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HOUSE OF ASSEMBLY.

REPORT OF THE COMMITTEE ON CROWN LANDS,  
OF VANCOUVER ISLAND.

"Resolved, That a Committee of seven be appointed to investigate the present condition of the Crown Lands of this Colony, with reference to the proposition in the Despatch recently laid before this House of the Secretary for the Colonies, for handing over the Crown Lands to the Legislature."

Passed House of Assembly, September 18th, 1863.

COMMITTEE—A. DeCOSMOS, J. TRIMBLE, W. F. TOLMIE, R. BURNABY, G. F. FOSTER, J. C. RIDGE, J. DUNCAN.

CHAIRMAN—Dr. J. TRIMBLE.

On withdrawal of Messrs. Ridge and Burnaby from the Committee, Dr. POWELL and G. E. DENNES, Esq., were appointed to fill the vacancies.

*Third Parliament, First Session, 1863-64.*

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WITNESSES EXAMINED BEFORE THE CROWN LANDS COMMITTEE.

Hon. J. D. Pemberton, Surveyor General.  
B. W. Pearse, Esq., Assistant Surveyor General.  
F. W. Green, Esq., Civil Engineer and Surveyor.  
J. Gastineau, Esq., Civil Engineer and Surveyor.  
Thos. Trounce, Esq., Builder.  
D. B. Ring, Esq., Barrister at Law.  
H. A. Tuzo, Esq., Hudson Bay Company, Victoria.  
Bissette, Esq., Hudson Bay Company, Victoria.  
C. Ocshener, Esq., Farmer, Saanich.  
Geo. McKenzie, Esq., Farmer, Victoria.  
Rob't Homfray, Esq., Civil Engineer and Surveyor.  
H. O. Tiedeman, Esq., Civil Engineer and Surveyor.  
A. DeCosmos, Esq., Member of Crown Lands Committee.  
Geo. Greenwood, Esq., District, V. I.

To the Honorable the Speaker and Legislative Assembly of Vancouver Island, &c.

We, the undersigned, the Committee on Crown Lands, appointed in pursuance of the Resolution of your Honorable House, beg leave most respectfully to report as follows :

That owing in the outstart to the non-attendance of members to form a quorum, great delays took place ; but since the reduction of the quorum the business of the Committee has progressed more satisfactorily. It has always been a source of great anxiety and regret on the part of the Committee, that they have not been able to report at an earlier date. But the difficulties alluded to, combined with the large amount of labor to be done, made an earlier report next to impossible.

The Committee on Crown Lands would further report as follows :

Disputed Territory of Oregon.

Neither Great Britain nor the United States had any power to alienate or make grants of Public Lands.

I. Prior to the treaty of Washington signed on June 15th, 1846, in behalf of Great Britain and the United States of America, the whole of the Territory known formerly as "Oregon Territory," lying between the Russian Possessions in the North, and the Mexican Territory or California in the South, and between the Rocky Mountains on the East, and the Pacific Ocean on the West, was a "disputed Territory." Neither Great Britain nor the United States possessed the exclusive sovereignty ; but under a convention between those two Powers in 1818, Oregon Territory was declared free and open to the citizens and subjects of both Powers. Until the treaty of Washington, in June, 1846, was ratified, neither Great Britain nor the United States could alienate the land within the disputed territory, by giving "the requisite title."

Vancouver Island part of disputed territory. Title to Crown Lands vested in the Crown first time beyond dispute. June 15, 1846.

II. Vancouver Island was included in the disputed territory ; and it was not placed under the exclusive sovereignty of Great Britain till the treaty of Washington was ratified. Like San Juan Island is to-day, so was Vancouver Island before the 15th June, 1846. When Great Britain became possessed of the exclusive sovereignty of Vancouver Island, the Crown became the sole and undisputed owner of the soil, and held for the first time the sole and undisputed title to all of the lands constituting the Island.

Hudson Bay Co. erected fort Victoria.

III. In the year 1843, whilst Vancouver Island was a part of the "disputed territory," the Hudson Bay Company, or in other words "the Governor and Company of Adventurers of England trading to Hudson Bay," erected a Fur-trading post, called Fort Victoria, within what is now the city of Victoria, and took possession of certain lands in Vancouver Island.

IV. The right of the Hudson Bay Company to occupy the land in Vancouver Island in 1843, was acquired by virtue of a Royal License of exclusive trade with the natives or Indians on the north-west coast of America, granted by Her Majesty on May 30th, 1838. The Act under which the License was granted, limited it to a period of twenty-one years ; so that, at the expiration of the License, the right of the Hudson Bay Company to occupy the soil in conducting their exclusive trade would cease ; in fact no title to the soil was given to the Company, on May 30th, 1838, other than a conditional, temporary, and possessory one dependant on the duration of the Royal License of exclusive trade with the Indians within the "disputed territory" of which Vancouver Island formed a part ; and this must of necessity so appear to be the case inasmuch as Her Majesty in 1838, did not possess the exclusive sovereignty of Vancouver Island.

V. Hence it appears that on June 15th, 1846, when the title to the Crown Lands of Vancouver Island was for the first time vested in the Crown beyond dispute, the only party who held any right derived directly from the Crown to occupy any portion of the soil of this Colony, was the Hudson Bay Company; and their right by the conditions of the Royal License was temporary and possessory only; in fact, in the words of Martin's Work "The Hudson Bay Company Territories and Vancouver Island, &c.," "They (the Hudson Bay Company) could make no grant of land; having themselves no better title than a Hunting License from the Crown."

VI. The conditions of the Crown Lands, as to title, remained unchanged from June 15th, 1846, to January 13th, 1849. At the latter date Her Majesty, by Royal Grant or Letters Patent under the great Seal, granted the entire Crown Lands which included the whole of Vancouver Island to the Hudson Bay Company. No exception was made in the grant with respect to any lands occupied by the Hudson Bay Company prior to January 13th, 1849.

VII. The conditions on which the grant was made were mainly and substantially as follows:

1. The Hudson Bay Company were to have for ever all the crown lands and Mines Royal, at a rental of seven shillings per year.

2. The Hudson Bay Company were to found settlements in the Island within five years or forfeit the grant.

3. The Hudson Bay Company were to sell the land for colonisation purposes except such land as might be required for public purposes.

4. The moneys received from sales of land or minerals was to be spent in the Colonisation of the Island, after deducting 10 per cent from the gross proceeds for the trouble of the Hudson Bay Company in selling it.

5. The Company were to allow Reserves to be made for naval purposes for which the Crown agreed to pay.

6. The Company were to make a return every two years of the number of Colonists, and what land had been sold.

7. In case the Company did not fulfil the previous conditions, the Crown could resume the Island.

8. But in case the Crown resumed the Island, it bound itself to do so "without prejudice to the *dispositions of the land* made in the mean time by the Company for the *actual purposes of colonisation and settlement*."

9. A further condition was that the Crown, although it had granted the Island for ever to the Company, might, if it thought proper, at the expiration of the Royal License of exclusive trade with the Indians, that is, on May 30th, 1859, re-purchase and take Vancouver Island from the Hudson Bay Company, provided the Crown paid to the Company "the sum or sums of money theretofore laid out and expended by them in and upon the Island and premises, and of the value of their Establishments, property and effects being thereon."

VIII. From January 13th, 1849, to June 29th, 1860, the Hudson Bay Company held all the Crown Lands of the Colony granted to them at the former date, with the exception of Crown Reserves and such lands as had been disposed of to divers persons for the purpose of Colonisation and settlement. At the latter date the Hudson Bay Company made an arrangement with Her Majesty's Government by which all the lands in the Colony could be sold, except such lands as the Company held prior or subsequent to January 13th, 1849, as Fur Trade Branch Reserves, viz, Sections No. 18, 31, and 32, Victoria District Map of 1861, and such other lands as the

Company had sold for the purpose of settlement; and it has been by virtue of this arrangement that *the Colonial Government* has since been enabled to sell the Crown Lands or allow them to be preempted.

IX. The Title to the Crown Lands so called, with the exception of the lands sold by the Company to Colonists for settlement, has remained vested in the Hudson Bay Company since January 13th, 1849, and is still held by the Company up to the date of this Report, according to the best information in possession of your Committee.

X. Therefore before the Crown lands can really become Crown Lands at the absolute and sole disposal of the Crown, they will have to be conveyed in legal form by the Hudson Bay Company to the Crown; and except such conveyance be made, it will be impossible for the Crown to transfer to the Legislature of the Colony, the control of the Crown Lands in return for the payment of any such Civil List as has been proposed to the Colonial Government by His Grace the Duke of Newcastle, in his Despatch of June, 1863.

XI. The following is a statement of the average of the Crown Lands unsold, sold, reserved, and pre-empted in this Colony up to December 31st, 1863.

1. The total number of acres of land in the Colony including every kind and quality of land with the small Islands and the lands sold or reserved is estimated at 7,598,215 acres, or 11.872 square miles.

