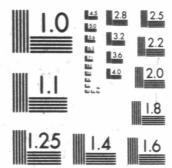


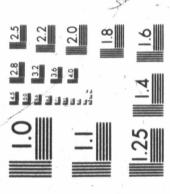
MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

商



MICROCOPY RESOLUTION TEST CHART NATIONAL BUREAU OF STANDARDS-1963-A

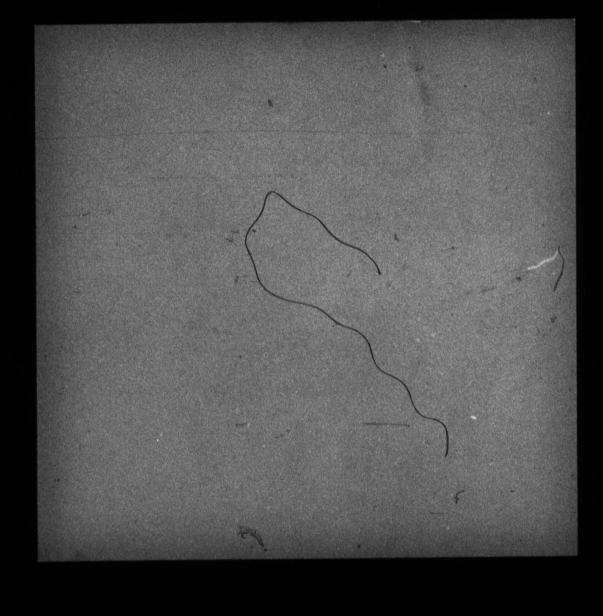
200



MICROCOPY RESOLUTION TEST CHART NATIONAL BUREAU OF STANDARDS-1963-A







# START

DEBUT

MICROFILMED BY-CENTRAL MICROFILM UNIT

MICROFILMÉ
PAR LE
SERVICE
CENTRAL
DU MICROFILM



Public Archives Canada Archives publiques Canada

Ottawa, Canada K1A 0N3

DATE APRILAS/78

CAMERA W1930

OPERATOR - OPÉRATEUR 5-9

REDUCTION 265

DATA 04-78-0002

ARC-178 (12-75)

BATCH 4601



# PUBLIC ARCHIVES OF CANADA

# ARCHIVES PUBLIQUES DU CANADA

This microfilm is a true copy of original documentation in the Public Archives of Canada. It is provided for research purposes only. Permission to reproduce it must be obtained from the Public Archives of Canada. Responsibility regarding questions of copyright that may arise in the use of this microfilm is assumed by the recipient.

Ce microfilm est une copie exacte de documents conservés aux Archives publiques du Canada. Elle a été préparée pour fins de recherche seulement et ne peut être reproduite sans la permission des Archives publiques du Canada. Le récipiendaire sera tenu responsable de toute infraction au droit de propriété de ce document.

#### Indian Affairs Central Registry Files, 1874-1959

		Centr	al Registry Files, 1874-1959	
	File		(RG 10, Volume 8066)	a second
,	974/8-16	1	COWICHAN AGENCY - TWO LETTERS REGARDING WATER LICENSES IN THE SOUTH ISLAND DISTRICT.	1933
	974/8-16-3-1	. 1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING WATER LICENSES ON THE COWICHAN RESERVE 1. (COWICHAN BAND).	1918-1919
	974/20-7-24-2	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING TIMBER LICENSE ON THE SOOKE RESERVE 2. (SOOKE BAND).	1917-1950
\	974/30-31-2	1	WEST COAST AGENCY - SOUTH ISLAND DISTRICT - KLEHKOOT RESERVE NO. 2 CORRESPONDENCE REGARDING A PROPOSED FISHWAY ON THE SPROAT FALLS AND A RAILWAY RIGHT OF WAY.	1951-1972
•	974/30-32-8	1	WEST COAST AGENCY, SOUTH ISLANDS DISTRICT - CORRESPONDENCE REGARDING THE BRITISH COLUMBIA ROYAL COMMISSION REPORT ON THE EQUIS RESERVE 8. (SHESHAUT BAND).	
	974/30-35-6	1	WEST COAST AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING AN ATTEMPT TO BUY THE UCLUTH RESERVE 6. (UCLUELET BAND).	1938
	974/30-35-9	1 /	WEST COAST AGENCY, SOUTH ISLAND DISTRICT APPLICATION, FROM ALEX J. BALTZO, TO PURCHASE PART OF LOT 434, QUISITIS RESERVE 9. (UCLUELET BAND).	1936
4	974/31-2-3-2 C.B.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE THEIK RESERVE 2 FOR TRHE COWICHAN BAY RAILWAY CO.	1922

COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SKUTZ RESERVE 7 FOR THE CANADIAN NATIONAL RAILWAY. (COWICHAN BAND).

