskatchewan for woods operations. This actually began before all harvesting was completed.

The Director of the Farm Labour Program in that province has been supplied from the Regional office at Winnipeg with large manpower orders for pulpwood companies. These orders have already been distributed to "Win the War" Committee Secretaries throughout the province. In the arrangement with Saskatchewan, not an area in the settled portion of the province will remain uncanvassed.

Approximately one hundred and fifty local farm labour representatives organized through the Department of Agriculture District Agriculturalists, will be recruiting in Alberta. This large force will cover practically the entire agricultural area of the province. The campaign is now under way, even though there are still a few days threshing yet to do.

In British Columbia the agricultural field staff and local farm labour committees will aid in the campaign. This assistance will be administered by the Farm Labour Director functioning under the Dominion-Provincial Farm Labour Agreement. Full details for recruiting are carried out in close co-operation with the Regional and local Selective Service Offices in the province.

2. <u>Assistance of Dominion Department of Agriculture Officials</u>

Early in October Dr. Barton, Deputy Minister of Agriculture, wrote to the Directors of each of the Divisions

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of his Department, asking their full support of this campaign. These directors have written to their key officials throughout Canada sending them a copy of the "Message to Men who Work on Farms" and requesting their assistance in encouraging farm workers to accept employment in other seasonal industries, including pulpwood cutting, when their absence from agriculture will not interfere with farm production.

3. Work of Regional and Local Employment and Selective Service Offices

In addition to the joint Dominion-Provincial efforts to secure manpower for woods work, some of the Regional Employment and Selective Service offices are employing special canvassers to recruit men. Local Employment and Selective Service offices are also referring groups of men to forest operations. These groups include alternative service workers, army rejects and those directed under compulsory transfer regulations. In addition, special arrangements have been completed for the employment of Canadian Japanese and prisoners of war in woods work. Already there are several hundred of each of these groups engaged in forest operations. Their numbers will be increased as the winter progresses. In the province of Quebec, besides the Employment and Selective Service Offices, there are several provincially operated employment offices, which are also actively engaged at work on this campaign.

4. Canvassing by Pulpwood Company Representatives

It has been customary practice in the past for pulpwood and lumber operators to have their own representatives in the field recruiting labour. By relaxation of National Selective Service regulations, permission has been granted to pulpwood and lumber operators to have recruiting agents in the field working under the supervision of the Regional Superintendents of National Selective Service. Some provinces have requested that company canvassers not be allowed to operate in certain heavy producing agricultural areas. The recruiting in these areas will be done by National Selective Service in co-operation with the province concerned. Men recruited by these canvassers are sent directly to their jobs. Formalities are reduced to the minimum consistent with (a) meeting mobilization regulations; (b) the necessity of exercising some control over the allocation of the greatly reduced manpower available, among the competing industries; (c) the best possible assurance that men are not being taken away from farms where they should remain during the winter months. Already more than 200 pulpwood company canvassers have been authorized in Quebec. More requests are being received daily. Not one has been refused. Pulpwood companies will be authorized to have canvassers in certain areas of New Brunswick and Nova Scotia. Company canvassing will be permitted in the northern and north west sections of Ontario. Authorization has already been given to member companies of the Central Pulpwood Association to canvass for help in Manitoba.

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All companies who have been given permission to canvass have been advised that farm workers needed on their farms during the winter, must not be induced to take other employment. Those who can leave their farms must return by April 1st, or at a later date, if weather conditions in the spring delay farming operations.

This permission to pulpwood companies to use their own experienced recruiting agents, subject to a minimum of regulations, in addition to the other recruiting activities, should greatly facilitate this industry to secure the required manpower. This, in fact, almost completely meets the industry's own request.

5. Publicity Campaign

An intensive publicity campaign by newspaper and radio advertising posters and circulars has been planned and is underway. This publicity is made up as follows:

1) 800,000 copies of the folder, "A Message to Men on the Farms" were mailed to individual farmers and farm wage earners, in August.

2) Above message was inserted as a paid advertisement in the farm press.

3) By arrangement, the contents of the Message were given publicity over all 5 Regional Farm Broadcasts of the C.B.C.

4) A poster, summarizing the regulations contained in the Message, has been prepared. About 75,000 copies (some English, some French) have been printed. Distribution has been completed. These, have gone to the following:

a) Employment Offices
b) Post Offices (except large cities)
c) Branch banks (except large cities)
d) To Pepler for his organization, and to lumber associations for members.
e) Railway ticket offices
f) To a large Wartime Information Board list, which includes churches, schools, pool-rooms, many retail stores, beer parlours, etc.
g) Provincial Agriculture people and Local Farm Production Committees.
h) Some other outlets.

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5) A second poster has been prepared and approved, and will go to the same list.

6) Advertisements have been prepared for insertion in the daily, weekly, farm and foreign press. These advertisements have been varied slightly, to refer to particular industries needing men in the area where the advertisements appear. The details are as follows:-

a) Two insertions in each daily.

b) Weekly newspapers - 3 consecutive insertions each.

c) Farm papers: Weeklies - same as weekly newspapers; Monthlies, one insertion as soon as possible.

d) Foreign language papers are being used.

e) French Canadian week-end papers are being used.

7) A press release, outlining the campaign, was given out, and was widely used by press and radio. It was mailed to all weekly newspapers and farm papers, and is being mailed to foreign language press.

8) Arrangements have been made with Mr. O. Shugg, Supervisor of Farm Broadcasts, C.B.C., to give repeated mention of the campaign over the Farm Broadcasts. The Minister of Labour is broadcasting a five minute statement on the National Network of the C.B.C. Mr. Paul Goulet, Associate Director, is broadcasting over the French network.

9) Arrangements are being made to have references to the campaign during many of the popular commercial programs.

10) Members of provincial governments are being asked to speak over their local radio stations as a means of supporting the campaign. The Minister of Agriculture in Saskatchewan has already made one address over all stations in the Province, urging farm workers to respond to the appeal. The Premier of Quebec has already released to the press statements supporting the campaign. A letter was sent to all members of the clergy in Quebec to support the recent appeal for fuel wood cutters. Another letter will be sent urging them to support recruiting for general woods operations.

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11) Regional Superintendents and managers of employment offices are being encouraged to get some time on local radio stations for discussion of the campaign.

12) The Department of Labour is offering to supply appropriate advertising copy to those industries interested in securing farmers' workers available for winter employment.

The publicity was discussed with Mr. W.A.E. Pepler, Secretary and Manager of the Pulpwood Committee of the Pulpwood Industry of Canada.

6. Selective Service Permits

Farm workers recruited for woods operations by any of the methods previously described, are sent directly to the jobs without going through an employment office. This procedure insures the minimum of delay in getting the men to work. Companies are requested to provide the nearest Selective Service Office with lists of farm workers employed in order that temporary permits may be issued. This record of men leaving agriculture, and their places of employment is considered an absolute necessity. Without such a record, the Provinces would lose a great deal of their enthusiasm for supporting the recruiting campaign. Provincial officials are very concerned about farmers returning to their farms in the spring. If they do not have confidence that the recruiting procedure insures the greatest possible return to agriculture, their support cannot be expected.

Furthermore the administration of a fundamental principle of National Selective Service policy requires that the Department of Labour keep an accurate check on men leaving agriculture to insure their return.

7. General Approval of Mobilization Boards of Farmers on Postponement Working in Woods Operations During Off-Seasons

As a result of discussions with the Mobilization Boards of the position of men, who have received postponements of military training as essential farm workers, the principle has been generally approved by the Boards that seasonal work outside of agriculture in woods operations will not interfere with such postponements. This assurance to farm workers who are available for seasonal employment outside of agriculture has been widely publicized throughout rural areas.

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8. Cooperation with Timber Controller

Regular contact has been maintained with the Timber Controller and his associates in the consideration of this whole question. They are being kept posted on all steps taken, and their suggestions have been welcomed and fully taken into account.

9. Requests made by Pulp and Paper Industry

Mr. F. G. Robinson, Vice-President of the Canadian Pulp and Paper Association summarized the proposals of the industry in a memorandum attached to his letter of September 23rd, to the Honourable T. A. Crerar, following the meeting with the Cabinet on September 21st. These proposals included the following:-

a) To grant the pulp and paper industry a B priority;

b) To declare that farmers and rural residents holding certificates of postponement may work in woods operations without any interference with their postponement;

c) Before the expiration of 60-days employment, provision to be made at the request of the industry authorizing workers to continue in woods operations;

d) Canvassers for woods workers to be properly accredited by the Department of Labour and furnished with a formal certificate of such authority;

e) The employment of supplementary emergency woods workers;

f) Publicity to cover these points.

Most of these proposals have been covered in the steps which have been outlined above, with the exception of granting the industry a B priority. This proposal has been under consideration by the Interdepartmental Labour Priorities Committee. The Committee will report on this matter tomorrow.

With regard to the possible extension of the 60-day period during which farm workers may engage in woods work without a permit, it was suggested earlier by the industry, that the length of the period be extended to five months. This point was raised at the last meeting of the National Selective Service Advisory Board. The members of the Board were unanimously of the opinion that it would be unwise to extend this period, owing to the fact that control over workers leaving agriculture would be much harder to maintain.

10. Present Manpower Position of Pulpwood Industry

The employment offices up to the present have been devoting their energies towards the obtaining of men for fuelwood cutting, nevertheless progress is being made in respect to pulpwood and Mr. Pepler stated this morning (October 19th) that in

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Quebec province alone the number of men employed in pulpwood was at present not less than 92% of the number employed at this time last year. The harvest is not over in other provinces and the percentages in western provinces would be lower.

11. General Conclusion

Two main considerations must be kept clearly in mind when answering requests of the pulpwood industry. First, the supply of agricultural labour to meet the greatly increased farm production requirements has been severely overstrained. Second, this industry could not expect a response from farm workers until harvest was completed. Until three weeks ago, harvest labour from Eastern Canada was still arriving on the Prairies. Harvest operations are still in progress in many sections of the country, but are rapidly being completed. This industry should be reminded that owing to the earlier completion of harvest men will be available in large numbers at least a month earlier than last. The whole recruiting and publicity campaign now underway is well in advance of a year ago.

If the measures outlined above are carried out with the full cooperation of the pulp and paper industry we are confident that the results will be satisfactory.

National Selective Service October 19, 1943.

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OF THE
GENERAL SUPERINTENDENT
AGENCIES

CANADA
DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

File #300-40

Regina, December 14, 1943.

Department of Mines and Resources
Indian Affairs Branch
DEC 17 1943
REGISTRY

Indian Affairs Branch, Department of Mines & Resources, OTTAWA.

With respect to the timber regulations will you kindly send us an additional supply so that these may be distributed to the farming instructors as well as the agents.

We have received sufficient for our agents but now I have a request from Agent Ostrander for five copies for his farming instructors. If you can therefore send us a couple of dozen of these I am sure they will be made good use of.

John Ranchman

M. Christianson,
General Superintendent of Indian Agencies.

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File 30001

EX.D.

Ottawa, December 21, 1943.

Mr. M. Christianson,
General Superintendent of Indian Agencies,
Regina, Sask.

As requested in your letter of December 14th, your File No. 300-4C, I am enclosing twenty-five copies of Regulations for the Disposal of Timber on Indian Reserves (except in British Columbia).

D. J. Allan,
Superintendent,
Reserves and Trusts.

Enclosures.

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OFFICE OF THE INDIAN AGENT

CANADA
DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE FILE 2-32-2/9981

Mines & Resources Indian Affairs Branch
DEC 21 1943
REGISTERED

Nicola Agency
Merritt B.C.
Dec. 15th 1943

The Secretary Indian Affairs Branch Ottawa Ontario

I beg to requisition the Department for a supply of Forms "Permit to cut Timber" .

Number of this Permit is not known as same has not previously been used at this office.

Please also advise number of copies it is necessary to make when issuing same.

J.D.Caldwell
Acting Indian Agent.

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File 30001

Ottawa, December 30, 1943.

Mr. J. D. Caldwell, Indian Agent, Merritt, B. C.

EX'D. A.

Your File 2-32-2/9981.

As requested in your letter of December 15th, I am forwarding under separate cover a supply of Timber Permits--100 of Form I.A. 325 and 100 of Form No. I. A. 328.

D. J. Allan,
Superintendent
Reserves and Trusts.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

ONTARIO
DEPARTMENT OF LANDS AND FORESTS
OFFICE OF THE MINISTER

Resources
JAN 8 1944
RECEIVED

Toronto, December 30, 1943.

Gentlemen:

We are pleased to send you this date, under separate cover, two copies of a booklet titled "Manual of Scaling Instructions", which was prepared by this Department, and just received from the printers.

Yours very truly,

W. G. Thompson,
Minister of Lands
and Forests.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30001

Ottawa, January 12, 1944.

E.A.D.

Dear Sir,-

I acknowledge with thanks your letter of December 30th. The two copies of booklet entitled "Manual of Sealing Instructions," were duly received.

Yours very truly,

Director.

W. G. Thompson, Esq.,
Minister of Lands and Forests,
Parliament Buildings,
Toronto, Ont.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001-1

OFFICE OF THE GENERAL SUPERINTENDENT OF AGENCIES

CANADA

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

File #300-40N

Department of Mines & Resources
Indian Affairs Branch
JAN 24 1944
REGISTERED

Regina, January 19, 1944.

Indian Affairs Branch, Department of Mines & Resources, OTTAWA.

I wish to inform you I believe we are going to have a lot of trouble and unrest amongst the Indians over enforcing the timber regulations, and in my opinion we should go into the matter slowly because after all in spite of the fact these regulations have been in force for years they have never been in effect here. Therefore you, I am sure, can imagine what effect this is having on the Indians. Some agents, no doubt are doing their best to explain. However I will just give you an instance to show you the sort of thing we are up against. There was an Indian from Broadview in the office yesterday morning and I simply could not explain anything to him because he had made up his mind that the Indian Department was wrong and all the explaining I could do I am sure just went in one ear and out the other. Now Andrew Gordon, from the Pasqua Reserve, Qu'Appelle Agency, was in this morning. Probably you do not know as much about him as I do but Andrew is always agitating something and has been quite an agitator in the past although he is an intelligent fellow. I explained this matter to him and showed him a copy of the letter you wrote to Mr. Perley. After I had talked with Andrew he seemed to have a different slant on the thing. I have also had copies of your letter to Mr. Perley made and am sending them out to our Indian Agents as I considered it very well written and it will help them to explain the matter more thoroughly to the Indians.

Regarding these regulations, one thing that has been brought to my attention by some of the agents is that the Indians are raising the biggest "holler" in connection with dry wood and pickets. As you know, dry poplar does not last very long on the ground as it is subject to rot unless it is picked up and disposed of. For instance where a fire goes through the bluffand kills the green trees they stand for two or three years probably and then the trees gradually start breaking off and rotting around the bottom, consequently falling to the ground in some of the high winds we have in this part of the country. Then if they are not picked up it is not very long until they rot and are useless. With respect to the willow pickets, they are something like Wheat, there is an annual crop of them. You find them as a rule in the edge of the bush and a lot of them are in bluffs on the prairies around hay sloughs and they have a very rapid growth in the Summer time. During the last two years they have been bringing a fair price but during the depression years the Indians sold them for .01¢ and .01½¢ a piece with very little sale for them at that.

Now the only thing I have to suggest, and at the same time I am doing

all that I can to have the.....