2. The number of acres of land sold in the 18 Surveyed Districts is 74,193 acres, (vide statement A in appendix No. 1.)

3. The number of acres of land pre-empted in the Surveyed and unsurveyed Districts is 88,509 acres (vide statement B in appendix No. 1.)

4. The number of acres unreserved, unsold and unpre-empted in all of the Surveyed districts is 92,264 acres, (vide statement C in appendix No. 1.)

5. The total average of the surveyed Districts is 212,151 acres, (vide statement D in appendix No. 1.)

6. The quantity of land pre-empted in the unsurveyed Districts in 1861 was 6,210 acres; in 1862, 19,000 acres; in 1863, 6,650 acres; Total 31,860 acres (vide statement E in appendix No. 1.)

7. There are 39 public Reserves in the surveyed and settled Districts, other than Victoria City, containing 14,170 acres; besides which there are in the said districts several small Islands the average of which is not estimated. There is also one Town Lot in Nanaimo. For particulars as to size and object of the Reserves (vide statement F in the appendix No. 1.)

8. The total number of acres of Crown Lands sold and pre-empted in the Colony is 162,505 acres.

9. From the foregoing statistics it appears that the total quantity of Crown Lands unsold, including Public Reserves, which the Imperial Government proposes that the Colonial Legislature should accept in return for the payment by the latter of the Civil List proposed by His Grace the Duke of Newcastle, is 7,435,710 acres.

XII. The general character of Crown Lands which are not in surveyed or settled Districts which are not open for pre-emption or for sale is as follows:

1. The whole of the Crown Lands are densely clothed with forests, chiefly of pine. Cedar is here and there interspersed amongst the pines but the pine is the prevailing wood.

2. The quantity of prairie land, so far as it is known to exist outside of the surveyed and settled districts, is extremely limited; but on a thorough exploration

of the interior of the Island prairie land in larger quantities may be found, the general impression however, derived from information communicated by persons who have crossed the Island in various directions is that there is very little prairie land.

3. With the exception of a belt of land not exceeding ten miles in width or thereabouts commencing near and above the southern entrance of Johnson straits and extending to Sooke harbor in the straits of San Juan de Fuca, the whole of Vancouver Island is mountainous, small valleys or bottoms are here and there interspersed in the interior; but what their practical value for agricultural purposes may be, it is unknown, and in all probability it will be many years before they will be tested by the agriculturalist.

4. From Sooke harbour along the straits of San Juan de Fuca to cape Beal there is no land, except small patches, suitable for agriculture, at least so far as is known; and there are but very few inlets or streams opening into the Straits. The coast line is lofty and mountainous.

5. From cape Beal to cape Scott along the shore where the Pacific ocean washes the Island, the coast line is indented with numerous inlets, sounds and harbours, but the agricultural land is limited to a few patches here and there, suitable to fishermen. The shores are rugged and mountainous, and generally clothed with pine to the water's edge.

6. From cape Scott to the southern entrance of Johnson straits the general character of the country is the same as described in the last paragraph.

7. Explorers represent the northern end of the Island, north of a line drawn from Noctka sound to Fort Rupert, as unsuited to agriculture, in the interior as well as on the coast.

8. The interior of the country lying to the westward of the surveyed districts of Cowichan and Nanaimo, and around the head-waters of Cowichan river, is reported as very rugged, thickly covered with pines, and not well adapted to agriculture, owing to the density of the forests.

9. The country described contains numerous lakes, and is traversed by several small rivers, none of which, with the exception of Courtney river in Comox district, are navigable for vessels of even small tonnage; and small vessels can only go up Courtney river a few miles. The rivers generally are only suited for canoe navigation.

10. Gold, copper, iron and coal are known to exist in the tract of country described.

11. Before concluding this review of the general character of the country beyond the surveyed and settled districts of the colony, it is necessary to state that it has never been thoroughly explored and its topography fully noted; and but comparatively few persons have ever penetrated the interior of the Island. When the interior is thoroughly explored, discoveries may be made that may make a more favorable impression as to the suitability of the interior of the Island for agricultural purposes.

12. Whatever crown revenue may be received hereafter, from the tracts of country mentioned in this section, will have to be derived from agricultural land, minerals and timber.

The agricultural land is too limited in extent, as far as is known, to produce the conclusion that it can, within any very short period, yield any considerable revenue; more particularly, as the price at which crown land is sold has been put at one dollar per acre, to enable our government to compete with neighboring countries. When the population of the colony becomes more dense, large tracts of country will be taken up and occupied for agricultural purposes; but that time is so remote, in our opinion, that we do not take it into consideration with respect to the acceptance of the crown lands in return for the civil list proposed.

Gold is known to exist in various parts of the Island already described; but not in paying quantities. So no revenue can be had from it.

*Copper-Bearing Veins* are very numerous and very widely distributed. They are very promising in appearance, but with one or two exceptions no attempt has been made to prospect or work those veins within the country described. Ultimately they may become a source of crown revenue, but it is scarcely possible to name the time when such may occur.

Iron is found in different places : but the cost of working it, at the present rate of labour, and rendering it a merchantable commodity, makes it undeserving of further consideration with respect to revenue.

Coal of a good quality is very widely distributed over the section of the Island under consideration. It is found cropping out in the neighborhood of Fort Rupert, at Quatseno, Clayoquot Sound, Barclay Sound, and between Cape Beal and Sooke. If due regard be paid to the development of the coal fields, no royalties on coal can be imposed judiciously at the present time ; but by selling the coal lands so that companies may be formed to work them, a small revenue may be obtained ; and ultimately, when the mines are in successful operation, revenue may be raised from them by a direct tax on the returns of the business, or a tax on the value of the mines as real estate.

Timber Lands are found everywhere ; but not always in situations to render them immediately available as a commercial commodity or for revenue. The numerous harbours and inlets that indent the coast from Sooke around the Island to the southern entrance of Johnson Straits, places the timber lands within the reach of capital and labor. At such points the timber may be manufactured into lumber or the spars exported ; and a small revenue may be received by selling the timbered lands or by granting licenses to cut off the timber. Within a few years in all probability the timber situated contiguous to navigable water will prove valuable and become a source of revenue. The greatest portion of the timber lands lie, however, in the interior, away from navigable water, and as the rivers are generally very small, it is very doubtful whether the timber can be turned to any practical account by being floated down to where it can be manufactured into lumber and shipped ; so there is very little hope of revenue from the latter source.

The probable future crown revenue that is likely to be derived from the crown lands, minerals, and forests, treated of in this section, is not likely to be of any considerable amount within any very short period. But in the natural course of events, when a large capital shall be accumulated in the colony, and when our population shall be far in excess of what it is at present, and labor shall seek some other employment than digging for gold, there is no shadow of doubt but that those fertile agricultural lands which now lie waste will be changed into prosperous settlements, the forests will be cleared by the lumbermen, and the wealth contained in our copper, iron and coal mines will be fully developed. When this state of things shall exist, doubtless considerable revenue will be derived from the crown lands, mines and forests ; but it is very questionable whether the territorial revenue will ever, in any future year, be much in excess of the expenditure necessary for surveys, and the construction of roads to new settlements.

The general character of the crown lands, rivers and forests in the surveyed and settled districts, is as follows :

1. Out of 212,151 acres, the total area of all the surveyed districts, there are only 92,264 acres open for pre-emption or for sale.

2. According to the testimony of Mr. B. W. Pearse, formerly acting Surveyor General, fully eight-tenths of the crown land that remains unsold and unreserved in the surveyed districts, is unavailable for agriculture, leaving only about 18,500 acres of comparatively good land.

3. The following extracts from Mr. Pearse's testimony will show the character of the crown lands in the surveyed districts :

*Esquimalt.* In Esquimalt the land is of very poor quality, chiefly rock and large swamps covered with scrubby timber, perhaps containing minerals.

*Metchosin.* In Metchosin it is chiefly timber land; no prairie, some very fine pine timber; but far back from the sea; a great deal of rock also; some land good for grazing.

*Sooke.* "In Sooke there is a great deal of high land, giving excellent grazing about 20 miles from this city; the elevation is about 1500 feet. On Sooke river some very fine land covered with the finest timber I ever saw; during high water could easily be floated down. There are at least 2,000 acres of this land in one valley. Other similar valleys run into this, extending apparently to Barclay Sound. A great part of the land mentioned as unpre-empted is simply rock. Large copper veins are known to exist in the district."

*Lake.* "In Lake district the portion unsold is chiefly worthless; there are no indications of minerals."

*North Saanich.* In North Saanich there are nearly 3,000 acres unsold, very poor land, which will hardly grow a potato, but supposed to contain minerals and coal of poor quality; on the east coast, a small seam of coal on Coal Island, 18 inches thick, is found; Mount Newton is also supposed to contain copper; no timber.