1912-1934

Indian Affairs. (RG 10, Volume 8066, File 974/30-32-8, pt. 1)

974/31-2-3-7 C.N.

974/30-37 DURMAN FILE NO.

SUBJECT.

FILE NO.

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION SURVEYS & RESERVES SOUTH LELEND TO DISTRICT

VOLUME

FROM

SHESHART BAND

EQUIS RES NO.8

	EUUIS KES. NU.O						
Durwayan	-	REFERENCE	1	PA	DISPOS	1	
REPERRED	Ву	Rimarks	DATE	PA OR BF	Вч	DATE	Pos Recontre Use
ALT 43 ALT 45	19	Request	22/8/69	14	ALT:43	22/8/69	
ALT45	20	Ky	10-6-20	PA	ALT45	11-6-70	
		****					X17-11
	,	And the second	_				
							•
**	Ø						
						. 47	
		•		, , ,			
		- W. Y			1,3		
	-				1		
				<b></b>			/
			-			- Avg	
				-			
			-	-	-		
		***	-		-	1	
			-	,			
		Ø 3.			-		
	grant to the f			-			
						-	
1							
				1000	6		
11	a 3	( )			L		1
	i i		,	- 5			
2 -							
-			1 25 20				

DO NOT WRITE BELOW THIS LINE

Indian Affairs. (RG to, Volume 8066, File 974/30-32-8, pt. 1)

No. 27159-6

Department of Indian Affairs

Indian Affairs. (RG 10, Volume 8066, File 974/30-32-8, pt. 1)

West Coast Indian Agency, Alberni, B.C., April 22, 1915

Sir:

I am enclosing a letter from Mr H. W. Vander Veen of Ucluelet, which has been written at the request of four Indians of the Ucluelet Band. As the Indians and Mr Vander Veen were not satisfied with my decision, I advised them to refer the matter to the Commissioners.

A few of the Ucluelets claim part of No. 8 Equis Reserve and known by them as Ke-na-ah. They have been in the habit of occupying this piece of land during the dog fishing season, but they have never been recognized as the rightful owners. It is not the band as a whole who are making the complaint, but these four men, mentioned in Mr Vander Veen's letter; in fact, one of these men has abandoned his claim and has given his house to Chief Shewish of the Seshaht Band, the rightful owners of this Reserve. At the time of my last visit to Ucluelet, April 5, I ordered the Ucluelet Indians to vacate Ke-na-ah and to remove their houses. Another matter which must be taken into consideration is that if the claim of the Uclulets was recognized it would form a very poor precedent and would be taken advantage of all along the Coast, as there are very few reserves which some Indian or Indians of another band do not claim. I am enclosing sketch of the reserve in question.

Your obedient servant

(sd) Chas. A. Cox, Indian Agent

J.G.H.Bergeron Esq., Secretary, Royal Commission on Indian Affairs, Belmont House, Victoria.

6666666666666666

(Enclosed)

Voluelet, B.C., April 19, 1915

The Royal Commission on Indian Affairs for the Province of B.C..

Gentlemen:

The following members of the Ucluelet Band of Indians, viz. Schoon Jack, Jackson, Louis, Kloshe Bob and Albert have asked me to write to you to present their claim to the reserve known as Ke-na-ah, which at the present time is known as the part of the Seshaht Reserve No. 8.