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

all that I can to have the regulations enforced, is that the Indians be exempted from paying dues on dry poplar and willow pickets. When you tell an Indian the money is going to his band funds the remark he makes is "We never see that". He considers he does not get much good out of it. I am just advancing the opinion of the two or three agents I had talked to and to me there is a certain amount of logic in this. However, I shall leave the matter for your decision.

M. Christianson

M. Christianson,
General Superintendent of Indian Agencies.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

File 30001-1

Ottawa, January 27, 1944.

M. Christianson, Esq., General Superintendent, Indian Agencies, Regina, Sask.

Re Timber Regulations

I have your good letter of January 19th with reference to the above. As you know we have attempted to bring about strict compliance with the Timber Regulations and as you report there has been considerable protest from the Indians the writer discussed your letter with the Chief Executive Assistant this morning and recommended that we meet your wishes to exempt dead and fallen timber and willow pickets from the operation of the Regulations.

We can justify exemption of the first class of timber on the ground that it is purely salvage operation and dues are waived in order to encourage the Indians to take and market this class of wood before it loses all value. In the second case of willow pickets, the sale price being so low any worthwhile dues we might assess against them would bear too high a relation to the sale price. We have been trying to collect twenty-five cents a hundred on fence pickets which would appear to be all the traffic would bear but it would probably not be economical to attempt any further to make this collection.

You may therefore advise all your Agents that dead and fallen timber, willow fence pickets, all timber produce cut for the personal use of the Indians and not for sale, or timber products cut for the use of destitute people and all timber products cut for school or other administrative purposes may be exempted from the payment of dues.

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In order to make the matter consistent we are sending similar advice to our Inspectors in Manitoba and Alberta.

It is hoped that this may be of some help to the Indian Agents in collecting on behalf of the Bands the dues fixed by Regulations on other worthwhile produce harvested from their Reserves.

D. J. Allan
Superintendent
Reserves and Trusts

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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RESERVES AND TRUSTS

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa, January 27, 1944.

Memorandum: - Mr. Monroe -

Please note letter hereunder to Mr. Christianson.

Will you please advise Inspector Hamilton in Manitoba and Inspector Schmidt in Alberta to like effect. If there is any instance you can recall where you have notified and Indian Agent of the Regulations will you draw his attention to this change in policy.

D. J. Allan
Superintendent
Reserves and Trusts

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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File 30001

Ottawa, January 28, 1944.

Mr. M. Christianson,
General Superintendent of Indian Agencies,
Regina, Sask.

Ref Timber Regulations.

I wish to refer to my letter of January 27th, regarding exemption from the payment of timber dues in connection with the sale of dead and fallen timber and willow pickets, by Indians of the various bands.

When advising the agents of this concession, kindly inform them that the provisions as to taking out a permit and making returns must be carried out in the usual way. If an Indian or a number of Indians in the Band, or the Band as a whole wish to secure permit to cut for sale dead or fallen wood or willow pickets, such request must be made by resolution. The Agent, in turn, will forward the resolution to this office with his recommendation, in order that authority may be given for the issuance of permits.

It will, of course, be understood that in cases where applications are received from persons other than Indians, who wish to cut dead or fallen timber or willow pickets on the reserve (as in the case of William Pollock, of Beacon Hill, cutting on the Bighead Indian Reserve No. 124) such applications will be forwarded here with the Agent's recommendations, through your office, in order that we may have the benefit of your remarks and recommendations.

D. J. Allan,
Superintendent,
Reserves and Trusts.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

File 30001.

Ottawa, January 31, 1944.

Mr. A. G. Hamilton,
Inspector of Indian Agencies,
538 Dominion Public Building,
Winnipeg, Manitoba.

We have been trying to bring about strict compliance with the timber regulations as set down for general application by Order of the Governor General in Council. There has been some protest from various bands of Indians, particularly in the prairie provinces, and in certain instances their objections appear to be well founded.

The whole matter has received further consideration, and it has been decided that we can justify the exemption of dead and fallen timber (dry wood) from payment of dues, on the ground that such an operation is salvage and the Indians should be encouraged to cut and sell this class of timber product before it loses its utility and commercial value, also with respect to willow fence pickets, where the sale value of the product is so low that the imposition of dues might seriously affect marketability.

You will, therefore, advise all your Agents that payment of dues will be waived where Indians wish to salvage dead and fallen timber, or in the case of willow fence pickets. This does not, however, preclude the necessity of obtaining a permit to cut this class of material, from the Agent, and we will expect that permits will be issued and returns made for the purpose of Departmental record.

You may also advise the Agents that dues will be waived in connection with any timber products cut from a reserve for the Indians' own use; for the relief of

(over)

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

destitute Indians, and wood cut for Departmental purposes, such as schools, etc. The Agent should be warned, however, that exemption from payment of dues applies to Indians only, and that any person other than an Indian cutting any class of material from an Indian Reserve must do so under permit or licence, and must pay dues as fixed by the regulations, on anything taken from an Indian reserve.

D. J. Allan,
Superintendent,
Reserves and Trusts.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

File 30001.

Ottawa, January 31, 1944.

Mr. C. P. Schmidt,
Inspector of Indian Agencies,
Calgary, Alberta.

We have been trying to bring about strict compliance with the timber regulations, as set down for general application by Order of the Governor General in Council. There has been some protest from various bands of Indians, particularly in the prairie provinces, and in certain instances their objections appear to be well founded.

The whole matter has received further consideration, and it has been decided that we can justify the exemption of dead and fallen timber (dry wood) from payment of dues, on the ground that such an operation is salvage and the Indians should be encouraged to cut and sell this class of timber product before it loses its utility and commercial value, also with respect to willow fence pickets, where the sale value of the product is so low that the imposition of dues might seriously affect marketability.

You will, therefore, advise all your Agents that payment of dues will be waived where Indians wish to salvage dead and fallen timber, or in the case of willow fence pickets. This does not, however, preclude the necessity of obtaining a permit to cut this class of material, from the Agent, and we will expect that permits will be issued and returns made for the purpose of Departmental record.

You may also advise the Agents that dues will be waived in connection with any timber products cut from a reserve for the Indians' own use; for the relief of

(over)

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D. J. Allan,
Superintendent,
Reserves and Trusts.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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BARR, CUMMING & BARR
BARRISTERS, SOLICITORS, ETC.
GEORGE H. BARR, K.C. WILLIAM P. CUMMING, LL.B.
ROBERT M. BARR, B.A., LL.B.

Minister of
FEB 4 1944
Mines & Resources

OFFICES: FIDELITY LIFE BUILDING
1819 CORNWALL ST.
REGINA,
CANADA

February 1st, 1944

Honourable T.A. Crerar,
Minister of Mines & Resources,
Indian Affairs Branch,
Parliament Buildings,
Ottawa, Ont.

Dear Mr. Crerar:

For some time past a number of the members of the Bands of Piapot, Muscowpetung and Pasqua Indian Reservations - North East of Regina - have consulted me in reference to an effort being made to levy a charge against them for selling wood and fence posts from the Reservations. It so happens that I used to teach school, some years ago, in the vicinity of these Reservations and am personally acquainted with a number of the Indians, some of whose children came to my school. Under these circumstances, I have every confidence in the good faith of their representations to me and am desirous of rendering them any service possible to have cleared up what appears to be a matter of some misunderstanding and irritation.

For years past, they have been accustomed to selling poplar poles and willow pickets from the Reservations from time to time, particularly during the winter and have thus supplemented, to some small extent, their income. They tell me now that some officials of the Reserves have insisted upon making them pay at the rate of twenty cents a cord for stove wood - that is, poplar poles - and two cents for each picket cut and sold. They have drawn my attention to the regulations governing the disposal of timber from Indian Reservations - Form No. I.A. 346. It seems to me, on reading these regulations, that they were never intended to apply to a situation such as prevails on the Reservations in this province; they have to do mainly with large timber, for saw mill use. In any event, I note that under section 15, this charge cannot be levied without the consent of the Council of the Band itself and, from my information, no such consent has ever been given and, in fact, I have before me a resolution passed at

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

the Band meeting protesting against the levying of any such charge. Under the circumstances, I trust that you will take the necessary steps to see that this source of irritation is removed, and the members of these Bands allowed to sell their poles for stove wood and pickets without any interference, as they have been accustomed to do for years.

Yours sincerely,

G.H. Barr

GHB/MC

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

Minister's Office

30001 - 1

MEMORANDUM

5th February, 1944.

S. OST

Deputy Minister.

I am attaching for departmental attention a letter addressed to the Minister by Mr. George H. Barr, K.C., of Regina, in connection with the protest of certain members of the Piapot, Muscowpetung and Pasqua Reserves against being charged fees for the cutting of timber on the reserves.

Encl.

W.J.F. Pratt,
Private Secretary.

Dr. McGill -

For attention of your Branch.

Department of Mines & Resources
FEB 8 1944
REGISTERED

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

File 30001-1

EX.D

Ottawa, February 10, 1944.

Dear Sir,-

Your letter of February 1st, addressed to the Honourable T. A. Crerar, Minister of Mines and Resources, in connection with protests of certain members of the Piapot, Muscowpetung and Pasqua Indian Bands against being charged fees for the cutting and selling of fuel wood and fence posts from their reserves, has been referred to this Branch for reply.

I note in the second paragraph of your letter you state that under section 15 of the Timber Regulations this charge cannot be levied without the consent of the Band Council. In this connection you are, apparently, misinterpreting the regulations, as the Indian owners of the timber cannot dispose of it without first having the Council pass a resolution requesting the sale, of fuel wood, fence posts, logs, poles, etc., and on the further understanding that dues are payable in accordance with the tariff of dues, section 20 of the Timber Regulations. The dues are collected and placed to the credit of the band concerned, for the benefit of all members of the band.

This matter has recently received further consideration, and from the attached copy of a letter forwarded to the provincial Inspectors, you will note that dead and fallen timber (dry wood) and willow fence pickets have been exempted from the payment of dues.

Yours very truly,

D. J. Allan

for D. J. Allan,
Superintendent,
Reserves and Trusts.

G. H. Barr, Esq., K.C.,
1819 Cornwall Street,
Regina, Sask.

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Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

WHEN REPLYING KINDLY QUOTE
THIS FILE NUMBER

ONTARIO

DEPARTMENT OF LANDS AND FORESTS

FEB 18 1944
REGISTERED

Toronto, February 14, 1944.

TO - Ontario Woods Operators

Accounts owing to the Crown

Invoices rendered by the Department for ground rent and fire tax, and for crown dues, are prepared from the information available to the Timber Management and the Accounts Divisions of the Department, at date bills are rendered. Crown Timber Regulations provide that accounts are due and payable as follows:-

Ground Rent and Fire Protection Charges - due 1st May in each year. Unpaid accounts will bear interest at 6% per annum from 1st May until paid.

Crown Dues - become due and payable when accounts are rendered by the Department. If such accounts remain unpaid on the 31st October following the operating season in which such charges were incurred, interest is charged at 6% per annum from 1st October.

Please note that interest on unpaid accounts is a statutory requirement, rather than a Departmental ruling.

A Woods Operator receiving an account which in his opinion requires adjustment, should immediately bring the matter to the attention of the Department. Should a satisfactory adjustment not be obtained at date the account becomes subject to interest, the Woods Operator should pay the account as rendered to ensure that the matter of the adjustment under discussion is not further complicated by an interest penalty.

Interest as provided by the Crown Timber Regulations will be imposed on all unpaid accounts. Where an account on which an adjustment is requested by the Operator is unpaid at date interest becomes chargeable, the amount that is subject to interest penalty will be the original account, less any adjustment of such account acceptable to the Department.

The foregoing information should eliminate any misunderstanding as to the payment by Woods Operators of interest on past due timber accounts.

W. G. Thompson,
Minister of Lands and Forests.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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BARR, CUMMING & BARR
BARRISTERS, SOLICITORS, ETC.
GEORGE H. BARR, K.C. WILLIAM P. CUMMING, LL.B.
ROBERT M. BARR, B.A., LL.B.

OFFICES: FIDELITY LIFE BUILDING
1819 CORNWALL ST.
REGINA,
CANADA

Records
Please file

D.J. Allan Esq.,
Superintendent of Reserves and Trusts,
Department of Mines and Resources,
Indian Affairs Branch,
Ottawa, Ont.

Department of Mines & Resources
Indian Affairs Branch
FEB 17 1944
REGISTERED

Dear Sir:

Your File Number 30001-1
re the wood on Indian Reserves.

I am this morning in receipt of yours of the 10th instant with copy of memorandum being sent to the provincial inspectors. I think this should clear the matter to the satisfaction of the Indians concerned. If there is anything further, I shall get in touch with you again. In the meantime I wish to thank you for your promptness in dealing with the matter.

Yours truly,

G.H. Barr

GHB/MC

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

OFFICE OF THE
INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE

Maniwaki, Feb. 17th, 1944.

Dept. of Mines & Resources
Indian Affairs Branch
FEB 19 1944

Indian Affairs Branch,
Dept. of Mines & Resources,
Ottawa, Ont.

Will you please send me one book of timber permits Form No. 1.A. 325.

J.E. Gendron,
Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

File 30001.

Ottawa, February 21, 1944.

Mr. J. E. Gendron, Indian Agent, Maniwaki, Que.

As requested in your letter of February 17th, I am forwarding under separate cover one book of Timber Permits, No. I.A. 325.

for D. J. Allan,
Superintendent,
Reserves and Trusts.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001 1

File

COPY
ORIGINAL ON
File 3076-26

Ottawa July 2, 1943.

Major D.M. Macray, Indian Commissioner, P.O. Box 70
Vancouver, B.C.

This will acknowledge you letter of June 25th, with reference to Boothroyd Band resolution dated May 24th, requesting authority to cut 250,00 f.b.m. of timber on Boothroyd Reserves Nos. 5 and 5A, for sale to T.D. Pickard. It is noted that you have discussed this matter with Mr. Pickard and Indian Agent Strang. Mr. Pickard has now agreed to pay the Indians $4.50 per M. f.b.m. for their timber, bucked and felled, he to skid and haul the logs to the mill, you recommending that a permit be issued and that $2.25 of the sale price be collected for credit to band funds.

Your recommendation is approved, and this will be your authority to instruct Agent Strang that he may issue the necessary permits on the understanding that dues at $2.25 per M. be collected and forwarded to this office for credit to band funds.

In the fifth paragraph of your letter you state that Mr. Pickard has a mill located, in trespass, on Boothroyd Reserve No. 5, and the matter of his occupation will be brought into line with our requirements by lease application by the owner and Agent strang with the Indians' consent. Kindly keep us informed of developments in this situation.

I quite agree with your suggestion in the last paragraph of your letter, and this will be your authority to instruct all Agents in British Columbia that copies of correspondence in connection with the issuance of timber licenses will in future be forwarded to your office. The same procedure will be carried out in connection with requests for authority to issue timber permits for 75,000 f.b.m. or over. Please forward a copy of your instructions to this office for our file.

Director.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE OF THE INDIAN AGENT

CANADA

DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 30001.

Mr McGee

Maniwaki, February the 24th. 1944.

EX'D
Dept. of Mines & Res.
Indian Affairs Branch
FEB 26 1944

Indian Affairs Branch,
Dept. of Mines & Resources,
Ottawa, Ont.

This is to acknowledge receipt of one book of Timber Permits, No. 1. A. 325 duly received.

J.E. Gendron.

J.E. Gendron.
Indian Agent.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OF THE
INDIAN AGENT

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CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 144:10

Department of Mines & Resources
FEB 1944
REGISTERED

Sioux Lookout, Ont., February 22, 1944.

EX'D
A

Indian Affairs Branch, Dept. of Mines and Resources, Ottawa.