*South Saanich.* South Saanich in the north part is similar to North Saanich, being part of Mount Newton; the remainder is very worthless, having been picked over frequently; Mount Newton might be adapted to grazing.

*Comiaken.* "In Comiaken a great deal of the land shown in these figures (vide statement C,) has been since pre-empted. The unpre-empted land consists chiefly of open timber land, and a great deal of rock, probably 4-10ths of unavailable land supposed to be rich in minerals, copper, gold and silver. Some of the timber very fine for lumber. Douglas pine and cedar, but not accessible to the water."

*Cowichan.* "In Cowichan the unsold land is chiefly of two kinds; in the south part, chiefly clay and loam, it has been much subject to the action of brush fires; chiefly open timber land with willows; some of the bottom land south of the Indian reserve is very good, covered with willows, pine, cedar, alder and all kinds of wild fruit; it is about two miles from the sea. At the north end of the district the land is very rocky. From Cowichan Point, northwards, is supposed to be very rich in copper. Some very good mill-sites on Cowichan river; one on the Quamichan branch,  $1\frac{1}{2}$  miles from the bay, is very valuable. Timber is very scarce in the district. No indications of coal.

*Mountain.* "Mountain district contains some very fine land; at the foot of Mount Benson or Wake-siah Mountain is some very fine timber adapted for spars, about three miles from Departure Bay, and extending over about half of the district; also some fine bottom lands, chiefly peat, bearing large quantities of cranberries; some of the high lands are good, chiefly open timber lands. South of that, the land is supposed to contain coal, and has been reserved, on the application of Dr. Benson, for an English company; extent, 3,000 r. w. t. acres, Chase river running through it. The coal crops out on the river just within the Vancouver Coal Company's line. Geologists believe that the coal extends in a south-west direction for a very long distance, probably to Barclay Sound. Mill-sites might be had on Chase and Mill-stone rivers."

*Cranberry.* "In Cranberry district the S. W. portion is so bad that it was not worth surveying; believed however that under the pre-emption act much of it would be taken up; a large number of peat swamps covered with cranberries. On the Nanaimo river I found the color of gold at every place I tried, washing with a drinking cup. The banks are covered with a dense growth of splendid cedars; one measured 14 feet in diameter; the average diameter would be about six feet; there is splendid water-power on the river. The immediate banks are subject to floods; with a small outlay logs might be easily floated down. There are bars at the entrance of



the river which would prevent vessels entering in. A vessel drawing 12 feet might load within two miles from the mouth. The lands about the mouth of the river are pre-empted and sold; never heard of any minerals being found. On the west bank of the river the land is sold to the coal company for about two miles up; on the east bank it is pre-empted a mile up."

*Cedar.* "Cedar district is very gravelly, and covered with timber; large lakes in the district full of trout; all round the lakes are cranberry swamps. Agriculturally the land is chiefly third-rate, the good land being all sold. There are a few very fine prairies, say from 10 to 40 acres each, which would make capital farms. There is a good water power, with some good timber for lumber on the spot. Some indications of coal on the east coast, above Dodd's Narrows."

*Comox.* In Comox district (unsurveyed) there is supposed to be a considerable quantity of good land, prairie and forest, but the extent is unknown, as that section of country, from the coast back to the mountain range, about 8 or 10 miles in the interior, has not been fully explored.

Indian Reserves.

4. There are several thousand acres set apart for Indian reserves, (see statement F, appendix No. 1,) some portion of which is very good land; but as it is necessary that these reserves should be kept in the occupation of the Indian tribes for some years at least, their value cannot be taken into account.

Government Reserves outside of Victoria city.

5. There are likewise some Government reserves in the districts outside of Victoria city, (see statement F, appendix No. 1.) The particular object of these reserves in some cases is unknown; but it is supposed that they were intended for the support of schools, in accordance with a resolution of the House of Assembly, a few years ago. The only one of these reserves that is likely to be of any considerable value is that at Maple Bay for a town. It may, if sold in town lots, yield some £3,000 or £1,000.

Coal in surveyed districts.

6. Indications of extensive coal fields have been found in the surveyed districts, in fact, extending from Comox to Sooke; and it only requires time, capital and labor to render these available within a few years. Some considerable crown revenue may be derived from this source, mainly however by the sale of the land containing the coal.

Copper in surveyed districts.

7. Abundant indications of copper-bearing rock exist in the surveyed districts. Several companies are at work opening them; but what their value may be, is still a problem unsolved. If the copper veins prove to be as rich in ore as many persons assert, they will doubtless be the means of adding to the revenue. Like coal lands, however, the copper-bearing land will have to be sold or granted in long leases to give an impulse to copper mining; and consequently the revenue from the mines, even if they turn out to be rich, will not be large; in fact, at present copper mining is only an experiment.

Timber.

Revenue from crown lands, mines, and timber in surveyed districts.

8. What has been said of timber lands, heretofore, holds good with respect to the surveyed districts, with the exception that nearly all the timber is held by purchasers of crown lands, and so but little revenue can be anticipated from this source.

9. It is apparent from this brief and imperfect review of the crown lands, mines and forests within the surveyed districts, that but very little can be derived therefrom.

Clergy and Governor's reserve in Victoria district.

XIV. The attention of the committee has been directed to certain reserves originally laid out by the Hudson Bay Company in Victoria district, beyond the boundaries of the city of Victoria. These reserves are known as;

1. The Clergy Reserve.
2. The Governor's Reserve.

On examination it was found that they had been sold by the Land Office, by the order of the Hudson Bay Company, sanctioned by the Secretary of State for the colonies,

and therefore are not lands falling to the crown. The order to sell the clergy reserve was made on October 8th, 1855; and for the Governor's reserve on May 23d, 1856.

XV. The attention of the committee was further directed, through the statements of one witness, to inquire whether a larger quantity of rock and swamp had not been allowed by the land office, to purchasers in the districts other than Victoria city, than was allowed by the regulations of the Hudson Bay Company sanctioned by the Governor in council. But after a careful examination of the matter no discovery has been made to warrant the positive conclusion that anything more than the customary allowance of rock and swamp, based on the Surveyor General's estimate, and not on survey, had been granted to purchasers. It has been well established in the evidence before the committee, that the land office made very large allowances for rock and swamp to purchasers of land, prior to 1858, in order to facilitate sales of land; and that such was not only done in a few particular instances, but was the general rule up to the time that the regulation exempting rock and swamp was revoked in 1858. (For further information and fuller details respecting rock and swamp and other incidental issues arising during the investigation of the committee, see appendix No 2.)

XVI. In the examination of Mr. Pearse respecting the sales of Crown Land it was found that three reserves had been made and were charged in pencil in the books of the Land Office to the "Fur Trade Branch reserves of the Hudson Bay Company" and for which no payment had been made. These reserves were claimed and held by the Hudson Bay Company and are respectively:

1. Section 32 in Victoria District, containing,	723 acres.
2. " 31 " " " "	1118 "
3. " 18 " " City and District, "	1212 "
Total,	3053

The acreage of the sections given in the blue book is 3,084 acres.

4. Of section 32 there has been sold to J. W. McKay, or W. F. Tolmie 255 acres.

5. Of section 32 there remain 459 acres in the possession of the Hudson Bay Company.

6. Section 18, including section 6, forms the site of the City of Victoria and is nearly all sold. The Hudson Bay Company only retain the lots and blocks that appear in statements H. and M., appendix No. 1.

XVII. Inasmuch as it appeared in the Land Office books that no payment had been made for sections No 31, 32, and 18 by the Hudson Bay Company, and that no title to these sections had been granted to the Company other than that contained in the grant of the Island by the crown 1849, it became necessary to enquire into the value of those portions of these sections that had been sold, and by whom sold, and the value of the portions still remaining unsold, retained by the company and not offered to be given up to the crown. The result of that enquiry is as follows:

1. Value of lots and block in section 18, sold by Surveyor General Pemberton up to August, 1859 (vide statement G, appendix No. 2,	\$186,817 00
2. Value of lots and blocks in section 18, in possession of the Hudson Bay Company as per Victoria City assessment roll (vide statement H, appendix No. 1.)	268,150 00
3. Value of lots in section 18 sold for the Hudson Bay Company by P. M. Backus, on May 3d, 1859, (vide statement I, appendix No. 1.)	29,955 00
4. Value of lots and blocks in Spring Ridge, section 18, sold Nov.	