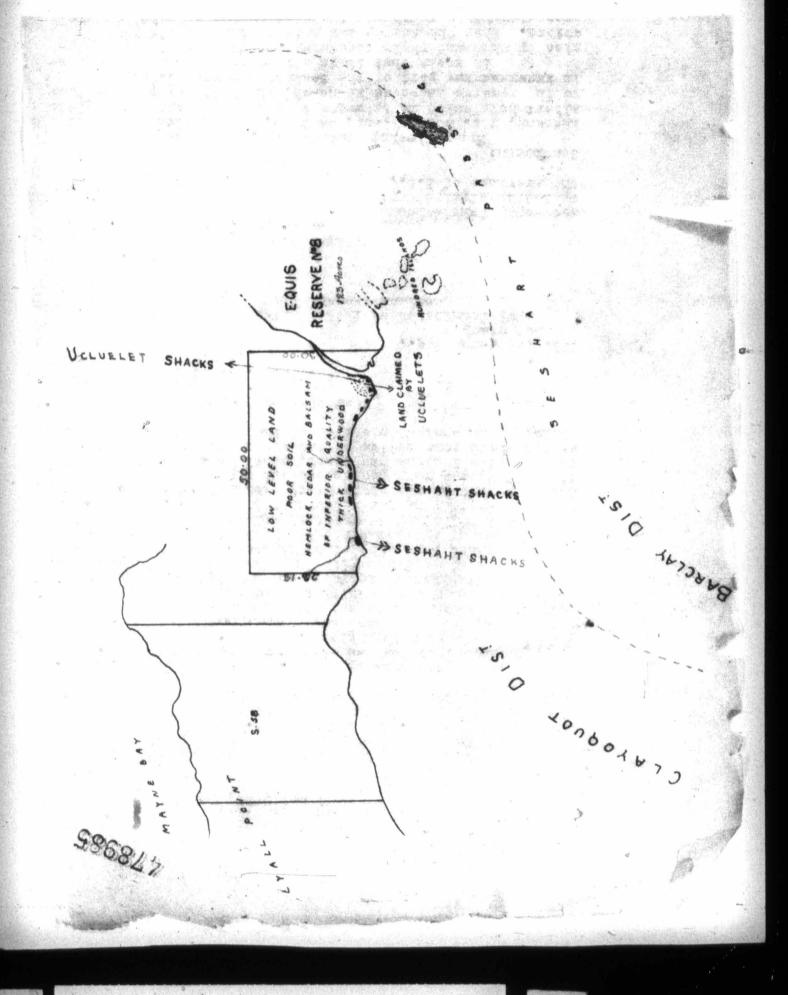
It seems that it is a reserve that has been occupied by them and their forefathers for at least six generations. When the survey was made of these lands through some mistake Ke-na-ah was included in the Seshaht Reserve. although these Indians never questioned but what it was

still considered theirs. They have continued to occupy it during these many years as a fishing station and now they are suddenly ordered to vacate it. As it has always been where they have gone to catch and dry their dog salmon and where they have had their garden patches, they feel that it where they have had their garden patches, they feel that it is working a very great hardship upon them to now ask them to leave it, especially as the Seshahts never have gotten and are not likely to want the dog salmon that are to be gotten there, as they have their fishing station at Alberni. The Sashahts have at the present time their houses built on Equis, which is, as you will know, another portion of this No. 8 Reserve. They have more room than they can cecupy there, so that it is not because they are desperately in need of it that lies behind their action.

Hoping that you may see your way clear to allow these Indians to remain in possession of this land, which has been passed down to them from their forefathers, I remain,

> Sincerely yours (sd) "Hugh W. Vander Veen, Indian Missionary, Ucluelet.

Indian Affairs. (RG 10, Volume 8066, File 974/30-32-8, pt. 1)



Indian Affairs. (RG 10, Volume 8066, File 974/30-32-8, pt. 1)

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

RETARY AND SO

BELMONT HOUSE

ADDRESS OFFICIAL

OF IND

VICTORIA, B.C.

May 3rd, 1915

The Secretary,

Department of Indian Affairs,

OTTAWA, Can.

Sir:

By direction of the Royal Commission on Indian Affairs for British Columbia, I have the honour to transmit for the information and attention of the Department copy of letter received from Mr C. A. Cox, in charge of the West Coast Agency, enclosing copy of a letter written by Mr H. W. Vander Veen in behalf of certain Indians of the Ucluelet Tribe and skecth accompanying same. The matter dealt with would appear to be one of strictly departmental character.

I have the honour to be.

Sir.

Your obedient servant

Acting Secretary.