Referring to Department letter dated January 31, File 30001, with respect to Timber regulations, will you please advise if it would be permissible for the Lac Seul Indians to cut dead or fallen timber on the Lac Seul Reserve now under license.

G. Swartman,
Indian Agent.

GS:K

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

THE REGIONAL WAR LABOUR BOARD
FOR
ONTARIO

Mr Monroe
Mr Allan

Parliament Buildings,
Toronto, Ontario,
February 28th, 1944.

EX'D.
A.

Department of ... Resources
MAR 14 1944
... REN

Re: Conference in connection with the Pulpwood and Logging Operations of the Forest Products Industry in the Province of Ontario.

Dear Sir or Sirs:-

Recently a committee of the Regional War Labour Board met with representatives of labour and of employers in the various branches of the Forest Products Industry in the north-western and northeastern ends of the Province of Ontario for the purpose of discussing problems which have arisen in connection with the controlling of wages and of working conditions affecting wages in Pulpwood and Logging operations.

Growing out of such conferences is the belief that a general conference of all interested parties should be held at Toronto, Ontario, at which the Regional War Labour Board for Ontario would hear and receive their views in connection with the control of wages, working conditions, and the enforcement of the Findings and Directions of the Regional War Labour Board.

As you are no doubt aware, advisory committees have been constituted in various sections of the Province of Ontario for the purpose of looking into situations which arise in the respective sections of the Province of each advisory committee. Out of the deliberations of such advisory committees have come recommendations to the Regional War Labour Board upon which decisions of the Board have been made affecting the industry.

It is suggested that arrangements be made for representatives of employers and of labour to meet with the advisory committees as quickly as possible and to frame for discussion with the Regional War Labour Board at the coming conference any recommendations or suggestions for the benefit of the industry. In this connection it would be advisable for each advisory committee to hold a conference of all operators in its section of the Province, and to prepare whatever material it may consider necessary to present to the Regional War Labour Board.

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Every timber operator has a vital interest in the outcome of this conference and all are urged to be in attendance or be represented to express their views. In addition, labour has also a vital interest and representatives of labour organizations who are active in the industry are urged to attend so that they may also speak on behalf of the employees whom they represent.

The conference will be held in the large Committee Room of the Main Parliament Buildings, Toronto, Ontario, on Tuesday, the 18th, and Wednesday, the 19th of April, 1944, and your attendance and an expression of your views will be appreciated.

I shall appreciate it if you will advise Mr. W. C. Cain, Secretary of the Regional War Labour Board, in writing, as to whether or not you or representatives on your behalf will be in attendance, and the enclosed form may be used for such purpose. If it is your intention to make a written submission to the Regional War Labour Board, you are requested to file with the Secretary of the Board, nine copies of such submission not later than the 10th day of April, 1944.

Yours very truly,

Charles Daley

Charles Daley,
Minister of Labour for Ontario,
Chairman, Regional War Labour
Board for Ontario.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

PUBLIC ARCHIVES
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CANADA

THE REGIONAL WAR LABOUR BOARD
FOR
ONTARIO

Conference re Pulpwood and Logging Operations.

Name of Firm
or Individual Operator.....

Address.....

The above named will be represented at the Conference, called by the Hon. Chas. Daley, Chairman of the Regional War Labour Board for Ontario, to be held on Tuesday, the 18th, and Wednesday, the 19th April, 1944, in the large Committee Room of the Main Parliament Buildings, Queen's Park, Toronto.

Signed.....

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30001

THE REGIONAL WAR LABOUR BOARD
FOR
ONTARIO

EX'D.
A

APR 12 1944
REGISTERED

Parliament Buildings,
Toronto, Ontario.
April 11th, 1944.

Dear Sir: Re Pulpwood & Logging Conference

At the request of the Minister of Labour I am writing to advise you that the Pulp and Logging Conference scheduled to be held at Toronto, Ontario, on Tuesday, April 18th, 1944, and Wednesday, April 19th, 1944, has been postponed.

Many interested parties from every section of the Province have indicated to the Minister that a later date would be more opportune for holding the conference.

You will be duly notified as to the new date for this conference.

Yours truly,

J. B. Metzler

J. B. Metzler,
Chief Executive Officer.
Regional War Labour Board
for Ontario.

JBM:C

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30001

WHEN REPLYING KINDLY QUOTE
THIS FILE NUMBER

ONTARIO

11-OD-H

DEPARTMENT OF LANDS AND FORESTS

Toronto, April 15th, 1944

Indian Affairs
APR 13 1944
REGISTERED

EX'D.
A.

To all Woods Operators in Ontario.

Dear Sir:

During the past few years, summer woods operations have become general throughout the Province. Woods operations are using "Prisoners of War" labour for the first time this year which will require further safeguards in the prevention of forest fires. The Department will place a special ranger at each camp where prisoners of war are stationed whose duty it will be to see that every precaution is taken to prevent forest fires. Operators will be responsible for all fires resulting from the employment of prisoners of war and for their proper conduct in the prevention of fires.

The following instructions to be carried into effect throughout the "fire season", April 1st to Oct. 15th, 1944, are for the purpose of reducing fire losses to a minimum, and will form a part of all woods operations permits:

(a) Conditions to be observed relative to smoking:
(1) No smoking while walking or working
(2) No "tailor made" cigarettes allowed in camp
(3) No lunch fires or fires for any other purpose in the bush
(4) No matches -- all workers to be supplied with lighters with filling facilities provided in camp
(5) All fires to be reported immediately to camp foreman.

(b) On each summer operation there will be maintained wholly at the expense of the operator sufficient fire fighting equipment, as fixed by the local District Forester.

(c) The foreman of each camp shall have an appointment of "Honorary Fire Warden" under the "Forest Fires Prevention Act" and shall be responsible to the Department for the enforcement of the Act on the operations of which he is foreman.

(d) In the event of a fire occurring within the area of the operation or adjacent to it, the foreman shall immediately place all available men and equipment on fire fighting and forthwith notify the Chief Forest Ranger of the Division, who will render every assistence and take over direction of the fire fighting operations. The Chief Fire Ranger may call on all employees of the operator to fight fire until the fire is extinguished, all wages, meals, and lodging costs to be paid by the operator.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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(e) The cause of each forest fire occurring on or adjacent to the summer woods operations of any company, contractor or person shall be investigated by the Chief Forest Ranger, who shall establish the most probable cause of the fire. For all fires the origin of which is ascribed to summer woods operations the operator shall reimburse the Department for the out-of-pocket expenses incurred by the Department in an effort to extinguish it.

The present practices in connection with convictions for infringement of any of the provisions of the "Forest Fires Prevention Act" are not altered by these instructions.

F.A. MacDougall,
Deputy Minister.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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OFFICE OF THE
WOOD FUEL CONTROLLER
ONTARIO
WOOD FUEL OFFICE

30001

WHEN REPLYING
REFER TO FILE----------

Reads Apple

DEPARTMENT OF MUNITIONS AND SUPPLY
CANADA

Department of Mines and Resources
APR 1941
RECEIVED

Room 2219, No.3 Building,
Ottawa, April 15th, 1944.

TO ALL LICENSED WOOD FUEL DEALERS:

This is to advise you that the Order-in-Council authorizing the payment of subsidies on Wood Fuel has been amended extending the date to June 30th, 1944.

The Production Subsidy of $1.00 per cord will, therefore, be payable on all commercial wood fuel contracted for and cut on or before June 30th, 1944 and delivered to the dealer or held for his account after March 5th, 1943.

We are authorized by the Timber Controller, Ottawa to set a date of six months after June 30th, in which wood cut on or before June 30th can be delivered to a dealer and the subsidy claimed. Deliveries may be made any time up to December 31st, 1944, and claims for subsidies on such wood will be accepted by this office any time up to January 31st, 1945, thereby allowing dealers a full month after deliveries to enter their claims.

The purpose of this provision as to deliveries and claims is to enable dealers to make contracts now for their next winter's supplies and take delivery, as is the normal practice in the trade, during the summer and fall months.

To obtain the subsidy:

(1) The wood must be cut on or before June 30th.
(2) Wood cut on or before June 30th must be delivered to a dealer on or before December 31st, 1944.
(3) Applications for subsidies on wood delivered on or before December 31st, 1944, must be filed with this office on or before January 31st, 1945.

Yours very truly,

H. H. Thorburn,
Ontario Regional Officer,
Wood Fuel Division, Timber Control.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

OFFICE OF THE
TIMBER CONTROLLER

WHEN REPLYING
REFER TO FILE----------

DEPARTMENT OF MUNITIONS AND SUPPLY
OTTAWA CANADA

Room 2219, No.3 Building,
Ottawa, June 1st, 1944.

JUN 3 1944

TO ALL LICENSED WOOD FUEL DEALERS

Production Subsidy

This is to advise you that the Order-in-Council authorizing the payment of subsidies on Wood Fuel has been further amended extending the date to September 30th, 1944.

The Production Subsidy of $1.00 per cord will, therefore, be payable on all commercial wood fuel contracted for and cut on or before September 30th, 1944 and delivered to the dealer or held for his account after March 5th, 1943.

We are authorized by the Timber Controller, Ottawa, to set a date of six months after September 30th, 1944 in which wood cut on or before September 30th, 1944 may be delivered to a dealer and the subsidy claimed. Deliveries may be made any time up to March 31st, 1945 and claims for subsidies on such wood will be accepted by this office any time up to April 30th, 1945, thereby allowing dealers a full month after deliveries to enter their claims.

To obtain the subsidy:

1. The wood must be cut on or before September 30th, 1944.
2. Wood cut on or before September 30th, 1944 must be delivered to a dealer on or before March 31st, 1945.
3. Applications for subsidies on wood delivered on or before March 31st, 1945 must be filed with this office on or before April 30th, 1945.

Yours very truly,

W. H. Thorburn,
Ontario Regional Officer,
Wood Fuel Division, Timber Control.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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CANADA

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ONTARIO

WHEN REPLYING KINDLY QUOTE
THIS FILE NUMBER

Jill

DEPARTMENT OF LANDS AND FORESTS

Toronto 5, September 8th, 1944.

Department of ... Indian Affairs
SEP 11 194...
REGISTERED

Dear Sir:

Re: Your File 30065-3

As requested in your letter of September 6th enclosed is a copy of our "Manual of Scaling Instructions", which I trust will give you the information you desire.

If any further information is required, would you please contact the District Office at Sudbury, attention Mr. T. Thorpe.

Yours very truly,

JFS/ECA

J. F. Sharpe,
Division of Timber
Management.

Mr. D. J. Allan,
Superintendent, Reserves and Trusts,
Indian Affairs Branch,
Department of Mines and Resources,
OTTAWA, Canada.

ENCL.

Poor Copy

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001

OFFICE OF THE INDIAN AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE
FILE 20-0-899

EX'D

LYTTON, B.C. September 25, 1944.

Department of Indian Affairs
SEP 29 1944
REGISTERED

Indian Affairs Branch,
Department of Mines and Resources,
OTTAWA, CANADA.

I would greatly appreciate the Department forwarding me three copies of Form I.A. 347 B.C., "Regulations for the Disposal of Timber on Indian Reserves".

A. Strang,
Indian Agent.

MM.

4 copies sent, 30 Sept. 1944. F.K.

Indian Affairs. (RG 10, Volume 7798, File 30001 Pt.2)

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30001 VOL. 2

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Indian Affairs
Headquarters Files

(RG 10, Volume 7799)

File 30001	3	Canada - Order in Council concerning timber being cut on Crown land (Indian reserves). Record of timber permits 1933 - 1938 and a co-operative study in research of the timber industry (publications). 1941 - 1948
File 30001-5	1	Canada - Ammendments governing the disposal of timber cut on Indian reserves. 1903 - 1926
File 30002-1	1	Alnwick Agency - Timber rights on Alnwick Indian Reserve and the sale of timber. 1899 - 1918
File 30002-1	2	Alnwick Agency - Timber rights on Alnwick Indian Reserve, the sale of timber and resolution in council of certain timber permits (maps enclosed). 1918 - 1935

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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30001 Vol 3

Memorandum:

Mr. McLean,

The regulations made by the Lieutenant Governor in Council as to the disposal of timber under the Crown Timber Act of the Province of Ontario do not apply to the disposal of timber on lands held by the Crown in the right of the Dominion for Indians. The regulations governing the disposal of timber on Indian Reserves are provided for by Section 73, Chapter 81, R.S.C., being the Indian Act. As a matter of policy, however, the regulations under the Indian Act, as above referred to, were amended by Order in Council of the 19th April, 1901, to conform to the regulations of the Province of Ontario prohibiting the export of certain kinds of timber in the raw or unmanufactured state. This amendment could at any time be revoked, in whole or in part, by an Order in Council. An Order in Council was passed on the 1st December, 1915, No.P.C.2787, waiving the restrictions as to export contained in the Order in Council of the 19th of April, 1901, for the winter of 1915 - 1916 so far as the Garden River Indian Reserve was concerned. The proposal to now waive the said regulations so far as it relates to the Gull River Reserve, in the Province of Ontario, is a similar case. There appears to be no doubt as to the authority to amend our regulations as proposed in the attached recommendation to His Excellency the Governor General in Council.

Departmental Solicitor.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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GOVERNMENT OF THE PROVINCE OF SASKATCHEWAN
DEPARTMENT OF NATURAL RESOURCES.

Instructions for the Scaling and Measurement of Provincial Timber.

When scaling or measuring timber, an officer of the Department of Natural Resources is determining the amount of Government property passing into private ownership and the amount of revenue from the sale of that property. It is his responsibility, as an agent of the Department, to determine these amounts fairly and accurately.

Scaling, as practiced by the Department, is the measurement of material in the log and relates to quantity rather than quality of material. Timber will therefore be scaled in accordance with the defect in the log and not in relation to any particular grade of lumber it will produce.

Scaling is the delivery of the material purchased, and the stamp is the evidence that the timber has passed to the purchaser. The removal or use of unstamped timber should be a breach of the contract. This point should be explained to the purchasers.

Customary Commercial Units Used

Saskatchewan Provincial timber is appraised, sold and measured by the customary units for the product involved. As a standard practice saw timber will be scaled by the thousand feet log scale, railroad ties by the piece of stated minimum size, mining timbers by the piece according to diameter and length, piling by the lineal foot, pulpwood, boxwood, shim wood and similar material by the cord.

It is the policy of this Department to sell timber on the basis of the form in which the material leaves the woods and not on the basis of the amount of the finished product which may be manufactured from it. The collection of dues based on mill returns will be permitted only on sales where the time taken and the expense incurred, or where some unusual circumstances, render scaling impracticable.

Scale Rule

Section 5 (k) of the Forest Regulations provides that where timber is disposed of by the Department on a log scale basis, Clark's International Log Rule shall be used. This rule is the result of investigation by Judson F. Clark, Forester of the Department of Lands and Forests, Ontario. The rule is based on the following principles:

(a) It shows the product of logs in boards one inch thick.

(b) It is based on the use of a saw cutting a specified kerf; viz: one-quarter inch.

(c) The minimum board is 3 inches in width, containing not less than 2 board feet. A 3-inch board must, then, be at least 8 feet long to be included; a 4-inch board 6 feet long; a 5-inch board 5 feet long; a 6-inch board 4 feet long.

(d) An allowance is made for a taper of one-half inch for each four feet of length. Clark has shown that this is a conservative allowance for merchantable logs for all species so far studied in North America, including white pine, loblolly pine, spruce, balsam fir, chestnut and northern hardwoods.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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(e) Provisions are made for the loss due to normal crook and that due to human and mechanical imperfections. By normal crook is meant the average crook of first-class logs accepted at the average mill. The average crook allowed in this rule is about 1.5 inches and does not exceed 4 inches in 12 feet. Any crook more than 4 inches will have to be specially discounted by the scaler.