1, 1860, by J. J. Cochrane, for the Hudson Bay Company, (vide statement J, appendix No. 1,)	\$ 28,615 00
5. Value of lots and blocks in section 18, "fort property," sold by P. M. Backus January 23d, 1861, for the Hudson Bay Company, (vide statement K, appendix No. 1)	121,325 00
6. Value of lots and blocks in section 18, sold at different times by the Hudson Bay Company, (vide statement L, appendix No. 1)	105,700 00
7. Value of section 31 and part of section 32, vide Victoria District Assessment Roll in the possession of the Hudson Bay Company, as per Government Assessment Roll, (vide statement M, appendix No. 1)	71,050 00
8. Value of part of section 32, sold to J. W. McKay or W. F. Tolmie, by the Hudson Bay Company, as per Government Assessment Roll, (vide statement N, appendix No. 1)	3,825 00
Total,	<u>\$765,437 00</u>

XVIII. From the statement in the last section of this report, (No. 17) it appears that the immense sum of \$765,437 has been obtained in money and property by the Hudson Bay Company from sections No. 31, 32 and 18. This amount of money and property is greater than the total proceeds of the sale of all other crown lands since the colony has been founded; in fact, during the sixteen years that have nearly elapsed, since the grant of the Island to them, the Hudson Bay Company have not only taken more than one-half of the gross proceeds of the sales of all crown lands, but have also taken one-tenth of the remaining portion. For instance, assuming that the total number of acres of land sold is 75,000, (see statement A) at \$5 per acre, (\$375,000) and the total quantity of pre-empted is about 100,000 acres, (see statement B) at \$1 per acre, (\$100,000) the gross proceeds would be \$475,000, or \$290,437 less than the amount obtained by the Hudson Bay Company from the sale and occupation of property in sections 31, 32 and 18. If we add the commission of the Hudson Bay Company, one-tenth or \$37,500 on the gross proceeds of the 75,000 acres sold at \$5 per acre, (by agreement of June, 1860, the Company were not entitled to a per centage on pre-emptions) it will leave in the hands of the Hudson Bay Company \$802,937 for their private use, whilst the Colony will only have \$437,500 or \$365,437 less than the Hudson Bay Company, out of the grand total of the sales of crown lands since 1849. These figures will bear examination; they are approximately correct, and show a state of things in the management of the crown lands, perhaps without parallel in colonial history. According to a condition of the grant of 1849, the Hudson Bay Company were entitled to a tenth of the gross proceeds of the sales of crown lands; the remainder of the proceeds were to be devoted to the purposes of colonisation and settlement. If that condition were enforced at the present time respecting the \$765,437 the Hudson Bay Company would be entitled to deduct \$76,543 70 therefrom for their trouble in selling the land; the balance, \$688,893 30, together with interest thereon, and ground rents received; they would be bound to account for to the crown treasury or "crown land trust fund." Need it then be wondered at that Sir James Douglas, in his despatch of April 20th, 1862, should have remarked that, speaking of the Hudson Bay Company—"They are left in undisputed possession of large sums of money, which the sale of portions of that property (sections 31, 32 and 18) has brought them; not one farthing being deducted for the benefit of the colony, or even to pay the expense of surveying and selling, which has been mainly borne by the colony and by the Imperial government." Basing our conclusions on the grant of 1849, there is not a scintilla of evidence or a color of reason, to show cause why the Hudson Bay Company should retain the \$688,893 30, or why the crown should ever allow them to withhold the amount and appropriate it to their private use instead of the purposes of colonisation;

and it is our firm conviction that no half and half measures should be taken, no delay permitted, in adopting the most speedy and vigorous measures to compel at once the restoration of this immense sum, now virtually lost to the colony; that it may be applied to the original purposes intended by the crown, and to the professed object of the Hudson Bay Company when they accepted the royal grant of the Island in 1849.

XIX. By the grant of 1849 the crown is entitled to receive \$688,893 30. Here, however, be it remarked, we are met by a remarkable document, ignoring *in toto* the right of the crown to that immense sum, and confirming to the company the entire proceeds of the sales of sections 31, 32 and 18, and such portions of that property as the company still hold, (see statements H and M, appendix No. 1) and ordering the Hudson Bay Company to convey to the crown certain other portions, as set forth in statements O and P, appendix No. 1. This document is an Indenture, made in London on February 3d, 1862, by two arbitrators. The very fact of the arbitrators compelling the Hudson Bay Company, in this Indenture, to restore to the crown the land mentioned in statements O and P, appendix No. 1, shows clearly and conclusively that the Hudson Bay Company had no color of title to any portion of sections 31, 32 and 18, other than what they obtained by the grant of 1849; and that they were, by that grant, up to the date of the Indenture, firmly bound to pay over to the crown the nine-tenths of \$765,437. If such were not the case, why should the company restore those portions of sections 31, 32 and 18 set forth in statements O and P, appendix No. 1? And, if sections 31, 32 and 18 were or had been the private property of the Hudson Bay Company, by any title prior or subsequent to the grant of 1849, is it reasonable to suppose that they would ever have consented to arbitration to settle a right which they clearly and indisputably possessed? No proposition could be more self-evident, no argument could be more strongly in favor of the right of the crown to the \$688,893 30. Notwithstanding all that appears in the despatches of Gov. Douglas submitted to your honorable house on September 3d, 1863, it is palpably apparent that there has been gross negligence on the part of the local government in respect to the final settlement of the question at issue between the crown and the Hudson Bay Company. At first Her Majesty's Secretary of State for the colonies refused to recognize any right of the company to sections 31, 32 and 18, on any other tenure than the grant of 1849; and in consequence of the company persisting in claiming those sections, the crown took all the necessary legal proceedings to have the question conclusively settled before the judicial committee of the Privy Council. If, at that period, the local government had been fully alive to the interests of the colony, it would have employed able counsel in London to watch over its interests and press the matter to a conclusion before the Privy Council; but that was not done. If it had been done, the \$688,893 30 with interest, might to-day have been in the Colonial Treasury, and the title to the crown lands would have been vested in the crown instead of as it is now in the Hudson Bay Company. Means, however, were found by some party to prevent the question being heard before the Privy Council, and to have it referred to arbitrators, whose decision is a virtual robbery of the colony, though perhaps not intentionally so; but may, probably, be due to imperfect information respecting the value of the property in dispute, on the part of the crown, and to the *ex-parte* statements of the Hudson Bay Company. On no other grounds of public honesty can this remarkable decision of the arbitrators be accounted for. The Indenture of arbitration is, however, binding alike on the crown and the Hudson Bay Company, and is substantially a final settlement of the dispute; and except this document be cancelled, there is no hope whatever of the colony ever coming into possession of what otherwise is its lawful due, the \$688,893 30.

XX. In the evidence taken before the committee, it has been stated that there

was no way in which the Indenture could be cancelled, except by proving fraud on the part of the Hudson Bay Company in selling land, subsequent to January 1st, 1862, that should revert to the crown in accordance with the provision of the Indenture of arbitration. In the enquiry that followed the question of fraud was not lost sight of but no evidence was elicited to prove that the company had committed a fraud by selling any portion of the land in sections 31, 32, and 18, subsequent to January 1st, 1862. Several witnesses were heard; and some were to be recalled but were not; yet the evidence, on the whole, without impugning the veracity of any witness, was not of a perfectly satisfactory nature, and this was owing to the committee not possessing the power to send for the private papers and books of the Hudson Bay Company, so that an examination of the sales could be taken up seriatim. Besides this, a Provincial Parliamentary Committee with limited authority and without the power of administering oaths and sending for private books, maps, and papers, is not the best tribunal to investigate such a matter.

XXI. Assuming the award in the indenture of February 5d. 1862, to be valid, the enquiry was next directed to finding what lots of land in section 18 were to be conveyed to the crown, and these were found to be as follows:

1. The lots and blocks of land in Beckley farm marked in statement O, appendix No. 1, of the estimated value of \$35,950.
2. The lots and blocks, reserves, public landings, &c., &c., in statement P, appendix No. 1.

XXII. On a portion of the land mentioned in statement O appendix No. 1 there are two pre-emptions registered. The first by G. E. Nias, registered by the Surveyor General; the second by James Trimble registered by the acting Surveyor General.

XXIII. With the exception of the land mentioned in statement O and lot 15 block 70 and lots No. 1603, 1605, 1607, in statement P, no revenue can be anticipated from any of the land in section 18 which it is proposed to transfer to the crown. The total value of these exceptions if sold is estimated at about \$68,000.

XXIV. Considerable trouble has been taken to enquire into the encroachment upon and sale of land in Beacon Hill Park by the Hudson Bay Company, and it has been found that the company have sold nearly ten acres. For particulars as to quantity of land and value and the lots sold, see statement M 2 appendix No. 1.

XXV. James Bay reserve, 10 acres, has received a great deal of the attention of the committee. A portion of this reserve marked Z on the map, submitted by D. McTavish, Esq., on behalf of the Hudson Bay Company, had been sold by the latter. This section or lot contained about two acres. From the evidence it appears that the James Bay reserve was originally ten acres; but in 1858 town lots were sold by order of the company per Mr. J. D. Pemberton, which cut off a portion of the western side of the reserve; the loss however to the government was made up by the Surveyor General, Mr. J. D. Pemberton, adding a portion of the land south, belonging to Beckley farm, to make up for what was taken from the western side of the reserve—part of what is added is section Z. On reviewing the whole evidence the committee are of opinion that section Z should be held as part of James Bay reserve.