EPT. OF INDIAN AFFAIRS

MAY 14 1915

SURVEYS

Enclosures

1

Indian Affairs. (RG 10, Volume 8066, File 974/30-32-8, pt. 1)

389465

Amile

Supposed

S

Ottawas21st May 1915.

Sir,-

With reference to your letter of the 22nd ultimo addressed to the Secretary, Royal Commission on Indian Affairs, Victoria, B.C., which has been transferred to this Department, I have to say that the records show that the Equis Indian Reserve No.8 of the Seshaht Band was allotted to that Band without any reservation in favour of the Ucluelets.

It therefore appears that your action in ordering the Ucluelets to leave is correct.

Indian Affairs. (RG 10, Volume 8066, File 974/30-32-8, pt. 1)

700/30-13-8 DURMANI

				E CARD		FLA	GS	
то	DATE	ву	то	DATE	BY	REQ'D BY	PER	DATE
AL+43.	22869	19		6				
		•			-			
	-						77	
•					-			
	Pa Pa				-			6
			Arms .	-	-			
7.9								
					8.6			
							12	
	1		*	× , ,				
							B	
			,					1
	F.,	- A	- V					
			-					
			INDIAN AF	FAIRS BRANCH		-		

Indian Affairs. (RG 10, Volume 8066, File 974/30-32-8, pt. 1)

IA-12

## 974/30-32-8 DORMANT VOL.1

TO ALT45	DA	TE	BY	то		DATE	3	BY ,	REQ'D BY	PER	DATE
ALT45	10/6	120	20		1					^	
1016	700										
			4		_	-				-	-
*				B4 #	_				Procedure and standard and designation in commen		
	-	-			_						
										-	-
								7	-		
		_									
					_						
				-	2 1						
								P.			
		_		4	-			-			-
-		_		- OI							
											b-3
	-	_			-						
		_			-						h
											0
			*								11.00
		-			_						
-		_									
1			i i			0					
					-						
3											
		1,		es							
					_					(Messel)	
1											

Indian Affairs. (RG 10, Volume 8066, File 974/30-32-8, pt. 1)

IA-12

### Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

974/8-16	1	COWICHAN AGENCY - TWO LETTERS REGARDING WATER LICENSES IN THE SOUTH ISLAND DISTRICT.	1933
974/8-16-3-1	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING WATER LICENSES ON THE COWICHAN RESERVE 1. (COWICHAN BAND).	1918-1919
974/20-7-24-2	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING TIMBER LICENSE ON THE SOOKE RESERVE 2. (SOOKE BAND).	1917-1950
974/30-31-2	1		1951-1972
974/30-32-8	1	WEST COAST AGENCY, SOUTH ISLANDS DISTRICT - CORRESPONDENCE REGARDING THE BRITISH COLUMBIA ROYAL COMMISSION REPORT ON THE EQUIS RESERVE 8. (SHESHAUT BAND).	1915 N
974/30-35-6	1	WEST COAST AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING AN ATTEMPT TO BUY THE UCLUTH RESERVE 6. (UCLUELET BAND).	1938
974/30-35-9	1	WEST COAST AGENCY, SOUTH ISLAND DISTRICT APPLICATION, FROM ALEX J. BALTZO, TO PURCHASE PART OF LOT 434, QUISITIS RESERVE 9. (UCLUELET BAND).	1936
974/31-2-3-2 C.B.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE THEIK RESERVE 2 FOR TRHE COWICHAN BAY RAILWAY CO.	1922
974/31-2-3-7 C.N.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SKUTZ RESERVE 7 FOR THE CANADIAN NATIONAL RAILWAY. (COWICHAN BAND).	1912-1934

FILE NO.

30-35-6

FILE NO.

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION VOLUME INDIAN AFFAIRS BRANCH FROM SUBJECT SURVEYS & RESERVES SOUTH ISLAND DISTRICT TO

UCLUELET BAND

UCLULTH RES. NO.6

		REFERENCE		1.4%	DISPOS		
Repersed To	Вч	REMARKS	DATE	PA OR BF	Вт	DATE	FOR RECORDS USE
1213-1-2	14	Ly	15-6-71	PA	3-1-2	15/6/11	
				1			•
				la se			
2	45						
					100		
				10,45 r			
, tu			- A	Salar Salar			
					a T		
						a strain of	
						1 TAPE	
- 1						2, 3, 2,	
		AND THE PROPERTY OF THE PROPER			4		
							rest of the second
200			1000				New York
1		The second secon	January .		· ·		
	p	· ·				1944	Control of Control of Control
							Silver (1)
and the second				7,1			
SW Williams	en og vist						
		Control of the second s					
			B. u			10	
						ور	
The American States of the Control o							
	dy			1	V		
				6	/	3	
	Trans.						
				10. 10		1	