(f) An allowance of one-quarter inch is made for saw-kerf and one-sixteenth inch for shrinkage and unevenness in sawing.

(g) It presumes the use of good machinery and skilled sawyers.

Mill Over-run

Mill over-run is made up of:

1. Any saving in kerf from cutting dimension stock, timbers and other material over an inch thick.

2. Any saving in saw-kerf under one-fourth inch, the kerf upon which the International Quarter Inch Kerf log rule is based.

3. Trade practice in cutting lumber of scant thickness.

4. Utilization of narrow or shorter material not included by Clark.

5. Utilization of lumber grades which admit considerable unsound material, rot, broken-down sap, etc., which should be eliminated in the scale.

Assurances to Purchasers

No assurances regarding the Department of Natural Resources scale should be made to purchasers, except that:

1. The Department will give them a scale of the sound material in the log under the International Rule. The Departmental practice of reading diameters to the nearest instead of the next lower inch should be made clear, together with the requirements governing the maximum scaling length, trimming allowance and penalty for over-running the trimming allowance.

2. The Department will make systematic checks on the local scale by more experienced scalers.

3. The Department will make special check scales by the best men in the organization in case of serious complaints.

Assurances to purchasers should be restricted absolutely to those given above. Never should any assurance or promises be made on the amount of over-run. They should be informed that the Department makes no assurances whatever as to the amount of over or under run. Provincial timber will be scaled in accordance with instructions for scaling, without modification because of the favourable or unfavourable market for lumber, or other factors which may influence the amount of over-run or even prevent the sawing of the amount scaled. Every effort should be made to keep the scaling practice uniform.

Definition of Merchantable Logs (See Forest Regulation 3 (i)

Merchantable timber means any product of the tree authorized to be cut for manufacture or sale as lumber or other product which can pay its part of the production costs from the sale of its converted product without loss from its original position in the forest through the process of manufacture and sale to the mill or shipping point.

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Economy in Scaling

The time and the places of scaling should be determined by the scaler, so that the scale will be made at minimum cost to the Department. Due consideration should be given to the purchaser so as not to unnecessarily increase the cost of logging. Scaling will not be done, however, in places or under conditions dangerous to life and limb.

When necessary, the purchaser should be required to mark the top ends of the logs.

The Scale Stick

Scale sticks are furnished by the Department for logs of even lengths from 8 to 20 feet lengths with diameters from 4 to 36 inches.

Log Lengths

Logs over 20 feet in length will be scaled as two or more logs of standard length. When logs are scaled as two or more logs, the scale allowed for the separate lengths will be added and the total recorded as one log. The use of logs of odd lengths by purchasers should be encouraged. A scale sheet for odd lengths may be had upon application to the Director of Forests.

Allowance for Trimming

A definite allowance for trimming must always be specified in the Conditions of Sale. Three inches over-run will ordinarily be sufficient for timber cut in Saskatchewan. In no case should more than 4 inches be allowed.

Measuring, Numbering and Stamping Logs

Measuring Log Lengths

The length of all logs about which there is any suggestion in the mind of the scaler will be measured. Any logs overrunning the trimming allowance will be scaled to the next standard length as outlined under Penalty Scale.

Frequent measuring is of specified importance in small sales where a scaler is not always present, or where an efficient stump boss is not employed, since sawyers are more apt to be lax than when the lengths are daily checked by a Departmental Officer.

Measuring Diameters

All diameters will be measured inside the bark at the top end of the log. Logs which have a diameter exactly half way between inches will be thrown to the next lower inch. If logs are not round they will be scaled on the average diameter. The practice of alternately using the higher and the lower diameters in logs with tops of irregular diameters will not be followed. When there is a swelling at the small end of a log, the necessary reduction in diameter will be made.

Numbering or Crayoning Logs

Every log, whether merchantable or cull, should be marked with a crayon at the time it is scaled. The scaler or officer in charge of the scale should inform the operators the colors which the Department intend to use. Those colors should then be used exclusively by the Departmental officials.

The indiscriminate use of all crayon colors by the operators should not be allowed.

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Stamping Logs (See forest regulation 5 (i)

Every merchantable log scaled (or counted if a percentage is scaled) should be stamped "SF" on at least one end. The stamp signifies an official scale, subsequent to which the timber passes to the purchaser. Logs so defective as to be unmerchantable under the terms of the contract will be plainly marked by a circle around the stamp, thus (SF).

It is essential that cull logs be plainly distinguished from merchantable logs in the manner prescribed in order to identify the culling as done by a scaler. The distinguishing mark should be made as permanent as possible. This is necessary to show the disposition made of a log in the event of another officer taking charge of the sale, of checking the area over for a penalty scale, or of subsequent inspections of the cutting.

Deductions for Defects

8 The effect of rot and other defects upon logs of different species and in different regions varies so greatly that no rules for making deductions can be applied inflexibly. The constant exercise of good judgment by scalers based on an accurate knowledge of local timber secured by seeing defective logs opened up under the saw is essential. Defects are classified as follows:

1. Interior defects which cause waste on the interior of logs.
   - (a) Centre or circular rot.
   - (b) Ground or stump rot.
   - (c) Circular shake or pitch rings (seldom found in native species)
   - (d) Pin dote or peck.
   - (e) Check or pitch seam.
   - (f) Dote appearing in knots.
   - (g) Worm holes
2. Side Defects
   - (a) Unsound sap.
   - (b) Checks.
   - (c) Cat face.
3. Crook or sweep.
4. Crotches

Methods of making deductions are many and vary and a long discussion would result if it was attempted to give a rule for each case. When deducting for rot defects of any kind, care must be taken to determine whether or not the defective portions are merchantable. Lumber may be off colour and appear rotten, but at the same time it is quite sound and merchantable as a poorer grade.

A few general rules are listed below:

Centre or Circular Rot

This defect may or may not run the full length of the log. If the rot does not show up at both ends of the log, experience in seeing such logs open up in the mill is necessary to determine the length of the defective portion. This can sometimes be determined by the appearance of

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defective knots. The scaler will note that the International Rule allows for taper, a log sixteen feet long of any diameter contains more lumber than two logs eight feet long of the same diameter.

In general, if a log is defective at both ends, the benefit of the doubt should be given to the purchaser.

Ground or Stump Rot

Ground or stump rot in butt logs seldom extends far into the log amd usually tapers to a point. If it joins centre rot from above or extends well up into the log, thedefect comes under centre or circular rot. If the rot runs up four feet it is very seldom necessary to reduce the log in length by more than two feet as ground rot as a rule tapers very quickly and the rim of the merchantable lumber which can be sawn from the first two feet will very often make up for that part which is lost in the centre of the second two feet from the butt; this, of course, depends upon the size of the log affected.

Circular Shale or Pitch Rings

This defect is very seldom found in spruce or jack pine; it will sometimes be found in the balsam. This defect is caused by wind, the annual rings have separated giving a circular or wind crack and the boards fall to pieces when sawn. This defect is often overcome when the purchaser saws such material into cribbing.

Pin Dote or Peck

Pin dote or peck appears on the ends of logs as little rotten spots or pockets usually occurring in a roughly circular area. Logs containing it may "open up" poorly, the doty spots frequently covering and forming a mass of less broken down material. It often extends into knots. Such a log is as a rule worthless and should be considered as a cull.

Worm Holes

Deductions for worm holes depend upon their number and extent. A few scattered holes can ordinarily be disregarded. With the exception of very bad cases, no deductions will be made for this defect. A lumber affected is of a lower grade but at the same time is merchantable.

Unsound Sap

The sound heartwood alone should be scaled in logs with a shell of unsound sap. Sound stained sap, not broken down or worm eaten, will not ordinarily be regarded as a defect.

Checks

Where a number of deep checks extend from the surface toward the centre of a log, the scaler will measure the diameter of the sound core inside the largest circle which can be described on the scaling and without being seriously cut into by the checks. When there is only one check in a straight grained log the defect can often be taken out in the saw kerf, making the log negligible.

Cat Face and Other Side Defects

The method of using a lower diameter will be used when deducting for this defect. The scaler should determine the depth of this defect. He should also remember that the International Rule allows for boards which are manufactured from the tapered sides of the logs.

Curve of Sweep

The percentage of waste from sweep or curve varies with the diameter of the log. A curve of 3 inches in a 10-inch log will cause

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approximately twice the proportionate waste as the same curve in a 20 inch log. Sweep which would cull a very small log would not necessarily cause the rejection of a large log. Clark has allowed for loss due to normal crook. The average crook allowed in this rule is about 1.5 inches and does not exceed four inches in 12 feet. Any crook more than 4 inches will have to be specially discounted by the scaler.

Crotches

If the log is crotched, the proper deduction should be made in the scale, usually by reducing the length. In any case where a crotch occurs the scaler should obtain the average diameter of the log just below the swelling caused by the crotch.

General

The scaler will scale a defective log as a log of a small diameter, or as a shorter length, or both depending on the amount of defect.

Scaling Green and Dead Timber

On sales where green and dead timber is sold at separate stumpage prices, each class of material will be entered on separate sheets or pages. The policy to be preferred is to include all material of a certain species under one stumpage price. On many sales, the amount of sound merchantable dry material is negligible and this material should be removed by the purchaser at the current upset price. Such a policy will be in harmony with material removed from licensed timber berths on which all merchantable material is removed at one price.

Penalty Scale (See Forest Regulation 5 (e)

Enforcement of the penalty scale clause is necessary except in accidental or exceptional cases involving small amounts of timber, where it may be waived by the officer in charge. Whenever waste subject to the penalty clause occurs, the scaler or field officer will notify the purchaser and call his attention to the utilization required by the regulations or the conditions of the sale. If further waste occurs, or if material previously left in the woods, whose utilization is practicable, is not removed, a penalty scale should be made of all such material and a report forwarded to the District Superintendent. Penalty material should be scaled as promptly as practicable, and in any case immediately after the completion of operations upon a logging unit.

Separate record of penalty scale material should be kept. Each set of entries should be given a separate heading indicating the charge applicable.

Material Not Previously Scaled to be Charged for at the Regular or Single Stumpage Rate.

This material will include waste due to high stumps, waste due to merchantable material left in tops, etc. After a fair warning has been given to the operator, further violations of the utilization section shall be scaled and charged at double dues. In general, all timber sale contracts will contain a definite penalty for high stumps and merchantable tops.

In exceptional cases, such as trespass outside the area, it will be necessary to charge penalty dues on material which has been previously scaled.

Under the timber sale conditions, logs overrunning the specified allowance for trimming will be scaled as a log of the next longer standard length. If the scaler finds frequent violations of the trimming over run he should notify the purchaser in writing, a copy of the letter will be sent to the District Superintendent. If further violations occur, he should measure all logs and scale such pieces as the longer lengths. Penalty scaling of this

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character will be plainly noted in the scale book and a short report, on N.R. 4, sent to the District Superintendent in order to avoid possible controversy.

Scaling from the Stump

Departmental officers should use extreme care in scaling trespass timber, especially by a stump scale, and should keep complete notes of the methods used. If the case is brought into Court, the scale and methods used in detail must be introduced as legal evidence.

Regina, Sask.
19/11/40.

H.W. Roberts.

Director of Forests

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Regina, Sask.
19/11/40.

H.H. Roberts.

Director of Forests

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GOVERNMENT OF THE PROVINCE OF SASKATCHEWAN
DEPARTMENT OF NATURAL RESOURCES

ADDRESS YOUR REPLY TO
DEPARTMENT OF NATURAL RESOURCES
AT POINT OF MAILING

PLEASE QUOTE
LAND OR FILE
NO.
S/For.
Scaling

EHR/FW

Regina, Saskatchewan,
April 5, 1941.

Dear Sir:

I acknowledge receipt of your letter of the 31st ultimo, concerning our use of Clark's International Log Scale Rule.

We adopted Clark's International Log Rule in 1931 under authority of Section 5 (K) of our Forest Regulations as provided for in the Forest Act, i.e.:-

> "Where timber is measured or disposed of by the department on a log scale basis, Clark's International Log Rule shall be used".

The regulation does not state specifically whether the 1/8" kerf or 1/4" kerf rule is to be used. In practice we have adopted the 1/4" kerf rule as most adaptable to our small timber sales and operations where circular saws are in general use. Only two of our large operators use band sawmills cutting the smaller kerf and we have felt that any extra over-run that they may secure is off-set by their better utilization and the fact that most of their production originates from licensed timber berths on which they pay royalty dues on the quantity of manufactured lumber rather than on a log scale. A check at one of these large band mills on white spruce logs averaging 16.5 per 1000 f.b.m. gave an over-run in lumber only of 5.77% or 9.37% for lumber including lath.

A check on one of our larger circular sawmills on white spruce log run of 22.9 per 1000 f.b.m. gave an over-run of 3.9% in lumber only or 9.08% for lumber including lath.

Other checks at small portable circular sawmills have shown a lumber over-run over log scale ranging from .03% to 16.84% and only one under-run of 6.0%.

In one check an old experienced scaler in checking over-run with both our International Rule and the Dominion Forest Service Scribner rule, reported an over-run of 3.9% on the former and 13.9% on the latter. His remarks were that in his opinion the over-run should be from 2 to 7% on our rule depending on the type of log run.

With the Forest Service Scribner Log rule we made several other checks and they averaged around 20% over-run for small portable circular sawmills and in excess of 35% for circular band sawmills.

We have found Clark's International Log Rule quite satisfactory over a period of ten years in actual practice and have no regrets in having adopted it. We feel that it comes closer to the actual board contents than any other rule for our white spruce timber in this province. Its use in the hands of an experienced and qualified scaler together with an

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efficient sawyer at the mill should produce equally satisfactory results to both the seller and buyer of our timber.

The Doyle and Scribner log rules were made originally for the large white pine timber in the East at a time when waste was not given the same thought that it is now when close utilization is our objective.

I enclose a copy of our Scaling Instructions which may be of interest to you.

Yours faithfully,

E. H. Roberts,
Director of Forests.

C. H. Taggart, Esq.,
In Charge of Timber Sales,
Indian Affairs Branch,
Dept. of Mines and Resources,
OTTAWA, Ont.

Encl.

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CANADA

Ottawa, Ontario,
April 9, 1941.

Dear Sir:

I wish to acknowledge receipt of your letter dated April 5th and to thank you for the information contained in same and also the copy of your Scaling Instructions.

Yours very truly,

C. H. Taggart

C. H. Taggart,
In Charge of Timber Sales.

E. H. Roberts, Esq.,
Director of Forests,
Department of Natural Resources,
Regina, Saskatchewan.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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PLEASE REFER

TO FILE .....

DEPARTMENT OF
MINES AND NATURAL RESOURCES
WINNIPEG

FOREST SERVICE
H. I. STEVENSON
PROVINCIAL FORESTER

O/ H. O.
Information

April 17, 1941

Department of Mines & Resources
Indian Affairs Branch
MAY 19 1941
REGISTERED

C. H. Taggart,
Indian Affairs Branch,
Dept., Mines & Resources,
Ottawa, Ont.

Dear Sir;

In answer to your letter of the 31st ultimo, the International Log Scale has been the legal log rule in the province of Manitoba since 1933. As a matter of fact the great bulk of the timber dues are collected on the basis of the actual scale of lumber at the mill. In only a few timber sales are dues collected on a log scale basis.