Old Bridge  
Johnson  
street.

XXVI. It was clearly shown by the Surveyor General, Mr. J. D. Pemberton, that the foot of Johnson street ran the full width of the street to the harbor of Victoria. But it appears that the Hudson Bay Company have sold all but about 14 or 16 feet of

the water frontage, or that abutting on the harbor. That portion only remains unsold which formed the entrance to the old bridge. It is the opinion of this committee that the part sold should be restored, on the ground that it was originally laid out and had been used by the public as part of Johnson street.

XXVII. The public Springs, according to the Indenture of February 3d, 1862, are to be held by the Hudson Bay Company. In the words of that Indenture, the company are to retain "the old Spring and adjoining land, except one well, set apart for public use, as marked in the company's plan." By this arrangement the public lose a reserve legally made as far back as 1858, as follows: The Speaker of the House of Assembly, on July 29th, 1858, sent a resolution of the Assembly to Gov. Douglas, requesting that the public Springs be reserved. On the 6th of August, 1858, Gov. Douglas sent a message to the Assembly, stating that the Surveyor General had been instructed to "reserve the water springs and adjoining land, and the well which formerly supplied the town of Victoria with water for the use of the public." Under the grant of 1849, the crown possessed the right to make reserves; and inasmuch as it had been legally done, it seems particularly unjust for the crown to consent to the handing over of the reserve to the Hudson Bay Company, in accordance with the provisions of the Indenture.

XXVIII. The Church and parsonage reserves contain (vide statement F, appendix No. 1) 25:1-10 acres. If divided up into the ordinary sized town lots, there would be, excluding streets, about 120 lots, which at \$500 each, would be worth \$60,000. From an examination of despatches laid before the Assembly this session, it appears that the Hudson Bay Company made the reserve for the special use of the church of England. The Duke of Newcastle, under date June 12th, 1862, approved of the proposition of Gov. Douglas, that the Hudson Bay Company should convey it to trustees, namely, the Governor of the colony and the Bishop of the diocese; the conditions were, that it should be made liable to the following charges:

1. A suitable stipend, to be fixed beforehand, for the incumbent of Christ's church.
2. The repairs and necessary expenses for the due maintenance of Christ's church.
3. Such clerical aid at Christ's church as might become necessary.
4. The foundation and maintenance of schools in connection with Christ's church.

5 For the benefit of the Church of England generally; that is to say, for the establishment and maintenance of other churches and schools throughout the Island.

Governor Douglas, in his despatch of April 16th, 1862, says that in a few years the reserve will yield a princely income. Bishop Hills, under date of May 15th, 1861, and the Rev. Mr. Cridge, under date of April 23d, 1861, say that it is desirable to lease out the reserve to provide an income. Although the reserve was intended originally for the Church of England; still the right of the Hudson Bay Company to divert it to that object may well be doubted. The reserve is part and parcel of the crown lands held by the company, and the grant of it to any denomination for its special use is beyond question taking property that belongs to all and bestowing it on one. However such a course may be justified elsewhere in the past history of the nation, to do so in this colony is an exertion of power totally indefensible. If the reserve be set apart for religious uses, it ought in common fairness to be divided equally among all denominations, according to their numbers. No favoritism should be shown. But if conveyed to the Church of England specially, it would not be so great a public injury, provided that the reserve were kept open as a public square; but it is intended to

break it up into lots, and to lease them, thus destroying the only public square in the City of Victoria. Mr. J. D. Pemberton testified that the church reserve when originally laid out was not intended to be built on, that it was to be "lungs for the city;" to break up the property into lots is to depart from the original intention and demands the attention of the legislature. The deeds of this reserve were not passed at latest dates.

XXIX. On map No. 1 hereto annexed are marked a number of public reserves but their extent and character is unknown with the exception of those previously referred to. The object of the reserves is for light houses or other public uses.

XXX. Inquiry was made as to the lands held by the Puget Sound Agricultural Company in Esquimalt District. The quantity of land held by this company, and the assessed value, as per government assessment roll of December 1st, 1863, appear in statement Q. appendix No. 1. The land is marked in the land office as having been paid for "in full" in London. It is in evidence that a title to these lands has been given to the Hon. E. Ellice, Mr. Berens, Jas. Dunbar, Lord Selkirk and Sir George Simpson.

XXXI. By the returns in the possession of the committee, it appears that the Nanaimo Coal Company purchased 6193 acres of land in Nanaimo, viz., sections 1, 21 and 111, on May 7th, 1855, for the sum of \$29,726, marked in the books of the land office as paid. These lands have since been sold by the Hudson Bay Company.

Water  
Frontage.

XXXII. The water frontage of the colony ought to be a source of revenue to the crown, but it appears from the Indenture of February 3d, 1862, that the best portion is confirmed to the Hudson Bay Company or their assigns. The language of the Indenture is—"That all sales made by the company previous to January 1st, 1862, of any portion of land occupied by them in Victoria district aforesaid before the 13th January, 1849, including *water frontages and the spaces between high and low water mark abutting on* any such portion of land, shall be valid and effectual as against Her Majesty, &c." In section 3 of the indenture, "*The water frontage and foreshore immediately in front of the Fort and now long in possession of the company*" except the frontage of the Harbor Master's lot, is confirmed to the company, hence a very large proportion of the water frontage if not all in Victoria Harbor abutting on section 18 belongs to the company. The value of this property was not taken into account in the previous statement of the company's property in sections 31, 32, and 18. But its value is very great, possibly worth \$500,000. In reference to the water frontage where the lots have been sold it is not clear as to whether the purchasers own the water frontage. If the Hudson Bay Company are the owners of the water frontage nearly \$510,000 may be added to the enormous sum already placed at their disposal by the Indenture of the arbitrators. This wholesale disposal of crown property only makes the necessity more urgent for the adoption of vigorous and speedy steps for the protection of the public interests, otherwise there may be diverted to private uses an immense sum of money for water frontages that rightfully belongs to the Crown.

Land  
Revenues  
and land  
Sales.

XXXIII. The last question in connexion with the condition of the crown lands is the actual revenue now received at the Land Office. The estimate of the Surveyor General is that, the total arrears of instalments due on Crown Lands to May 1st, 1864, does not exceed \$60,000, of which \$17,500 is due in 1864. That estimate is confined to lands sold. The arrears of instalments due in 1864 on lands taken up under the pre-emptive proclamation do not on a rough estimate exceed \$5,000. Assuming 1864

to be the year in which the first instalment is paid, there will be three instalments of a like amount to be paid in 1865, 1866, and 1867, making the total arrears on Crown Lands \$80,000, and the total instalments due on Crown Lands in 1864 \$22,500. During the past four months of the present year however the amount received at the Land Office from all sources of land revenue is only \$5,800, at that rate the revenue in 1864 would not exceed \$17,400. In 1863 about \$2,000 per month was received at the Land Office on account of lands. The total amount received in 1863 for lands recorded under the pre-emption proclamation of 1861 and 1862 was \$2,557 43 (vide statement S) the balance of the land revenue in that year was chiefly made up from instalments due on land previously sold. In this present year but a very trifling amount of money has been received from pre-emptions, the greater portion of the \$5,800 received up to May 1st, 1864, is for land sold for mining purposes. When the instalments on land sold are all paid up, the land revenue will be very small, depending mainly on sales of mining lands and pre-emptions. In statement R, appendix No. 1, will be found the acreage pre-empted in each district, surveyed or unsurveyed, in 1863, the total of which is only 23,009 acres. Many persons pre-empt land but fail to occupy it, and so forfeit their claims. To base an estimate of the probable annual land revenue on the quantity of land pre-empted in every year, without making a very large allowance for forfeited pre-emptions, would be a serious mistake, for fully a third, if not more, forfeit their claims by throwing them up. It is apparent from these statistics, that the land revenue in future years is likely to be very small. Even in anticipation of the creation of new agricultural settlements, the land revenue prospectively cannot be very large. A variety of circumstances combine to render it so, some of which have been partially explained in the general review of the crown lands, in the previous part of this report.

XXXIV. In the despatch of His Grace the Duke of Newcastle, the sum of £6,200 or \$31,000 is fixed as the civil list which the colony is asked to make a first charge on the territorial and general revenue, in return for granting the legislature control over the crown lands. But it must be almost self-evident, from the facts supplied in this report, that the crown lands will yield little or nothing towards paying it. When the cost of surveys, the expenses of the land department, the sums paid for Indian claims, and other incidental expenses attendant on the sales of crown lands, are all deducted, in future years from the revenue received from all lands, but a nominal sum will be left to meet the civil list proposed. If the proposition of His Grace be accepted, new taxes will have to be levied to meet the additional charge on the general revenue; or else many public works of great utility, and even of necessity, will in all probability have to be kept in abeyance to avoid the increase of additional burdens on the taxpayers. Whether it be advisable to accept the offer of Her Majesty's Government respecting the civil list, the committee have not enquired. They merely submit the facts collected during their investigation relative to the present condition of the crown lands, leaving the question of accepting the proposition for the future consideration of your honorable house.