DO NOT WRITE BELOW THIS LINE

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1)



Montreal 9 Nont 1838 BUREARER FRANSLATIONS 23031 Buroaux da Gendernendat Ottanta Indian reserve lands Dept ! AUG 10 1938 RECORD - winsieur D'apprends par les Journaux que la guestion des deserte notienne, en Colombre Britannique Dependra a l'avenir du Genvorment à Ottawa -L'aimerais consaitre quels changements rendent the apporte par ce fail dans les Dites recesses -A Tochelt, Clayoque, Detrit 8. B. 1 je suis proprietaire des Poto 12 46,2-4,20-4,21. Vive ces loto, ant deux reserves midiennes, No 6 et y Distantes Dà pen pros 800 lerges " uno & l'autre, et Don't j melus un plan -D'avais Demande à Victoria de me len re une

De con reserves et ma proposition u a pur elle acceptee

Je vondrais savoir & cette projostion

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1)

Mec l'espression, de une desperciments et de une sentiments distingué -

Po. Barkin

16 moier Paront Barbin 2059 toume du Bollege Moc Gill 10 outreal

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1)

27159-30 , of hours of dian Affairs Branes AUG 13 1938 Bureau for Translations: Our No. 23031 ECORDS Montreal, August, 9, 1938. The Department of Mines and Resources, Indian Affairs Division, OTTAWA. bsir: I see by the newspapers that all Indian reserves in British Columbia shall, in future, come under the jurisdiction of the Government at Ottawa. I would like to know what changes may result therefrom, in the said reserves. I am the owner of lots at Ibchiclet, (Clayoquob District, B.C.). On these lots are situated two Indian reserves nos. 6 and 7 at a distance of about 800 yards one from the other, a plan of which I am sending you herewith.

I had asked the Government at Victoria to sell me one of these reserves and my proposal was not accepted. I would like to know if this proposal could now be taken into favourable consideration.

Thanking you in advance, I remain,

Yours faithfully,

(sgd) Raoul Barbin, 2059 McGill College Avenue, Montreal, P.Q.

27159-30.

Ottawa, August 17th, 1938.

Dear Sir, -

I enclose herewith copy of a letter recently received from Haoul Barbin, 2059 McGill College
Avenue, Montreal, Quebec, in which he makes application to purchase Reserves Nos. 6 and 7 which,
it is thought, are in your Agency. Would you be
good enough to favour the Department with a report
in the matter.

I also enclose Mr. Barbin's print for your information and guidance.

Yours very truly,

J. C. Caldwell, Chief, Reserves Division.

Enclosures.

P. B. Ashbridge, Esq., Indian Agent, Port Alberni, British Columbia.



Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1)

EX'D

27159-30.

Ottawa, August 20th, 1938.

Dear Sir,-

I desire to acknowledge receipt of your letter of August 9th, in connection with your application to purchase Indian Reseves Nos. 6 and 7, Clayoquob District, B. C., and as we have no information relating to your inquiry I am forwarding a copy of your request to our local Indian Agent, Mr. P. B. Ashbridge, of Port Alberni, B. C., for a report. On receipt of same we shall communicate with you further.

Yours very truly,

J. C. Caldwell, Chief, Reserves Division.

By.

Raoul Barbin, Esq., 2059 McBill College Avenue, Montreal, Que.

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1)



2799-30.

OFFICE OF THE



CANADA

DEPARTMENT

MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PILE 3195/38/D.

West Coast Agency, Port Alberni, B.C., August 25, 1938.

Attention of Mr. J.C. Caldwell.

Sir:

I have the honour to refer to your letter of August 17th 1938 re application to purchase Reserves on the West Coast by Mr. Raoul Barbin.