However, a certain percentage of the logs in all timber operations are scaled by the International log scale, as a check on the return made by the mill operator. I am satisfied that the International log scale is the most accurate of all the various rules commonly used on this continent, that is, from the point of view of one who wishes to get the closest possible approximation to the actual lumber in the log.

Yours very truly,

CBG

Provincial Forester.

CBG/W.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

PUBLIC ARCHIVES
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30001-1

Ottawa, Ontario,
April 22, 1941.

Dear Sir:

I have to thank you for your letter dated April 17th in reply to mine of the 31st ultimo in regard to Clark's International Scale.

I am glad to know that you have found this scale very satisfactory and accurate and that, in your opinion, it gives the closest possible approximation to the actual lumber in a log.

Yours sincerely,

C. H. Taggart,
In Charge of Timber Sales.

Col. H. I. Stevenson,
Director of Forestry,
Department of Mines & Natural Resources,
Winnipeg, Manitoba.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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30001 V.13

Smiley General

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

Ottawa, May 30, 1940.

MEMORANDUM:

Mr. Allan.

In response to your request of May 28, that I looked over, in company with Mr. H. J. Bury, the proceedings in dealing with timber and minerals and other related duties which he has been performing in his position as Supervisor, Indian Timber and Mining Lands, and which position he is about to relinquish, and to submit notes resulting from this investigation, we have gone thoroughly over the various steps taken in dealing with timber in all its phases as well as those details pertaining to and governing the application of the regulations for mineral prospecting and mining on Indian lands and all the methods of recording all of the detail necessary to such transactions, and I submit herewith the notes obtained.

Notes on the Work and Duties Pertaining to and Dealing with Timber and Minerals on Indian Reserves in Canada.

Timber on Indian reserves may be disposed of in two ways: sale to white operators, and sale by Indians themselves. Such sales and the operations necessary for the removal of the timber are governed by regulations which have been approved by Council:

(1) P.C.752 — 1st of May, 1923,
"Disposal of Timber on Indian Reserves in the Dominion of Canada except in the Province of British Columbia."

(2) Order in Council dated 5th of May, 1921 (pamphlet),
"Disposal of Timber on Indian Reserves in the Province of British Columbia."
(form IA-347 B.C.)

(3) Provisions of the Indian Act, Section 76.

The procedure in the office in handling the disposal of timber is divided — 1. that disposed of and cut by white men; 2. that disposed of and cut by Indians.

1. Cut by White Men.

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1. Cut by White Men.

Upon receipt of application from a person or persons other than Indians for the right to cut and dispose of timber from an Indian reserve, if considered bona fide, having been submitted to the Indian agent if same has not come through his office, the first step is to learn if the Indian band will consent to sell, and if so their authority must be obtained by surrender which is secured on the proper forms, 'Surrender of Timber', which are prepared in the office and sent to the agent concerned to be executed by the band council.

Such surrender, on return to the office, is submitted for approval to the Governor in Council. After receipt of the approving Order in Council the same is sent to the Registrar General, the official of the office of the Secretary of State, to be registered (see draft form in portfolio of samples, also book 'Timber Surrenders' and refer to file 30152-6).

The timber may now be cruised and the valuation established.

To arrive at a proper valuation of a block of timber when it cannot be conveniently done by an Indian Affairs officer, officers of the Forest Service may be employed or private cruisers may be engaged when authority has been obtained. The charges for such services vary, so care must be exercised to prove that any charges so made are reasonable.

When the quantity of timber is not large enough to warrant the expense of cruising and evaluating, such valuation may be estimated from a report setting out the details secured from a responsible officer. In British Columbia the Commissioner of Indian Affairs at Vancouver may be applied to.

The sale of timber should now be advertised and tenders called for by public notice appearing in the local newspapers in the district. Names of such suitable newspapers should be obtained from the Minister's office. Application is then made to the King's Printer, who looks after all such advertising, on the prescribed forms (see 'Demand for Advertising' book in steel cabinet). The details pertaining to advertising vary according to the province in which the timber is located and to local circumstances. No definite time limit has been fixed by regulation; the usual time, however, is thirty days.

Where the value of timber is not larger than $500.00, sale is made without public advertising at the discretion of the Minister.

A deposit of at least ten per cent. of the value of the tender is demanded which must accompany the tender.

Tenders must be made on forms which are supplied by the Department. When the timber being dealt with is located in the Province of British Columbia, form IA-339 B.C. is used and the tariff of royalties as established apply as an upset price, (see pink slip #341). In other parts of Canada form IA-339E is used and the upset price established as tariff of dues applies which are set out on the form.

Decision . .

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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Decision to accept a tender or offer to purchase timber is made by the Director on the recommendation of the responsible officer, and under certain circumstances the Minister's approval is asked for.

When the tender is accepted the ten per cent. deposit made by the successful bidder is retained and forwarded to the Finance Department with the necessary particulars to enable them to collect further charges, dues, royalties, etc. The deposits of the unsuccessful bidders are returned to them.

The foregoing procedure and details having been taken care of a 'Licence to Cut Timber' may issue. These are made in triplicate on the proper forms; IA-355, when the timber is located in the Province of British Columbia; IA-342, when the timber is located elsewhere in Canada. Timber licences are numbered consecutively, the number of the last licence is to be found in the black record book in the steel cabinet in which appears a record of the advertisements. These licences are sent to the licensee for signature and on return are duly executed by the Director, the original being sent to the licensee, the duplicate is filed at the head office, and the triplicate is sent to the Indian agent concerned.

After operations start the licensee must keep proper records in order to submit at the close of each season sworn returns as to details of the timber cut which must be prepared by qualified scalers on forms provided, #78 and #78A, accompanied by affidavits on forms 69 and 70. All charges, dues, rentals or royalties based thereon must be paid not later than the 30th day of November; unpaid balances bear interest at six per cent. from that date (see Timber Regulations, Section 13).

All licences expire 30th of April each year automatically.

Renewal must be applied for before the 1st of July following. Renewals cannot be granted until all charges, rentals, dues or royalties have been paid covering the operations of the previous year.

All cullers' and scalers' returns must be carefully checked and the accounts proved, after which a memorandum stating the amounts due is sent to the Representative of the Treasury for billing (this Division does not do any billing).

In the case where a licence has issued, but for a bona fide reason no operations have been carried on within the year, when the licence must be renewed such renewal can only be made after sworn affidavit is submitted setting forth the reasons for the delay, which, if deemed satisfactory, on the recommendation of the responsible officer the Director may approve such renewal.

Charges —

Licensees are required to pay all charges that may be imposed from time to time as circumstances warrant, such as Forest protection. Licensees are required to pay one-half of the cost of protecting the timber. The Department having no Forest Protection organization, arrangements have been made with the several provinces to deal with this matter, to fight and extinguish all forest fires on lands belonging to the Indians, the cost to be born by our Department. Payment is made

from . .

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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from band funds when available, otherwise out of a special vote amounting to $5,000 which is usually passed each year to cover such contingencies (see fire protection reports #IA-329).

Fines are imposed for trespass where the licensee is guilty of cutting timber outside the boundaries of the block specified in his licence. These dues are fixed at the rate of double, triple or quadruple the original dues called for in his licence according to the degree of guilt established in the trespass (authority Section 118 and 119, Indian Act, and Section 14 of Regulations).

Dues or Royalties --

('Dues' is the word used in all parts of Canada except British Columbia where 'royalties' is the proper term). No timber may be sold for less than the tariff rates established unless by authority of the Governor in Council(see form 341, also IA-339 for British Columbia and 339E for other parts of Canada). When advertising for tenders it is usual to state that such tariff rates as have been established shall be the upset price on which all tenders must be based and that such tariff rates are incorporated in the tender.

Rentals apply in all parts of Canada, but the rate in British Columbia is 20¢ per acre definite whereas the established rate for other parts of Canada is $5.00 per square mile with a minimum of 8 square miles. These rentals are fixed by the Regulations.

Cruising and Scaling --

The original cruise of the timber made at the direction of the Department in order to determine valuation is the cost to the Department. Scaling of all timber is the responsibility of the operator unless it be that the Department demands a check scale. In this case the Department bears the cost and it is paid out of band funds. Where a check scale is deemed necessary to prove accounts, etc., it must be sanctioned by the Minister on recommendation of the Indian Affairs responsible officer and the returns of such scale must be made by a qualified person supported by sworn affidavit.

In the Province of British Columbia all scaling and culling is done under authority of the Government of the Province by their qualified and appointed personnel, and the returns are duly sworn to. By law all logs delivered to any mill must be scaled in the boom. Official scalers' returns (see yellow sheets) are submitted, a copy of which is sent to the Indian agent concerned who checks it with the records he has from the scale on the ground and returns it to the head office.

Charges for these scales are paid for by the operator and the Government of British Columbia bills him direct (see sample of British Columbia scale).

Closing of operations --

When a licensee has completed operations, or for any legitimate reason it is deemed advisable to terminate his licence, a clearance must be given before the deposit which the Department has held can be returned to him. For this purpose a certified statement is procured from the local district Forestry officer to the effect that no undue fire hazard has been left on the area covered by the licence; that the operations have

been . .

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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been carried out economically by close utilization practice; that is, that all merchantable timber standing, regardless of species, quality or quantity, has been removed and that the licensee has not committed any act detrimental to Indian lands other than is allowable in ordinary timber operations and covered by his licence.

Salvaging —

Salvaging of dead timber or fire-killed timber may be permitted by white men under the provisions of the Indian Act in order that such timber may be harvested to the benefit of the Indians (see Section 50 of the Indian Act). This is done by the issuing of permits not by tender. In order to have sufficient data upon which to base any such operation the area must be inspected and investigations carried out to establish a satisfactory value. White men are allowed to salvage such timber only when the Indians of the band will not or cannot do so themselves. Care must be taken to determine a just value at which the sale is to be made and safeguards must be imposed to prevent the cutting of any green timber which is not called for in the permit. Such sales do not require to be advertised nor do tenders have to be called, but careful attention must be given by the Indian agent concerned to see to it that the operation is properly carried out and the Indian interest protected.

Beauchage, Commanda and Pelly Townships, Province of Ontario.—

Indian lands in the above mentioned townships were surrendered for sale some years ago. The lands have been subdivided into lots and some of them have been disposed of. Many, however, remain unsold in the name of the Crown (see plan in steel cabinet). Experience has shown that in some instances there has been a tendency to abuse the privilege to buy these lots on the instalment plan. A purchaser making an initial payment at once proceeded to remove the merchantable timber, which had considerable value, after which he allowed the land to revert without any further payment. In order to guard against this practice certain steps of procedure were established. On some of the lots remaining unsold there is valuable merchantable timber. Some of the timber is on land not suitable for cultivation and it has been decided to dispose of the standing timber separate from the sale of the land. For this permits are issued. When an application is received to purchase timber standing on a designated lot or lots a cruise is made and the timber valued. Tenders are then invited by placing a notice in the local newspaper with an upset price stated which has previously been established and which must cover the price tendered (see tariff on file 8443-1). Decision to accept any tender or offer is made by the Director in exactly the same way as for licences. Permits, when issued, state a reasonable time limit.

2. Cut by Indians.

Under Sections 118 and 119 of the Indian Act and Section 15 of Timber Regulations provisions are made whereby Indians may cut timber on their reserves for sale. Tariff dues, below which timber from a reserve may not be sold, have been established and are set forth on the white sheet

marked . .

Indian Affairs.. (RG 10, Volume 7799, File 30001 Pt.3)

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marked 'Permit Tarriff of Dues Chargeable'. Such cutting of timber for sale is carried out under authority of a permit and there are 3 classes:

(a) Permit of sale to band;
(b) Permit of sale to Indian individual;
(c) Permit to Indian individual for his own use, such as for building purposes, fencing, etc.

(a) On the recommendation of the Indian agent, supported by a resolution of the band, such permit may be authorized by the Director (see form 86 in book). When this permit has issued the Indian agent has authority to issue special permits to the individual Indians engaged in cutting the timber which is their authority for such action. Copies of such permits must be sent to headquarters for record.

(b) Where an individual Indian is desirous of cutting timber for sale in order to provide for his living he must first have the consent of the band, and, on recommendation of the Indian agent, a permit to cut for sale may be issued to him but such permit must be in his possession before he starts operations. Where Indians cut timber for sale the name of the prospective buyer must be sent in to headquarters and such purchaser of timber cut by Indians must supply the Department with a statement giving details as to species, grade, quantity, etc. of such purchases. In no case can timber be removed from the reserve, either by Indians or purchaser, until all the tariff dues have been paid. The purchaser is held responsible with the Indian agent to see that these dues are properly handled. There are penalties for non-fulfillment. Agents are required to supply details of all timber cut by Indians on the reserve in accordance with the permit and he must give careful attention to see that the dues have been paid before allowing either the Indians or the purchaser to remove the timber. The responsible officer at headquarters should keep close tab on all these operations to see to it that the Indian agent has these matters in hand and, when necessary, to apply to the Indian agent for information as set out in form letter 600-703. All permits expire 30th of April in each year and to have any validity must be immediately renewed. Records of all such permits are kept in a ledger titled 'Record of Indian Timber Permits'.

(c) Where the case arises that individual Indians apply for the privilege of cutting timber from their own reserve for personal uses such as building material for houses, barns, etc.; fence posts, or other construction purposes in connection with their own home development, this may be granted by the agent on authority from headquarters; but the agent should be advised that he is to make sure that these requests are bona fide and that the materials are being taken for the purposes as stated. In no case is an Indian to be allowed to cut timber for sale on such a permit.

Forest Protection —

The Department does, in some instances, in addition to the protection afforded through the several provincial government organizations, appoint on specified reserves each season Indian fire rangers whose appointment must have the authority

of . .

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of a Civil Service Commission certificate. The wages of such persons are paid for out of band funds and a list of such persons with the wages paid is to be found in the portfolio in the steel cabinet. Further details as to forest protection are enumerated in Section 22, 'Timber Regulations'.

Records of Timber Transactions —

Details of all timber sales and transactions are entered in the synoptic journal of timber. This shows from what land timber has been cut, the species and quantities, the amount of money received and all other pertinent details. The money values are balanced each month and checked with the Representative of the Treasury, and at the end of the fiscal year a complete summary is made for purposes of the Annual Report. Details of these records are posted into a ledger entitled 'Record of Timber on Indian Reserves' and in the record book entitled 'Indian Timber Permits'.

MINING ON INDIAN RESERVES

Quartz mining is carried on under authority of regulations set out in pamphlet #IA-349 established under P.C.2113, dated the 31st of August, 1938 and apply to all parts of Canada except on Indian reserves in British Columbia.

Circular letter #600-785, dated the 12th of September, 1938, together with a memorandum of instructions to Indian agents regarding prospecting and staking of mineral claims on Indian reserves, dated the 15th of March, 1940, explain quite clearly the procedure necessary for prospecting and staking of mineral claims and for the disposal of quartz mining claims by lease and the dues and royalties payable thereon. On copies of these letters I have appended certain notations in the way of explanation from which I believe we can have a very clear understanding of the procedure necessary. Since the quartz mining regulations have only been applied for a little more than two years there has not been an over amount of work in these recordings but it is quite clear that the system evolved is adequate for the time being. The forms necessary to obtain surrender of minerals, Prospector's Permit, Application to Permit Holder to Record a Mineral Claim and a Mining Lease are in the envelope accompanying this report.

Coal mining is done under regulations authorized in P.C.1510, dated 3rd of September, 1924, and they apply to coal mining in all parts of Canada. The application of these regulations seems to be quite simple and needs no further explanation.