All of which is respectfully submitted.

JAMES TRIMBLE, Chairman.

Committee Room House of Assembly, }  
Victoria, V. I., 14th June, 1864. }



# APPENDIX.



## STATEMENT A.

STATEMENT of land sold in the following Districts made by B. W. Pearse, Esquire,  
Acting Surveyor General, up to December 31st, 1863.

Victoria	District, . . . .	16,429	acres.	Cedar	District, . . . .	913	acres.
Esquimalt	"	10,873	"	Nanaimo	"	6,293	"
Metchosin	"	5,427	"	Quamichan	"	700	"
Sooke	"	3,789	"	Shawnigan	"	300	"
Lake	"	10,152	"	Somenos	"	1,049	"
Sallas Island	"	1,965	"	North Saanich	"	6,991	"
Comiaken	"	275	"	South Saanich	"	7,713	"
Cowichan	"	562	"	Mountain	"	182	"
Cranberry	"	80	"	Highland	"	500	"
				Total, . . . . .		74,193	

## STATEMENT B.

STATEMENT showing the number of acres pre-empted in each District as given by B. W.  
Pearse, Esquire, Acting Surveyor General, up to December 31st, 1863.

S. D. Victoria	District, . . . .	95	acres.	S. D. S. Saanich	District, . . . .	3,240	acres.
" Esquimalt	"	1,322	"	Mountain	"	1,150	"
" Metchosin	"	2,692	"	Highland	"	750	"
" Sooke,	"	2,895	"	Chemainus	"	3,370	"
" Lake,	"	2,240	"	Salt S. Island	"	5,060	"
" Sallas Island	"	1,483	"	Parclay Sound	"	4,720	"
" Comiaken	"	2,330	"	Nootka Sound	"	250	"
" Cowichan	"	10,871	"	Fort Rupert	"	1,410	"
" Cranberry	"	678	"	Comox	"	9,030	"
" Cedar	"	500	"	Small Islands	"	2,960	"
" Nanaimo	"	910	"	San Juan	"	150	"
" Quamichan	"	5,100	"	Oyster Bay	"	700	"
" Shawnigan	"	7,713	"	James Island	"	930	"
" Somenos	"	5,750	"	Coskemo, Fort Rupert	"	7,000	"
" North Saanich	"	3,210	"	Total, . . . . .		88,509	

All districts marked S. D. are surveyed.

## STATEMENT C.

STATEMENT showing the quantity of land unsold, unreserved, and unpre-empted in each Surveyed District, as given by B. W. Pearse, Esquire, Acting Surveyor General.

Victoria District	None.	Cedar District	acres.
Esquimalt " . . . . .	929 acres.	Nanaimo " . . . . .	8,779
Metchosin " . . . . .	4,358 "	Quamichan " . . . . .	1,166
Sooke " . . . . .	3,741 "	Shawnigan " . . . . .	12,800
Lake " . . . . .	1,797 "	Somenos " . . . . .	12,354
Sallas Island " . . . . .	None.	North Saanich " . . . . .	11,450
Comiakien " . . . . .	7,189 "	South Saanich " . . . . .	2,966
Cowichan " . . . . .	7,987 "	Mountain " . . . . .	3,221
Cranberry " . . . . .	7,204 "		6,323
		Total, . . . . .	92,264

## STATEMENT D.

STATEMENT showing the measured extent of each Surveyed District, as given by B. W. Pearse, Esquire, Acting Surveyor General.

Victoria District	acres.	Cedar District	acres.
Esquimalt " . . . . .	16,679	Nanaimo " . . . . .	9,806
Metchosin " . . . . .	12,426	Quamichan " . . . . .	8,533
Sooke " . . . . .	11,897	Shawnigan " . . . . .	16,000
Lake " . . . . .	10,201	Somenos " . . . . .	18,741
Sallas Island " . . . . .	14,048	North Saanich " . . . . .	16,000
Comiakien " . . . . .	1,965	South Saanich " . . . . .	10,767
Cowichan " . . . . .	11,072	Mountain " . . . . .	12,216
Cranberry " . . . . .	11,764		16,000
	14,036	Total, . . . . .	212,151

## STATEMENT E.

A TABLE showing the quantity of land sold and pre-empted in unsurveyed districts during the years 1861, 1862, and 1863, as per statement of B. W. Pearse, Esq., Acting Surveyor General.

DISTRICT.	FOR THE YEAR	FOR THE YEAR	FOR THE YEAR	TOTAL.
	1 8 6 1.	1 8 6 2.	1 8 6 3.	
Highland, . . . . .	500 acres	250 acres	nil. acres	750 acres
Chemainus, . . . . .	900	1,000	1,470	3,370
Salt Spring Island, . . . . .	2,400	1,200	1,460	5,060
Barclay Sound, . . . . .	150	nil.	100	250
Nootka Sound, . . . . .	150	nil.	100	250
Fort Rupert, . . . . .	nil.	1,310	100	1,410
Comox, . . . . .	nil.	7,640	1,390	9,030
Small Islands and De- pendencies, } . . . . .	1,180	450	1,330	2,960
San Juan, . . . . .	nil.	150	nil.	150
Oyster Bay, . . . . .	nil.	nil.	700	700
James Island, . . . . .	930	nil.	nil.	930
Quatseno, . . . . .	nil.	700	nil.	7,000
Totals,	6,210	19,000	6,650	31,860
			Grand Total,	31,860

## STATEMENT-F.

STATEMENT showing the Reserves in each Surveyed District, the purposes for which they are reserved, and the extent of each, as given by B. W. Pearse, Esquire, Acting Surveyor General, not including Victoria City.

DISTRICTS.	NO. OF A C R E S .	NO. OF RESERVE.	PURPOSES FOR WHICH THE LAND IS RESERVED.
Victoria, .....	245	1	Hyde Park.
" .....	5 33-100	2	School at Craigh Flower.
Various small islands and rocks	not	given	
Esquimalt, .....	112	1	Songish Indians.
" .....	47	2	Esquimalt Indians.
" .....	350	3	Government. Thetis Lake.
" .....	24 66-100	4	Imperial Government Hospital.
" .....	90	5	Albert Head.
Metchosin, .....	100	1	Gov't Stn 20. School purposes
" .....	12	2	Wm. Head. Military purposes.
Various small islands and rocks	not	given.	
Sooke, .....	111	1	Government (including Spit.)
" .....	60	2	Indians.
Various small islands and rocks	not	given.	
Lake, .....	86	1	Section 42. Government.
" .....	113	2	{ Part of school. Hyde Park and Douglas.
South Saanich, .....	641	1	{ Indian Reserves. Range 4, 5, 6, E. S. 6, 7, 8.
" .....	300	2	Range 1, 2, W. 7, 8, 9 S. D. J. R.
" .....	340	3	Mt. Newton. Gov't right mining
North Saanich, .....	1,224	1	Government right of mining.
" .....	315	2	12 W., 4, 5, N. Indians.
" .....	69	3	Indians.
Comiaken, .....	82	1	For Town Site.
" .....	3,000	2	Maple Bay. Mining purposes.
Cowichan, .....	3,199	4	Indians.
Quamichan, .....	1,600	3	"
Somenos, .....	200	1	Government.
Shawnigan, .....	162	1	"
" .....	141	2	Mill site leased.
Nanaimo, .....	724	1	Public purposes.
" .....	250	2	Indians.
" .....	100	3	Public roads.
" .....	80ft x 100ft	4	Harbormaster's Office.
Mountain, .....	600	1	Government.
Cranberry, .....	600	1	"
" .....	152	2	Indians.
Cedar, .....	115	1	Government.

Total acreage, 14,169 99-100.

Total number of Reserves, 39.

## STATEMENT G.

STATEMENT of the total amount of receipts for sales of Town Lots, Five-acre Lots, and section 6, (Sir J. Douglas' property) situated in section 18 (marked in the Land Office books as\* "Fur Trade Branch Reserve of Hudson's Bay Company," by Honorable J. D. Pemberton, Surveyor General, and taken from the books of the Land Office, Victoria, V. I.

Total value of Town Lots sold by the Surveyor General in section No. 18, commonly known as the Town Site of Victoria, up to August, 1859, calculating at the rate of \$5 to the pound.....	\$136,757 50	£27,351 10s.
Section 6, 12 acres at £1 per acre,.....	60 00	12
Total,.....	\$136,757 50	£27,363 10s.

\*Name marked in pencil opposite section 18, but no price put down.

## STATEMENT H.

The following is a list of the Real Estate of the Hudson's Bay Company within the City of Victoria, as found in the Government Assessment Roll of Victoria City, dated November 11th, 1863.

NAME OF OWNER.	PLACE OF RESIDENCE.	NO. OF LOT.	NO. OF BLOCK.	STREET.	ADMEASUREMENT.	ASS'D VALUE OF LAND.														
Hudson's Bay Company.	Victoria.	16	70	Wharf street,	486	120,000														
"	"	18	"	"		486														
"	"	1	72	Government street,			486	3,200												
"	"	2	"	"				486	2,000											
"	"	3	"	"					486	2,000										
"	"	4	"	"						486	2,000									
"	"	9	"	Langley street.							486	2,000								
"	"	10	"	"								486	1,500							
"	"	11	"	"									486	1,500						
"	"	12	"	"										486	1,500					
"	"	13	"	"											486	1,500				
"	"	14	"	"												486	1,500			
"	"	15	"	"													486	1,500		
"	"	16	"	"														486	2,200	
"	"	2	73	Wharf street.															486	3,000
"	"	3	"	"																486
"	"	4	"	Langley street.	486															
"	"	5	"	"		486														
"	"	1	74	"			486													
"	"	2	"	"				486												
"	"	3	"	"					486											
"	"	4	"	"						486										
"	"	5	"	Fort street.							486									
"	"	6	"	"								486								
"	"	7	"	"									486							

STATEMENT H.—CONTINUED.

NAME OF OWNER.	PLACE OF RESIDENCE	NO. OF LOT.	NO. OF BLOCK.	STREET.	ACREMEASUREMENT.	ASS'D VALUE OF LAND.
Hudson's Bay Company,	Victoria,	10	74	Wharf street,		3,000
"	"	11	"	"		3,000
"	"	12	"	"		3,000
"	"	13	"	"		6,000
"	"	14	75	Gov't & Langley.		2,500
"	"	13	"	"		1,500
"	"	12	"	"		1,500
"	"	11	"	"		1,500
"	"	10	"	"		1,500
"	"	9	"	"		6,000
"	"	8	"	"		3,000
"	"	1	"	"		3,500
"	"	2	"	"		2,500
"	"	3	"	"		2,500
"	"	4	"	"		2,500
"	"	5	"	"		2,500
"	"	6	"	Government street,		2,800
"	"	7	"	"		8,000
"	"	1	76	"		12,000
"	"	2	"	"		4,500
"	"	17	"	Langley street,		3,000
"	"	8	77	Bastion street,		1,800
"	"	9	"	"		1,800
"	"	10	"	"		1,800
"	"	11	"	Hook & Ladder Hs.		
"	"	19	"	Fort street,		4,500
"	"	20	"	"		2,500
"	"	21	"	"		2,500
"	"	1097	18	"	60x120	600
"	"	1028	Z	Pandora street,		400
"	"	1029	"	"		400
"	"	1030	"	"		400

Total,..... \$268,150

## STATEMENT I.

A STATEMENT of the sale of Government Reserve Property situated between Yates, Government, and Bastion streets, Victoria, sold by the Hudson's Bay Company, per P. M. Backus, auctioneer, May 3d, 1859, (compiled from the Victoria Gazette of May 5th, 1859.)

NAME OF OWNER.	NO. OF LOT.	PRICES.	NAME OF OWNER.	NO. OF LOT.	PRICES.
Hudson's Bay Company.	1595	1250	Hudson's Bay Company.	1611	3100
"	1596	1000	"	1612	1525
"	1597	1100	"	1613	1500
"	1598	725	"	1614	1500
"	1599	1125	"	1615	1950
"	1600	620	"	1616	1525
"	1601	1000	"	1617	1325
"	1602	700	"	1620	750
"	1604	800	"	1626	525
"	1606	800	" Govt. Hs on	1611	130
"	1608	780	"	1618, 1619	} 4000*
"	1609	1325	"	1621, 1622	
"	1610	900	"	1623	

\$29,955

\*Approximate value of lots reserved from the above sale, and sold afterwards by the Hudson's Bay Company.

Lots 1603, 1605, 1607, on Government street, known as the post office lots, were reserved and have not been sold.

## STATEMENT J.

A STATEMENT of Real Estate situated on Spring Ridge, Victoria District, which belonged to and was sold by the Hudson's Bay Company, per J. J. Cochrane, auctioneer, on November 1st, 1860, (compiled from the "British Colonist" of November 2d, 1860).

NAME OF OWNER.	NO. OF LOT.	ACRE-AGE.	PRICES	NAME OF OWNER.	NO. OF LOT.	ACRE-AGE.	PRICES.
Hudson's Bay Company.	1	1	210	Hudson's Bay Company.	11	1	455
"	2	"	240	"	12	"	450
"	3	"	295	"	13	"	400
"	4	"	280	"	14	"	465
"	5	"	425	"	15	"	310
"	6	"	435	"	16	"	325
"	7	"	485	"	17	2 $\frac{1}{2}$	1020
"	8	"	510	"	18	3	1600
"	9	"	570	"	19	3 $\frac{1}{2}$	1750
"	10	"	700	"	20	1 $\frac{1}{2}$	725

STATEMENT J.—CONTINUED.

NAME OF OWNER.	NO. OF LOT.	ACRE-AGE.	PRICES.	NAME OF OWNER.	NO. OF LOT.	ACRE-AGE.	PRICES.
Hudson's Bay Company.	21	1 1/2	500	Hudson's Bay Company,	45	1	195
"	22	1 1/2	710	"	46	"	320
"	23	1 1/2	600	"	47	"	250
"	24	1 1/2	425	"	48	"	285
"	25	1 1/2	460	"	49	"	330
"	26	"	410	"	50	"	340
"	27	"	410	"	51	"	350
"	28	1 1/2	410	"	52	"	355
"	29	1	280	"	53	"	350
"	30	"	260	"	54	"	435
"	31	"	310	"	55	"	315
"	32	"	440	"	56	"	325
"	33	"	400	"	57	"	220
"	34	"	465	"	58	"	210
"	35	"	625	"	59	1 1/2	275
"	36	"	450	"	60	1 1/2	420
"	37	"	330	"	61	1	250
"	38	"	340	"	62	"	255
"	39	"	340	"	63	"	280
"	40	"	280	"	64	"	260
"	41	"	295	"	65	"	280
"	42	"	250	"	66	"	415
"	43	1 1/2	330	"	67	"	600
"	44	1 1/2	330				

Total amount..... \$28,615

STATEMENT K.

A STATEMENT of Real Estate known as the Fort Property, Victoria, sold by the Hudson's Bay Company, per P. M. Backus, auctioneer, on January 23d, 1861, (compiled from the "British Colonist," January 24th, 1861).

NAME OF OWNER.	NO. OF BLOCK.	NO. OF LOT.	PRICES.	NAME OF OWNER.	NO. OF BLOCK.	NO. OF LOT.	PRICES.
Hudson's Bay Company,	76	7, 8,	6000	Hudson's Bay Company,	76	16	1025
"	"	11, 12		"	77	1	5100
"	"	10	2175	"	"	2	1000
"	"	3	2350	"	"	3	1000
"	"	4	2150	"	"	4	1000
"	"	5	2425	"	"	5	1000
"	"	6	2350	"	"	6	2825
"	"	13	1000	"	"	7	1350
"	"	14	1000	"	"	12	8250
"	"	15	1000	"	"	13	2700

STATEMENT K.—CONTINUED.

NAME OF OWNER.	NO. OF BLOCK	NO. OF LOT.	PRICES.	NAME OF OWNER.	NO. OF BLOCK	NO. OF LOT.	PRICES.
Hudson's Bay Company.	77	14	2350	Hudson's Bay Company.	71	1	2100
"	"	15	2150	"	"	2	1050
"	"	16	2200	"	"	6	1275
"	"	17	3000	"	"	7	2850
"	"	18	8525	"	"	8	2750
"	74	8	10150	"	70	1	2800
"	"	9	3050	"	"	2	2250
"	73	6	3300	"	"	3	2250
"	"	7	1800	"	"	4	2250
"	"	1	2250	"	"	5	2250
"	72	8	3600	"	"	6	2250
"	"	5	1625	"	77	22	2150
"	"	6	1625	"	"	23	2150
"	"	7	1625				
Total,.....							\$121,325

STATEMENT L.

STATEMENT of approximate estimate of the Prices of Lots and Blocks of Land in Section No. 18, when sold by the Hudson's Bay Company, which sales do not appear in the books of the Land Office.