Sand, Gravel and Rock —

There is no special regulation governing the disposal of earth materials from Indian reserves but the general procedure is: when an application is received to purchase either fill-in earth, sand or gravel for road construction, or sand and gravel suitable for use in concrete and the building trade, the council of the band asks for permission to remove for sale such materials as dirt, sand, gravel, rock, etc., and on the recommendation of the Indian agent a letter from the Director authorizing such removal, subject to the payment under a sworn

certificate . .

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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certificate of the dues, royalties, etc., which may be established for the sale of such materials. These rates vary but as a basis the following have been applied:

fill-in dirt, etc. - - - - - - - - - - 2¢ per cubic yd.
sand and gravel for road construction - 5¢ " " "
Gravel for concrete - - - - - - - 15¢-25¢ " " "
the rate for rock - - - - - dependent upon the type and location.

Trading Licences —

The privilege of trading among Indians or the establishment of stores or trading posts on Indian reserves is governed by Section 45 of the Indian Act, in all the provinces of Canada except British Columbia. The procedure is that the Indian band petition the Indian Affairs Branch through the Indian agent to allow a certain individual to trade among them or operate a store on their particular reserve. The agent must submit the detail of all the facts with a definite recommendation with suggestions as to the rentals and conditions upon which such trading licence is to be based. He must also state the character and responsibility of the person to whom the licence is to be issued. If there are no objections the 'Licence to Trade on an Indian Reserve' is issued on form IA-334. The fee is $5.00 (see record book in steel cabinet entitled 'Trading Licences'). Seasonal trading permits are granted to suitable persons to trade among the Indians during fur trapping and fishing periods. These are granted on the recommendation of the Indian agent for a definite term if the Indians are agreeable. The fee chargeable is $20.00. A letter of authority signed by the Director is all that is necessary in this connection.

NOTE: Notices of all transactions connected with permits to cut timber, licences, permits of occupation, etc., entailing an annual or monthly rental charge are to be sent to the Representative of the Treasury for his guidance.

G. Haggart

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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Supply Res Inuvik

Security cheques, bonds, etc. for Safe-Keeping with the Finance Department - Sept. 30, 1944.

				Timber Lic.No.
Prince Albert Lumber Co. Ltd.	Timber Contract	$	600.00 ✓	251
Howard F. Brown	"		300.00 ✓	274
R.B. & K.R. Brooks	"		1,500.00 ✓	273
A.H. Brunne & Co.	"		1,200.00 ✓	254
Reuben Buerge	"		305.00 ✓	282
30038-1 ✓ Michel Castonguay	"		50.00	
Oscar W. Clapperton	"		1,500.00 ✓	248+265
Wilfred Davidson	"		1,500.00 ✓	260+279
Dokis Indians	War Savings Certificates		5,725.00	
Dumaresq Bros.	Timber Contract		350.00 ✓	226
✓ O.A. Duval	"		300.00 ✓	268
Frank Edwards	"		2,000.00 ✓	240
T.L. Garner	"		300.00 ✓	261
Hammond Hardwood Mills Ltd.	"		599.75 ✓	276
Imperial Lumber Co. Ltd.	"		500.00 ✓	287
Mrs. Sadie Eugene Jersey	Bond		100.00	
Larsen, McLauchlin & Carney	Timber Contract		750.00 ✓	259
Pacific Mills Limited	"		4,000.00 ✓	224
✓ Max Plotte	"		450.00 ✓	265+285
Estate of Mrs. Charlotte Porte	Bonds		200.00	
Rudolph McChesney Lumber Co.	Timber Contract		2,000.00 ✓	264
Indians of Slave Band	Bonds		400.00	
Standard Logging Co.	Timber Contract		250.00 ✓	266
The Cranbrook Sash & Door Co.	"		3,500.00 ✓	271
The Sorg Pulp Company Ltd.	"		105.00 ✓	270
John & Matthew Tabonini	Stock Certificates		18,000.00	
Miss Mary White	Bonds		600.00	
J. Dan Cockburn	Timber Contract		300.00 ✓	281
Carl Fuhle	"		500.00 ✓	283
Messrs. Broyles & Moore	"		50.00	
Wm. Pollock	"		30.00	
F. and R. Logging Co. Ltd.	"		50.00 ✓	286
			$51,214.75	

Finance Department - $51,214.75

see 0/43 Kakwekin

Certified Correct.

Chief Treasury Officer.

October 4th., 1944.

/D.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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TIMBER CONTRACT SECURITY DEPOSITS

October 12, 1944.

			Lic. No.	
30107-6	Prince Albert Lbr. Co.	$600.	251	Renewed, 1944.
30155-3A	Howard W. Brown	500.	275	
30107-6	R.D. & K.R. Brooks	1,500.	273	
30043-8	A.H. Brunne & Co.	1,200.	254	
30155-8	R. Buerge	305.	282	inforce to /45
30038-1	M.Castonguay	50.	Permit	lr. to agent.
43168-5	O.W. Clapperton	1,500. 3,000. 1,200.	248 263 260	Renewed, 1944/
30043-4-3	W. Davidson	300.	279	lr. to agent final, /44.
30156-26	Dumaresq Bros.	350.	226	lr. to agent.
30022-2	C.A. Duval	500.	268	lr. to agent.
30009-12	Frank Edwards	2,000.	240	lr. to agent, expires, /44.
30152-4	T.L. Garner	300.	261	lr. to agent.
30153-2	Hammond Hardwood Mills	599.75	276	Renewed, 1944.
30118-5	Imperial Lbr. Co. Ltd.	500.	287	license being executed
30156-6	Larson McLaughlin & Carney	750.	259	lr. to agent.
30162-2	Pacific Mills	4,000.	224	Renewed, 1944.
30043-4-3	Max Piette	200. 250.	268 265	lr. to agent. final
30065-3	R. McChesney Lbr. Co.	2,000.	264	Renewed, 1944
30152-6	Standard Logging Co.	250.	266	lr. to agent final, 1944.
30155-2	Cranbrook Sash & Door	3,500.	271	lr. to agent.
30167-16	Sorg Pulp Co. Ltd.	105.	270	lr. to agent.
30043-4-3	J. Don Cockburn	100.	281	lr. to agent.
30168-16	Carl Pohle	500.	283	lr. to agent.
30156-14	Broyles & Moore	50.	permit	term extended to Oct. 15/45
30115-2	Wm. Pollock	30.	permit	bill sent for $37.61 dues.
30156-4	F. & R. Logging Co.	50.	286	in force to /45.
		33,649.75		

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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RES[illegible]AND TRUSTS

30001

CANADA

DEPARTMENT
OF
MINES AND RESOURCES

INDIAN AFFAIRS
BRANCH

Ottawa, October 13, 1944.

Memorandum:

Mr. Allan.

Attached is list of 26 timber licenses and three timber permits under which security deposits amounting to $33,649.75 are held. Ten of the licenses and one permit have been renewed or extended for the current year. On the remaining sixteen licenses and two permits letters have been written to the Agents.

F. Kehoe.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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file 30129-13

Mr. Allan:

Mr. Paterson's proposal of a revision of the dues under timber permits in his agency is in reply to a suggestion from this office.

Should a submission to Council be drawn to amend sections 15 & 20, as in the attached draft of amended sections?

F. K.

8.11.44

and 24

Go ahead:- Allan

see file 30001

Mr. Allan:

Herewith draft amendments to Timber Regulations, Sections, 4 (c), 15, 20, and 23, and 24.

The Permit tariff, sec. 20, has been made one-qaurter to one-third lews that the License tariff, sec. 24.

17.11.44

F. K.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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30001

OFFICE OF THE INDIAN AGENT

CANADA

DEPARTMENT OF MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE FILE 357-W1

File Hills
Balcarres, Sask.
Nov. 17. 1944.

Indian Affairs Branch, Department of Mines and Resources, Ottawa.

I beg to request two copies of Regulations for the disposal of Timber and two books of Permits to sell Timber.

S.H.Simpson,

Indian Agent.

Department of Mines & Resources Indian Affairs Branch NOV 20 1944 REGISTERED

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

REGULATIONS

FOR THE DISPOSAL OF

TIMBER

ON INDIAN RESERVES

(Except in British Columbia)

OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1927

FORM No. I.A. 346

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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24. In the form of license provided in section 24. The tariff of dues payable endorsed on the license is amended to read as follows:

Dues payable	Logs cut from trees of deciduous species hardwood varities, i.e. maple, beach, ash, birch, elm, hickory, oak, and basswood per M.f.b.m.	$3.50
	Pine logs, white and red pine, per M.f.b.m.	6.00
	Jackpine logs	3.00
	Logs cut from trees of coniferous species other than pine, i.e. cedar, spruce, balsam, hemlock, fir and tamarac per M.f.b.m.	4.00
	Logs cut from deciduous species, softwood, varieties, i.e. white poplar (aspen) and black poplar (balm of gilead) per M.B.b.m.	2.00
	Shingle bolts, per cord of 128 cu.ft.	1.00
	Pulpwood, spruce, per cord of 128 cu. ft.	1.50
	" balsam, Jackpine of 128 cu. ft.	1.00
	" poplar, and other	.70
	Fuelwood hardwood per cord of 128 cu. ft.	.50
	" softwoodper cord of 128 cu. ft.	.35
	Ties, flatted or bolts, No. 1 each	.10
	" " No. 2 "	.07
	" " other "	.05
	Posts, cedar, each, up to 8 ft. in length	.02
	Piles, piling, spars pit props, etc, per lineal ft.	
	All other forest products not enumerated, 15% ad valorem.	

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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REGULATIONS

Governing the disposal of Timber on Indian Reserves in the Dominion of Canada with the exception of those situated in the Province of British Columbia, under the provisions of section 76 of the Indian Act, by Order of His Excellency in Council, dated the 1st day of May, 1923, P.C. 752.

1. No timber on Indian Reserves shall be disposed of until such timber has been released in accordance with the provisions of the Indian Act. Release required.

2. The timber covered by such release shall be cruised and valued and the boundaries thereof established in such manner as may be directed by the Minister of Mines and Resources, and such cruise and valuation shall be recorded in the Department of Mines and Resources. Cruise and valuation.

3. The berth or limit thus cruised shall be offered for sale by public auction at the upset price fixed by such valuation, or by tender, at such time and on such conditions as the Minister shall direct by public notice for that purpose; but in the event of berths or limits being offered for sale by tender, the Minister shall not be bound to accept the highest or any tender should he deem it in the interest of the Indians who own the timber to do otherwise; Mode of Sale.

Provided that should the value of such timber not exceed the sum of $500, the Minister may dispose of the timber to the best advantage in the interest of the Indians, without public advertisement.

4. Every offer to purchase a licence, to cut and remove timber from an Indian Reserve under these regulations, which shall be in the form as shown under section No. 24 hereunder, shall include an offer by and on the part of the offerer or tenderer to pay to the Department of Mines and Resources:— Form of Tender

(*a*) An annual rental at the rate of $5 per square mile.
(*b*) Licence fee of $4.
(*c*) The dues on each class or kind of timber at the tariff rate shown under Section No. 20 hereunder.
(*d*) Such upset price as the Department may establish for the sale in question, payable as a lump sum before the issue of the licence, or as stumpage per thousand feet board measure, or per cord, or per lineal foot as the case may be.
(*e*) Such further price in addition to the upset price as the tenderer is prepared to pay.

40632—2

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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Cheque with Tender.

5. Each tender must be accompanied by an accepted cheque on any Canadian chartered bank, for such amount as the Minister shall direct by public notice, so as to ensure the proper carrying out of the undertaking; such cheque to be retained by the Department in the event of acceptance of tender; returned forthwith if the tender is not accepted; and forfeited to the Department if the undertaking is not completed to the satisfaction of the Minister.

Licence and renewal fees.

6. A licensee shall be required to pay a licence fee of $4 and if he has complied with the existing regulations he shall be entitled to have his licence renewed upon application to the Minister, and for each renewal there shall be paid a fee of $2

Conditions of renewal.

7. No renewal of any licence shall be granted unless the limit covered thereby has been properly worked during the preceding season, or sufficient reason be given under oath and satisfactory to the Minister, for the non-working of the limit, and unless or until the rental and any dues payable on timber cut during the previous season shall have been paid.

Expiry of licences.

8. All timber licences shall expire on the 30th day of April next after the date hereof, and all renewals must be applied for on or before the 1st day of July following the expiration of the last preceding licence, in default whereof the berth or limit may in the discretion of the Minister be declared forfeited.

Suspended licences.

9. Timber cut on berths or limits for which the licence has been suspended or held in abeyance shall be considered as having been cut without authority and treated accordingly.

Scaling.

10. The stumpage and dues on timber cut under authority of each licence or permit shall be charged upon the quantities, grades and kinds of timber as certified by a duly qualified culler or scaler, and all fees for such scaling shall be paid by the licensee;

Provided: that in cases where such timber is not scaled until its arrival at the mill, the licensee shall furnish a statement in the form of affidavit showing the number of pieces and kinds of timber and the approximate measurement thereof composing any raft, boom or crib, before such timber was removed from the Reserve, and all losses sustained during the towage or conveyance of logs or timber from the point of cutting to the point of scaling shall be borne by the licensee.

Provided also: that when it is shown to the satisfaction of the Minister that the services of a licensed scaler cannot be secured by the licensee or the person in charge of his operations the Department may appoint an unlicensed person as an acting scaler temporarily or until the services of a qualified scaler are available for the purpose.

Examination of records of licensee.

11. The Minister or any authorized agent shall at all times have free access to and be permitted to examine the books and memoranda kept by any licensee showing the quantity of lumber in board measure sawn by him from logs cut on his timber berths, and failing to produce such books and memo-

randa when required so to do shall subject such licensee to a forfeiture of his right to a renewal of his licence.

Non-payment of dues.

12. When any licensee is in default for or has evaded the payment of dues to the Department of Mines and Resources on any part of his timber or saw-logs, such dues may be levied on any other timber or saw-logs belonging to such licensee or defaulter, cut under licence.

Interest to be charged on outstanding dues.

13. Dues on all kinds of timber cut under licence or permit which remain unpaid on the 30th day of November following the season in which such timber was cut, shall be subject to interest at the rate of six per cent per annum from that date, but without prejudice to the Department of Mines and Resources to enforce payment of such outstanding dues at any time that the Minister may think proper.

Penalty for cutting in trespass through error.

14. In cases where timber although cut in trespass on Indian lands or reserve was so cut through error in good faith by licensees or other parties, it shall be lawful for the Minister to exact in settlement a penalty equivalent to double, triple or quadruple the ordinary rate of dues as established by section No. 20 hereunder according to circumstances, in addition to cost of seizure and other expenses incurred in connection with the investigation into such trespass.

Permits to Indians.

15. Permits to cut timber for sale on an Indian Reserve which is not covered by timber licence may be granted by the Minister or other officer deputed by him, to the Indians of the band who own the Reserve, with the consent of the council of the band, ~~and subject to the payment of dues at the tariff rate as shown under section No. 20; such dues to be credited to the funds of the band.~~

Proposal Tambelitte

draft amendment

Provided: that the Minister may waive collection of the dues as a measure of relief to the Indians, should he deem it in their interest to do so.

16. (Rescinded June 7, 1935.)

Ground rent.

17. All timber berths or limits, shall be subject to an annual ground rent of $5 per square mile payable in advance before the issue of any licence or renewal thereof, and in computing the ground rent, no licence shall be charged at less than eight square miles in area.

Security by Bond.

18. Before the issue of any timber licence the licensee or licensees thereof shall furnish security by a bond of himself or themselves and two responsible sureties for such amount as the Minister may consider sufficient to ensure the proper working of the limit, the due fulfilment by the licensee of the condition of the licence, and the proper observance of all the regulations of the Department with respect to the timber to be cut. The giving of such security shall not however in any way prejudice the right of the Minister or his agent to levy upon any timber

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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cut or owned by the holder or holders of the licence or to cancel the said licence should there appear to be sufficient cause for so doing.

Transfer of licences.

19. All transfers of timber berths shall be made in writing but shall be subject to the approval of the Minister, to whom they shall be transmitted for approval or rejection, and they shall be valid only from the time of such approval to be expressed in writing. In all cases of transfer of limits or timber berths they will be subject to the payment of $2 per square mile for each limit or berth, and in proportion if only a part is transferred or if the licensee takes in one or more partners with him.

draft amendment

Replace by substitute

20. The ~~tariff of~~ dues chargeable on timber cut under permit shall be ~~as follows:—~~ NOT LESS THAN THE FOLLOWING TARIFF.

Tariff of dues.

Pine logs	per M f.b.m.	$2 50	- 5.00
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and basswood	per M f.b.m.	2 00	- 3.00
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, hemlock, fir and tamarac	per M f.b.m.	1 50	3.00
Logs cut from trees of deciduous species, softwood varieties, i.e., poplar and balm of gilead	per M f.b.m	1 00	1.00
Shingle bolts	per cord of 128 cu. ft.	0 75	1.00
Pulpwood	per cord of 128 cu. ft.	0 40	75
Cordwood (hardwood)	per cord of 128 cu. ft.	0 30	50
Cordwood (softwood)	per cord of 128 cu. ft.	0 20	30
Ties	each	0 04	10
Posts	each	0 02	5
Poles, piling, spars, pit props, etc.,	per lineal ft.	0 02	

All other forest products not enumerated, 15 p.c. ad valorem.

Species and size of timber to be cut.

21. Licences shall specify the species of trees and the minimum diameter size to be cut, which shall be at a distance of not less than 18 inches from the ground, and licensees shall not have the right to cut any trees that may be designated by the proper officer of the Department of Mines and Resources as required to provide an adequate supply of seed for the reproduction of the forest.

Forest protection.

22. The Minister or other officer deputed by him shall, prior to the sale of any berth or limit determine the necessity or otherwise of placing such berth or limit under an adequate system of forest protection and the licensee of such berth or limit shall be required to defray half the cost incurred by the Department in protecting the same. The licensee shall further be required to:—

(*a*) Utilize all the timber in every tree cut down and manufacture the same into lumber or other saleable product.

(*b*) Dispose of the tops, branches and other debris resulting from his operations, in accordance with the directions of the proper officer of the Department of Mines and Resources, so as to prevent as much as possible the danger of fire.

(*c*) Exercise strict and constant supervision to prevent the origin or spread of fire and shall prevent all unnecessary destruction of the growing timber on the part of his men.

Timber mark.

23. Prior to the commencement of any lumbering operation on an Indian Reserve ~~and before the issue of any timber licence to authorize such operation,~~ a distinguishing timber-mark shall ~~be designated by the Minister, and such mark shall~~ be placed on each piece of timber cut and removed from such Reserve so as to distinguish such timber from that cut from lands other than the Reserve in question.

24. Form of Licence:—

LICENCE TO CUT TIMBER ON INDIAN RESERVES IN THE DOMINION OF CANADA EXCEPTING THOSE SITUATE IN THE PROVINCE OF BRITISH COLUMBIA

No.....

File.....

By authority of Chapter 81 of the Revised Statutes of Canada and amendments thereto, and for and in consideration of the payments made, and to be made to the credit of Indian Funds:—I do hereby give unto

and unto Agents and Workmen full power and Licence to cut upon the Location described upon the back hereof, and to hold and occupy the said Location to the exclusion of all others, except as hereinafter mentioned:—

from 19

to 19, , and no longer; with the right of conveying away the said Timber through any ungranted or waste Indian Lands.

And by virtue of this Licence the said Licensee has right by the said Statute to all timber cut by others in trespass on the ground hereby assigned, with full power to seize and recover the same anywhere within the Dominion of Canada.

But this Licence is subject to the following conditions, viz:—

That the dues to which the Timber cut under its authority are liable, shall be paid as follows, namely:—

Under a sworn return furnished by a licenced scaler and on or before the 30th of November following the season in which the timber is cut:

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this Licence, excepting in so far as Pine and Spruce merchantable timber are concerned, which this Licence will continue to control until all conditions of sale have been fulfilled:

That any person or persons may, under authority of the Minister of Mines and Resources, at all times, make and use Roads upon, and travel over, the ground hereby licenced:

That nothing herein shall prevent any person or persons, having authority from the Minister of Mines and Resources to do so from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works:

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for

or by permission.

And further upon condition that the said Licensee or

representatives shall comply with all regulations that are or may be established by Order in Council, and shall submit all the Timber cut under this Licence to be counted or measured, and shall settle for the duties chargeable thereon when required by me or any officer thereunto authorized,—otherwise the said timber will be forfeited to the Crown, and the said Licensee be subject to such other penalty or penalties as provided by law.

GIVEN UNDER MY HAND at Ottawa, this day of

in the year of Our Lord one thousand nine hundred and

.....

Director of Indian Affairs.

Amount payable on giving this Licence { Bonus, $ / Deposit, $ / Ground Rent, $ / Licence fee, $

The above named Licensee shall be bound before or when paying the ground rent and renewal fee—if the Licence is renewed—to declare on oath whether still the *bona fide* proprietor of the limit hereby licensed, or whether sold or transferred it, or any part of it, or for whom hold it.

We have read and comprehend the nature of the obligations contained in this Licence, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this Licence, in the event of the above-named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

SIGNATURE OF LICENSEE:—

.....

.....

The timber limit or berth covered by this Licence No.....comprises the following lands:—

24. In the form of license provided in section 24. The tariff of dues payable endorsed on the license is amended to read as follows:

Dues payable

Logs cut from trees of deciduous species hardwood varities, i.e. maple, beach, ash, birch, elm, hickory, oak, and basswood per M.f.b.m.	$3.50
Pine logs, white and red pine, per M.f.b.m.	6.00
Jackpine logs	3.00
Logs cut from trees of coniferous species other than pine, i.e. cedar, spruce, balsam, hemlock, fir and tamarac per M.f.b.m.	4.00
Logs cut from deciduous species, softwood, varieties, i.e. white poplar (aspen) and black poplar (balm of gilead) per M.B.b.m. white Birch	2.00
Shingle bolts, per cord of 128 cu.ft.	1.00
Pulpwood, spruce, per cord of 128 cu. ft.	1.50
" balsam, Jackpine of 128 cu. ft.	1.00
" poplar, and other	.70
Fuelwood hardwood per cord of 128 cu. ft.	.50
" softwoodper cord of 128 cu. ft.	.35
Ties, flatted or bolts, No. 1 each	.10
" " No. 2 "	.07
" " other "	.05
Posts, cedar, each, up to 8 ft. in length	.02
Piles, piling, spars pit props, etc, per lineal ft.	
All other forest products not enumerated, 15% ad valorem.	

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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That all Lots sold prior and all Lots sold subsequently to the date hereof, and which have been settled upon and are being cleared for cultivation, shall be exempt from the operation of this Licence, excepting in so far as Pine and Spruce merchantable timber are concerned, which this Licence will continue to control until all conditions of sale have been fulfilled:

That any person or persons may, under authority of the Minister of Mines and Resources, at all times, make and use Roads upon, and travel over, the ground hereby licenced:

That nothing herein shall prevent any person or persons, having authority from the Minister of Mines and Resources to do so from taking the standing Timber of any kind to be used for the making of Roads and Bridges, or for Public Works:

And that persons settling under lawful authority or title within the Location hereby licensed shall not in any way be interrupted in clearing and cultivating by the said Licensee, or any one acting for

or by permission.

condition that the said Licensee or

We have read and comprehend the nature of the obligations contained in this Licence, and we bind ourselves jointly and severally, and each of our Heirs, Executors, Curators and Administrators to pay all duties that may become due and payable to His Majesty, His Heirs or Successors on any Timber cut or acquired by virtue of this Licence, in the event of the above-named Licensee failing or refusing to pay the same or to give satisfactory bonds for payment thereof.

SIGNATURE OF LICENSEE:—

.....

.....

The timber limit or berth covered by this Licence No.....comprises the following lands:—

Amend

Dues payable:—

Pine logs	per M f.b.m.	$2 50	6.00
Logs cut from trees of deciduous species, hardwood varieties, i.e., maple, beech, ash, birch, elm, hickory, oak and basswood	per M f.b.m.	2 50	3.50
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, hemlock, fir and tamarac	per M f.b.m.	1 50	4.00
Logs cut from trees of deciduous species, softwood varieties, i.e., poplar and balm of gilead	per M f.b.m.	1 50	2.00
Shingle bolts	per cord of 128 cu. ft.	0 75	1.00
Pulpwood (Spruce)	per cord of 128 cu. ft.	1 50	1.50
Pulpwood (Balsam)	per cord of 128 cu. ft.	0 75	1.00
Pulpwood (Other)	per cord of 128 cu. ft.	0 40	.70
Cordwood (hardwood)	per cord of 128 cu. ft.	0 50	.50
Cordwood (softwood)	per cord of 128 cu. ft.	0 25	.35
Ties	each	0 10	
Posts		0 02	
Poles, piling, spars, pit props, etc., per lineal ft.		0 02	

All other forest products not enumerated, 15 p.c. ad valorem.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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Stumpage payable?—

This Licence No.....renewable yearly, under the provisions of section No. 7 of the Regulations governing the disposal of timber on Indian Reserves, with the exception of those in the province of British Columbia, for a period of .....years.

Timber-mark to be placed on timber cut under authority of this Licence No.....thus:—

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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24. In the form of license provided in section 24. The tariff of dues payable endorsed on the license is amended to read as follows:

Dues payable

Logs cut from trees of deciduous species hardwood varities, i.e. maple, beach, ash, birch, elm, hickory, oak, and basswood per M.f.b.m.	$3.50
Pine logs, white and red pine, per M.f.b.m.	6.00
Jackpine logs	3.00
Logs cut from trees of coniferous species other than pine, i.e. cedar, spruce, balsam, hemlock, fir and tamarac per M.f.b.m.	4.00
Logs cut from deciduous species, softwood, varieties, i.e. white poplar (aspen) and black poplar (balm of gilead) per M.B.b.m.	2.00
Shingle bolts, per cord of 128 cu.ft.	1.00
Pulpwood, spruce, per cord of 128 cu. ft.	1.50
" balsam, Jackpine of 128 cu. ft.	1.00
" poplar, and other	.70
Fuelwood hardwood per cord of 128 cu. ft.	.50
" softwoodper cord of 128 cu. ft.	.35
Ties, flatted or bolts, No. 1 each	.10
" " No. 2 "	.07
" " other "	.05
Posts, cedar, each, up to 8 ft. in length	.02
Piles, piling, spars pit props, etc, per lineal ft.	
All other forest products not enumerated, 15% ad valorem.	

Tariff of dues

20. The dues chargeable on timber cut under permit shall be not less than the following tariff:

Pine logs, white and red pine, per M. f.b.m.	$ 4.50
Jackpine logs	2.00
Logs cut from trees of coniferous species, other than pine, i.e. cedar, spruce, balsam hemlock, fir and tamorac per M.f.b.m.	2.50
Logs cut from trees of deciduous species softwood varities i.e. white poplar (aspen) and black poplar (balm of gilead). per M.f.b.m.	1.50
Logs cut from trees of deciduous species, hardwood varities i.e. maple, beech, ash, birch, elm, hickory, oak and basswood per M.f.b.m.	2.50
Shingle bolts, per cord of 128 cu. ft.	.75
Pulpwood spruce per cord of 128 cu. ft.	1.00
Pulpwood other than spruce per cord of 128 cu.ft.	.50
Cordwood, hardwood per cord of 128 cu.ft.	.40
Cordwood, softwood, per cord of 128 cu.ft.	.30
Ties, flatted or bolts, No. 1 each	.10
" " " " 2 "	.07
" " " " other "	.05
Posts, cedar, each, upto 8ft. in length	.02
Poles, piling, spars, pit props, etc. per lineal ft.	.02
All other forest products not inumerated, 15% ad valorem	

15. Permits to cut timber for sale on an Indian Reserve which is not covered by timber licence may be granted by the Minister or other officer deputed by him, to the Indians of the band who own the Reserve, with the consent of the council of the band and subject to the payment of dues at a rate fixed in the permit; such rate to be not less than the minimum tariff as in section 20; such dues to be credited to the funds of the Band.

Provided: that the Minister may waive collection of the dues as a measure of relief to the Indians, should he deem it in their interest to do so.

23. All timber cut under License shall be stamped"I.R."

(c) The dues on each class or kind of timber at the tariff rate shown in the Form of License as in section 24 hereunder.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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File - 30001

Ottawa, November 22, 1944.

MEMORANDUM

The Director of Lands, Parks, and Forests
Branch, Department of Mines and Resources.

Our Regulations for the sale of timber outside of B.C. were adopted in 1923. The schedule of dues provided in the license form, section 24 do not represent the present minimum values, and we wish to revise the dues. I enclose a copy of our Regulations with draft amendments pasted in. The tariff of dues in section 24 is the minimum tariff charged on the sale of Indian timber to white persons. The tariff under section 20 is one-quarter to one-third less, and is provided for the sale of timber to individual Indians. I would be obliged if you would review the tariff proposed in section 24 and let me have your comments with any suggestions you may have for changes.

Director.

Enclosure.

JK

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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30001

Ottawa, November 30, 1944.

Mr. S. H. Simpson, Indian Agent, Balcarres, Sask.

EX'D.

Your file 357-W1

Your letter of November 17th.

requesting two copies of Timber Regulations, and two books of Permits was received. These are being mailed to you under separate cover.

D. J. Allan,
Superintendent,
Reserves and Trusts.

JK

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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ADDRESS REPLY TO DOMINION FOREST SERVICE

JDBH/DA

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
LANDS PARKS AND FORESTS BRANCH

QUOTE FILE_____

OTTAWA, December 1st, 1944.

4/12/44

MEMORANDUM:

Mr. Cameron

Re: Regulations for the disposal of timber on Indian Reserves

The revised copy of the above-mentioned regulations, submitted to the Director for comment under cover of Mr. Hoey's letter of 22nd November, has been examined and the following suggestions are submitted:-

1. In the proposed tariff on Page 24, the term "birch" apparently covers both white and yellow birch. The latter species is more valuable than the former and it is recommended that yellow birch be included with maple, beech, etc., at the $3.50 rate and white birch be shown with the other deciduous species (poplars) at the $2.00 rate.

2. The description "Logs out from deciduous species, softwood varieties", is of doubtful merit. The term "softwood" is almost universally used by the trade to designate conifers. It is true that poplars are referred to as softwoods in some localities but this is local rather than general. I see no particular reason for describing the species mentioned as deciduous or otherwise in this tariff. It should suffice to name the species.

3. The tariff is to be applicable throughout Canada except in British Columbia. This implies an intention to apply uniform rates but, under the present practice of scaling according to the log rule of the province where a sale is made, the rates are far from uniform because of differences in the log rules. To illustrate the situation the following comparison of the Doyle Rule, used in Ontario, and the New Brunswick Rule is submitted:-

16 Foot Logs

Top Diam.	Doyle Rule	N.B. Rule
8"	16	40
10	36	64
16	144	170
20	256	300
24	400	432

It will be observed that a 16' log, 10" top diameter contains 36 board feet by the Doyle Rule and 64 board feet by the New Brunswick Rule; hence $4.00 should buy nearly 80% more 10" logs in Ontario than in N.B.