DESCRIPTION AND SITUATION OF LOTS OF LAND.	NO. OF BLOCK AS PER MAP.	NO. OF LOTS AS PER MAP.	ESTIMAT'D VALUE OF EACH LOT	VALUE
*1. Water Lots between Old Bridge and Bastion street,.....				10,000
*2. 17 lots in block Z as per official map	Z		100	1700
*3. 1 lot on Yates and Gov'n't street,		182 E		6000
*4. 1 lot, Hudson's Bay Co.'s garden cor. Fort and Government st., sold to Mr. Lowenberg,.....				8000
*5. 12 lots of ground,.....	31 A		100	1200
*6. 1 block of ground,.....	56-1694			1000
*7. 1 block of ground,.....	56-1695			1000
*8. Blocks as numbered,.....	42:46		100	1900
9. 17 water-fronting lots from James Bay reserve to Laurie Pt }			100	1700
10. 304 lots in Beckley Farm and the encroachment on Beacon Hill Park,.....	60, 61, 62, 63, 64, 65, 66, 67, 44, 45, 48.		100	30,400
11. 15 sections of Beckley Farm and encroachment on Beacon Hill Park, containing 107 acres, ..			400 per acre	42,800
Total,.....				\$105,700



STATEMENT M.

THE following is a List of the Real Estate of the Hudson's Bay Company within Victoria District, as taken from the Government Assessment Roll of Real Estate, dated December 1st, 1863.

NAME OF OWNERS.	PLACE OF RESIDENCE.	NO OF SECTION.	NO. OF LOT.	ACREAGE.	ASS'D VALUE OF LAND
Hudson's Bay Company,	Victoria,		3 Beckley Farm,	6	3000
"	"		4	5:57	2750
"	"		5	5:70	2850
"	"		8	5:75	2850
"	"		10	5:75	2850
"	"		14	5	2500
"	"		17	5	2500
"	"		20	10	5000
"	"	31	Uplands Farm,	1125	39,370
"	"	32		459½	7400
Total,.....					\$71,070

STATEMENT M.—SECOND.

STATEMENT of approximate value and extent of land, being an encroachment on Beacon Hill Park, and sold by the Hudson's Bay Company.

10 acres at \$500 per acre,..... \$5000

The above includes the following lots: 1811, 1810, 1809; part of 1808, 1757, 1758, 1759; part of 1760, 1756, 1755, 1754, 1707, 1708; part of blocks No. 1 and 2, Beckley Farm, the latter equal to 5½ acres.

STATEMENT N.

STATEMENT of approximate value of and extent of land in Section 32, Victoria District, sold (to J. W. McKay or W. F. Tolmie, so supposed) by the Hudson's Bay Company.

255 acres in section No. 32, at \$15 per acre,..... \$3,825

STATEMENT O.

Lots and Blocks in Section 18 proposed to be given up to the Crown by the Hudson's Bay Company, being part of Beckley Farm.

PLACE OR SITUATION.	NO. OF BLOCK.	NO. OF LOT.	NO. OF SECTION	ACRES.	PLACE OR SITUATION.	NO. OF BLOCK.	NO. OF LOT.	NO. OF SECTION	ACRES.
Beckley Farm,			18	3:00	Beckley Farm,	51		1457	
"			19	2:75	"	"		1458	
"			21	3:00	"	"		1459	
"			22	2:75	"	"		1460	
"			27	5:09	"	"		1461	
"			28	8:30	"	"		1462	
"			29	5:40	"	"		1463	
"			31	9:00	"	"		1464	
"			32	7:00	"	"		1465	
"			33	2:25	"	"		1466	
"	39	1	921		"	"		1450	A
"	40	2	922		"	"		1467	A
"	41	2	933		"	"		1951	
"	42	6	937		"	66	22	1952	
"	"		938		"	"		1953	
"	"		939		"	"		1954	
"	"		947		"	"		1955	
"	"		948		"	"		1956	
"	"		949		"	"		1957	
"	44	15	1311		"	"		1958	
"	"		1312		"	"		1959	
"	"		1313		"	"		1960	
"	"		1314		"	"	22	1961	
"	"		1315		"	"		1962	
"	"		1316		"	"		1963	
"	"		1317		"	"		1964	
"	"		1318		"	"		1965	
"	"		1319		"	"		1966	
"	"		1320		"	"		1967	
"	"		1321		"	"		1968	
"	"		1322		"	"		1969	
"	"		1323		"	"		1970	
"	"		1324		"	"		1971	
"	"		1325		Water-front lots in Victoria harbor	"		1972	
"	46	4	1342				10	549A	
"	"		1343					550 "	
"	"		1344					551 "	
"	"		1345					563 "	
"	"		1451					564 "	
"	"		1452					567 "	
"	"		1453					568 "	
"	"		1454					569 "	
"	50	18	1455					570B	
"	"		1456					570C	

Total lots. Estimated value per acre \$150. Total estimated value of sections \$11,700  
 Total acres, 48½. Estimated value per acre \$500. Total estimated value of sections \$24,250  
 Total,..... \$35,950

STATEMENT P.

A STATEMENT of Lots and Reserves in Section 18 in the City of Victoria, not included in the statement marked O, appendix No. 1.

DESCRIPTION.	NO. OF LOTS.	NO. OF BLOCK.	SITUATION.	VALUE
1. Town lot,..... } 2. Police Barracks..... }	15	70	Foot of Broughton St. Bastion street	10,000
3. Town lots, ..... } 5. Beacon Hill Park, 178 98-100 acres. 6. James Bay Reserve, 10 acres in sec. Z 7. Church Reserve, 23 95-100, ..... 8. Parsonage Reserve, 2 6-100,..... } 9. Reserve for Public Landing, 20 to 40 feet wide,..... }	1603, 1605, 1607.		Gov't street, Gov't build'gs	18,000
10. Reserve Landing, formerly the entrance to old bridge, 14 ft wide } N. B.—Total acreage about 210.	1627 and 1629		Foot of Yates street,	

STATEMENT Q.

THE following is a list of the Real Estate of the Puget Sound Agricultural Company shewing the extent and value of land exclusive of improvements, as per Esquimalt District Assessment Roll, dated December 1st, 1863.

NAME OF OWNER.	PLACE OF RESIDENCE.	NO. OF SECTION.	ACREAGE.	ASS'D VALUE OF LAND.
The Puget Sound Agricultural Company, ..... }	Colwood Farm.	1	620 acres.	16,000
"	"	2	546 "	24,000
"	Constance "	10	566 "	27,000
"	Viewfield "	11	593 "	28,000
Total,.....				\$95,000

STATEMENT R.

STATEMENT shewing the number of Pre-emptors and the quantity of land pre-empted in each District during the year 1863.

NAME OF DISTRICT.	NO. OF PRE-EM- PTORS OR CLAIMS	NO. OF ACRES.	NAME OF DISTRICT.	NO. OF PRE-EM- PTORS OR CLAIMS	NO. OF ACRES.
Victoria, .....	2	75	Cranberry, .....	1	78
Esquimalt .....	3	250	Unsurveyed districts } near Nanaimo, }	5	500
Metchosin, .....	12	1742	Chemainus .....	13	1370
Sooke, .....	14	1722	Salt Spring Island,....	15	1660
Lake .....	1	100	Barclay Sound .....	1	100
Highland, .....	1	100	Nootka Sound, .....	1	100
North Saanich, .....	13	1260	San Juan Harbor, ....	1	100
South Saanich, .....	6	580	Fort Rupert, .....	1	100
Cowichan .....	14	1361	Comox .....	21	1990
Qamichan .....	15	1400	San Juan Island, .....	1	100
Shawnigan .....	5	550	Sallas Island .....	1	1483
Comiakem, .....	12	1340	Small islands and de- ) pendencies, .... }	11	1330
Somenos .....	16	1508	Oyster Bay .....	7	700
Nanaimo .....	3	260			
Mountain .....	3	451			
Cedar .....	5	600			
		Total, .....		204	23,009

STATEMENT S.

An account of amounts received in 1863 for lands recorded in the different districts under the Land Proclamation Acts of 1861 and 1862.

NAME OF DISTRICT.	QUANTITY OF LAND PRE-EMPTED IN ACRES.	AMOUNT PAID.	NAME OF DISTRICT.	QUANTITY OF LAND PRE-EMPTED IN ACRES.	AMOUNT PAID.
Somenos, ....	100	50 52	Metchosin, ...	100	50 52
"	58	29 70	"	1000	524 41
"	100	50	Sooke, .....	50	25
Qamichan ..	50	25 26	"	60	60
"	100	25	Cranberry, ..	80	39 40
Cowichan ...	166 50	429 8	Mountain, ...	100	25 25
"	141 10	36 37	Sallas Island, ..	1483	741 50
"	85	20 61	Lake, .....	98	98
North Saanich	35	8 24	Lake and } Highland.. }	200.	52 56
South Saanich	100 25	25 75	Nanaimo, .....	156	38 25
Esquimalt, ...	150	35 65	Chemainus, ...	100	59
Metchosin, ...	150	25 26			
"	182	91			
	Total, .....			4844 85	\$2557 43

JAMES TRIMBLE, Chairman.