It would seem advisable to require the use of one log rule on all sales of timber. If this were done we would recommend adoption of the International Rule for ¼" kerf, ~~widely~~ now standardized in Manitoba and Saskatchewan. In provinces using some other rule it would be necessary to supply scalers with scaling sticks marked according to the International Rule.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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30001

OFFICE OF THE DIRECTOR

CANADA
DEPARTMENT OF MINES AND RESOURCES

LANDS, PARKS AND FORESTS BRANCH

Ottawa,
December 4,
1944.

Memorandum

DEC 5 1944

Mr. R. A. Hoey,
Acting Director,
Indian Affairs Branch.

Replying to yours of the 22nd ultimo, your file 30001, I am attaching hereto a memorandum prepared by the Chief of the Economics Division of the Dominion Forest Service, and concurred in by the Dominion Forester, suggesting certain amendments to the regulations for the sale of timber on Indian reserves, except in British Columbia.

R. A. Gibson,
Director.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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Ottawa, December 8, 1944.

PRECIS

FOR THE CLERK OF THE PRIVY COUNCIL

To amend Regulations for the disposal of timber on Indian Reserves, except in British Columbia.

(No. of copies of Order in Council required is five, of which three should be signed and two may be stamped.)

Poor Copy

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

PUBLIC ARCHIVES
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December 8, 1944.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

The undersigned has the honour to report:

That under the authority of the Indian Act, section 78, regulations were established by P.C. 752 dated 1st May, 1923 governing the disposal of timber on Indian Reserves, except in British Columbia.

That the tariffs of dues provided in the Regulations are found to be below present values of the timber.

That it is considered desirable to authorize a timber mark for general use, in conformity with present practice.

The undersigned therefore recommends:

That sections 4(c), 15, 20 and 23 of the said regulations be, and the same are hereby repealed and the following substituted therefor;

4(c) The dues on each class or kind of timber at the tariff rate shown in the Form of License as in section 24 hereunder.

15. Permits to cut timber for sale on an Indian Reserve which is not covered by timber license may be granted by the Minister or other officer deputed by him, to the Indians of the band who own the Reserve, with the consent of the council of the band and subject to the payment of dues at a rate fixed in the permit; such rate to be not less than the minimum tariff as in section 20; such dues to be credited to the funds of the Band.

Provided; that the Minister may waive collection of the dues as a measure of relief to the Indians, should he deem it in their interest to do so.

20. The dues chargeable on timber cut under permit shall be not less than the following tariff:

Tariff of dues

Logs cut from trees of deciduous species, maple, beech ash, yellow birch, elm, hickory, oak and basswood per M.f.b.m.	$3.50
Pine logs, white and red pine, per M.f.b.m.	4.00
Jackpine logs	2.00
Logs cut from trees of coniferous species, other than pine i.e. cedar, spruce, balsam hemlock, fir and tamarac per M.f.b.m.	2.50
Logs cut from trees of deciduous species white poplar (aspen) and black poplar (balm of gilead), white birch.	1.50

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Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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CANADA

Shingle bolts, per cord of 128 cu. ft.	.75
Pulpwood spruce per cord of 128 cu. ft.	1.00
Pulpwood other than spruce per cord of 128 cu. ft.	.50
Cordwood, hardwood per cord of 128 cu. ft.	.40
Cordwood, softwood, per cord of 128 cu. ft.	.30
Ties, flatted or bolts, No. 1 each	.10
" " " No. 2 "	.07
" " " other "	.05
Posts, cedar, each, up to 8 ft. in length	.02
Poles, piling, spars, pit props, etc. per lineal ft.	.02
All other forest products not enumerated, 15% ad valorem	

23. All timber cut under License shall be stamped "I.R.".

That in the form of license provided in section 24, the tariff of dues payable be and the same is hereby repealed, and the following substituted therefore:

24. In the form of license provided in section 24. The tariff of dues payable endorsed on the license is amended to read as follows:

Logs cut from trees of deciduous species - maple, beech, ash, yellow birch, elm, hickory, oak, and basswood per M. f.b.m.	$5.50
Pine logs, white and red pine, per M.f.b.m.	6.00
Jackpine logs	3.00
Logs cut from trees of coniferous species other than pine, i.e., cedar, spruce, balsam, hemlock, fir and tamarac per M. f.b.m.	4.00
Logs cut from deciduous species, - white poplar (aspen) and black poplar (balm of gilead) white birch per M.f.b.m.	2.00
Shingle bolts, per cord of 128 cu. ft.	1.00
Pulpwood, spruce, per cord of 128 cu. ft.	1.50
" balsam, jackpine of 128 cu. ft.	1.00
" poplar, and other	.70
Fuelwood hardwood, per cord of 128 cu. ft.	.50
" softwood per cord of 128 cu. ft.	.35
Ties, flatted or bolts, No. 1. each	.10
" " No. 2. "	.07
" " other "	.05
Posts, cedar, each, up to 8 ft. in length	.02
Piles, piling spars, pit props, etc, per lineal ft.	.02
All other forest products not enumerated, 15% ad valorem.	

Respectfully submitted,

Minister of Mines and Resources.

7K

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Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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CANADA

ONTARIO

LEGISLATIVE ASSEMBLY

30001

February 20, 1945.

Department of Indian
FEB 20 1945

Mr. H. W. McGill,
Director of Indian Affairs Branch,
Dept. Mines & Resources,
Ottawa, Ont.

Dear Sir:-

I am interested in acquiring information as to the procedure followed when timber limits are allotted on Indian reservations.

What rules are laid down as to the disposal of dues and bonuses in this respect? Is any of the monies thus raised returnable to the Indians?

Yours sincerely,

F. O. Robinson, M.P.P.
Port Arthur.

FOR/R.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

PUBLIC ARCHIVES
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CANADA

File - 3001

Ottawa, February 28th, 1945.

EX'D.

Dear Sir: -

Receipt is acknowledged of your letter of February 20th to Dr. McGill. Money received by way of bonuses, and dues on the sale of timber from an Indian Reserve belongs to the Band owning the Reserve. The money is placed to the credit of the Band's capital account. Interest is paid on the amount yearly which interest is credited in the Band's interest account. This interest is available for distribution to the members of the Band. Money in the capital account may be used for the benefit of the Band on a Band Resolution after approval by the Governor in Council.

I enclose a copy of timber regulations. These do not deal with Band Funds, but will aquaint you with the procedure on the disposal of timber.

If the surrender of timber by the Indian Band provides for distribution of one-half or other part of the proceeds of the timber sale among the Band members, distribution is made according to the terms of the surrender.

Yours truly,

Acting Director.

Encl.

F. O. Robinson, Esq., M.P.P.,
Port Arthur, Ontario.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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OF [redacted] THE
IN[redacted]AGENT

CANADA
DEPARTMENT
OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

30001

PLEASE QUOTE
FILE

Department of Mines & Resources
Indian Affairs Branch
JUN 28 1945
REGISTERED

Fort Frances, Ont., June 25th. 1945.

Indian Affairs Branch, Dept. of Mines & Resources, Ottawa.

Will you kindly forward a copy of the Timber Regulations and oblige.

J.F. Lockhart,
Indian Agent.

mailed June 29/45
J.K.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

PUBLIC ARCHIVES
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CANADA

File - 30001

Kehoe

Ottawa, July 3rd, 1945.

Dear Sir: -

Consideration is to be given to the revision of our timber regulations which were established in 1921.

It is intended to consider the Provincial Timber Regulations with the view to the adoption of such provisions as may be general in the Regulations of the Provinces. It is advisable that our regulations should be in conformity with the Provincial Regulations in so far as these may be suitable for timber operations on Indian Reserves.

If you would forward three copies of your regulations governing the sale and cutting of timber, pulpwood, and fuelwood, and the collection of dues or stumpage, it would be appreciated.

Yours truly,

JK

D. J. Allan,
Superintendent,
Reserves and Trusts.

The Chief Forester,
Lands Department,
Victoria, B.C.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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File - 30001

Ottawa, July 5th, 1945.

Dear Sir: -

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Yours truly,

DK

D. J. Allan,
Superintendent,
Reserves and Trusts.

The Commissioner of Public Lands,
Charlottetown, P. E. I.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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File 30001

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Yours truly,

JK

D. J. Allan,
Superintendent,
Reserves and Trusts.

The Deputy Minister,
Department of Lands and Forests,
Halifax, Nova Scotia.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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Yours truly,

D. J. Allan,
Superintendent,
Reserves and Trusts.

The Chief Forester,
Department of Lands and Mines,
Fredericton, N. B.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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D. J. Allan,
Superintendent,
Reserves and Trusts.

The Deputy Minister,
Department of Lands and Forests,
Quebec, P. Q.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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Yours truly,

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D. J. Allan,
Superintendent,
Reserves and Trusts.

The Deputy Minister,
Department of Lands and Forests,
Toronto, Ontario.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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Yours truly,

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D. J. Allan,
Superintendent,
Reserves and Trusts.

The Director of Forestry,
Dep't. of Mines and Natural Resources,
Winnipeg, Manitoba.

Indian Affairs, (RG 10, Volume 7799, File 30001 Pt.3)

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Yours truly,

JK

D. J. Allan,
Superintendent,
Reserves and Trusts.

The Director of Forests,
Dep't. of Natural Resources and Industrial Development,
REGINA, Saskatchewan.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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File - 30001

Ottawa, July 5th, 1945.

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Yours truly,

JK

D. J. Allan,
Superintendent,
Reserves and Trusts.

The Director of Forestry,
Dep't. of Lands and Mines,
Edmonton, Alberta.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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30001 Pt 3

ADDRESS CORRESPONDENCE TO
DEPARTMENT OF LANDS AND MINES
EDMONTON, ALBERTA

TFB/4.

PLEASE QUOTE O/Head Office
FILE NO. Publicity

GOVERNMENT OF THE PROVINCE OF ALBERTA
DEPARTMENT OF LANDS AND MINES

EDMONTON,

July 11th, 1945.

Department of Mines & Resources
Indian Affairs Branch
JUL 16 1945
REGISTERED

Dear Sir:

In compliance with your request in letter dated the 5th instant, I am enclosing herewith for your information three copies of our Regulations Governing the Granting of Yearly Licenses and Permits to Cut Timber on Provincial Lands in the Province of Alberta, made by Order in Council dated the 25th day of July 1940, and numbered O.C 1020-40.

Yours truly,

Enc. 3

T. F. BLEFGEN,
Director of Forestry.

Mr. D. J. Allan,
Superintendent,
Reserves and Trusts,
Dept. of Mines and Resources,
Indian Affairs,
OTTAWA, Ontario.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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CANADA

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30001

THE GOVERNMENT OF THE PROVINCE OF NEW BRUNSWICK

NEW BRUNSWICK FOREST SERVICE
DEPARTMENT OF LANDS AND MINES

REFER TO FILE NO.

PLEASE ADDRESS ALL COMMUNICATIONS TO THE CHIEF FORESTER

G. L. MILLER
CHIEF FORESTER

FREDERICTON, N. B., CANADA

July 14, 1945.

Department of Mines and Resources
JUL 16 1945
REGISTERED

Mr. D. J. Allan,
Superintendent Reserves and Trust,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa, Ontario.

Dear Sir:

Referring to your letter of July 5, your file - 30001, with respect to timber regulations.

We are sending you, under separate cover, 3 copies of our regulations in effect August 1, 1944.

New regulations will be issued August 1, 1945 but we have no knowledge of any changes which may be made. If you will write us again after August 1, we will send you the new regulations but in the meantime the regulations now in effect may serve your purpose.

Yours very truly,

GLM/ES

Chief Forester.

PREVENT FOREST FIRES — IT PAYS

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

30001

ALL COMMUNICATIONS IN REFERENCE TO FORESTRY TO BE ADDRESSED TO THE CHIEF FORESTER

VICTORIA, B.C.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF LANDS AND FORESTS
FOREST BRANCH Service

Department of Mines & Resources
Indian Affairs Branch
JUL 19 1945
REGISTERED

July 13, 1945
File: 01863
1807977

Your file: 30001

Mr. D.J. Allan, Superintendent,
Reserves and Trusts,
Dept. of Mines & Resources,
OTTAWA, CANADA.

Dear Sir:

Reference is made to your letter of the 3rd instant requesting the Provincial regulations governing the sale of Provincial Crown timber.

Please be advised that Crown timber is disposed of under the authority of the "Forest Act" being the Revised Statutes of British Columbia 1936, Chapter 102, and subsequent amendments. As requested we are forwarding you under separate cover three copies thereof and would refer you particularly to Parts 3-10, inclusive, and Part 13.

Yours truly,

S.E. Marling
ASSISTANT FORESTER

SEM/MM

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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CANADA

ONTARIO

DEPARTMENT OF LANDS AND FORESTS

WHEN REPLYING KINDLY QUOTE
THIS FILE NUMBER

D.R.
JTL/JB

Toronto 5, July 11th.1945.

Dear Sir,-

Your File - No. 30001.

Complying with your request of the 5th inst. enclosed herewith are three Copies of Timber License Forms and three Copies of Crown Timber Regulations.

To become familiar with all the laws governing timber operations, the Acts cited at the foot of the License Form should be perused.

Yours truly,

ENCLS.

J. F. Sharpe,
Division of Timber
Management.

D. J. Allan, Esq.,
Superintendent,
Reserves and Trusts,
Department of Mines and Resources,
OTTAWA, Canada.

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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PROVINCE OF QUEBEC
DEPARTMENT of LANDS and FORESTS,

FORESTRY SERVICE

QUEBEC

YOUR FILE No. 30001-

OUR FILE No.

July 12th.,1945.

Department of Mines & Resources
Indian Affairs Branch
JUL 23 1945
REGISTERED

Mr. D. J. Allan, Superintendent,
Reserves and Trusts,
Indian Affairs Branch,
Dept. of Mines and Resources,
OTTAWA, Ont.

Dear Sir,

In answer to your request of July the 5th., regarding our regulations governing forest exploitation, stumpage dues, etc., we are pleased to mail you, under separate cover, copies of the following orders-in-council regulating above mentioned regulations and timber dues:

No. 935	- 1 copy	- French - English.
No.1941	- 3 copies	- French only.
No.2523	- 3 "	- English.

rcd 7K

Hoping this information will suit your purpose, I am,

Yours very truly,

Jos. W. Michaud, director,

PUBLICITY AND INFORMATION BRANCH

JWM/CM

PUBLICITY AND
INFORMATION BRANCH

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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CANADA

30001

PLEASE REFER

TO FILE .....

DEPARTMENT OF
MINES AND NATURAL RESOURCES
WINNIPEG, MANITOBA

FOREST SERVICE

July 18, 1945.

Department of Mines & Resources
Indian Affairs Branch
JUL 23 1945
REGISTERED

Mr. D. J. Allan, Superintendent,
Reserves and Trusts,
Department of Mines & Resources,
Ottawa, Canada.

Dear Sir:

In reply to your recent request of July 5th, we have much pleasure in forwarding you under separate cover, three copies of our Forest Regulations.

Yours truly,

J. G. Somers,
Provincial Forester.

CBG:DC

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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CANADA

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FIN DE LA BOBINE

Indian Affairs. (RG 10, Volume 7799, File 30001 Pt.3)

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