These reserves are owned by the Ucluelet Band and aresituated on the shore line between Tofino and Ucluelet, and are know as No.6 Ucluth, Clayoquot District, 1 miles S.E. of Wreck Bay, 62.50 acres; No. 7, Wya, Clayoquot District, 1 mile S.E. of Wreck Bay, 22.50 acres. Both reserves are unoccupied and valuable only to the Indians as fishing stations, being rocky and covered with scrub timber with poor soil.

I do not think the Ucluelet Band would refuse a good offer, and should the Department approve, I will hold a band meeting to discuss the matter, and would like to have an idea of what Mr. Barbin would be willing to pay per acre, or for the whole.

Your obedient servant,

PEA/AM

P. B. Ashbridge, Indian Agent.

The Secretary,
Indian Affairs Branch,
Department of Mines and Resources,
Ottawa.

57159-30



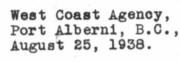
27 9-30.

OFFICE OF THE

DEPARTMENT

MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

PLEASE QUOTE FILE 3195/38/D.





Attention of Mr. J.C. Caldwell.

Sir:

I have the honour to refer to your letter of August 17th 1938 re application to purchase Reserves on the West Coast by Mr. Raoul Barbin.

These reserves are owned by the Ucluelet Band and aresituated on the shore line between Tofino and Ucluelet, and are known No.6 Ucluth, Clayoquot District, 1 miles S.E. of Wreck Bay, 62.50 acres; No. 7, Wya, Clayoquot District, 1 mile S.E. of Wreck Bay, 22.50 acres. Both reserves are unoccupied and valuable only to the Indians as fishing stations, being rocky and covered with scrub timber with poor soil.

I do not think the Ucluelet Band would refuse a good offer, and should the Department approve, I will hold a band meeting to discuss the matter, and would like to have an idea of what Mr. Barbin would be willing to pay per acre, or for the whole.

Your obedient servant,

P. B. Ashbridge Indian Agent.

PBA/AM

The Secretary, Indian Affairs Branch, Department of Mines and Resources, Ottawa.

August 30th, 1938.

HXD.

Dear Sir:-

I have to acknowledge receipt of your letter of August 25th concerning the application of Mr. Racul Barbin to purchase two Indian Reserves on the West Coast known as No. 6 Voluth, Clayoquot District - 62.50 acres, and No. 7 Wya, Glayoquot District - 22.50 acres.

These two reserves it will be noted contain a considerable acreage and the question of selling them should receive very careful and serious consideration. However it would not do any harm to discuss the matter with the band for the purpose of accertaining whether the Indians would be willing to sell these reserves, and if so at what price. No action will be taken pending your further report.

Yours very truly,

Awi.G.

P. B. Ambbridge, Esq.,

Indian Agent, PORT ALBERTI, B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1)

27.159-30 PLEASE QUOTE DEPARTMENT FILE 3465/38/D MINES AND RESOURCES UN 28 1938 27159-30. INDIAN AFFAIRS BRANCH Coast Agency, Port Alberni, B.C., November 23, 1938. Attention of T. McGookin, Esq. Sir: I have the honour to refer to your letter of August 30th 1938 re application of Mr. Raoul Parbin to purchase two Indian reserves, known as No. 6 "Ucluth" and No. 7 "Wya", both in the Clayoquot District. Due to the Ucluelet Band being for the greater part away at various points engaged in fishing, delay in answering your letter has been occasioned. I have to report, however, in discussing the matter with the majority of the most responsible members of the Band, that they have no desire at the present time to sell these reserves. As there is a possibility of a West Coast road being built shortly, also much activity in gold mining in the near vicinity, it is thought that their decision to retain these reserves is good policy. Your obedief servant, 3 Cishlag E P. B. Ashbridge; PBA/AM Indian Agent. The Secretary, Indian Affairs Branch, Department of Mines and Resources, Ottawa. Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1). PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

Hovember 30th, 1958.

HX1.

Dear Sir:-

Referring to your letter of August 9th last, in which you indicated a desire to purchase an Indian Reserve in the Clayoquot District, British Columbia, I now wish to inform you that our local Agent, Mr. P.B. Ashbridge, of Port Alberni, has reported that the Indian owners of the reserve in question have stated that it is not their wish to sell this reserve or any other at present belonging to them.

Yours very truly,

T.R.L. MacInnes, Secretary.

Racul Barbin, Esq., 2059 McGill College Avenue, MOSTREAL, Quebec.

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1)

### 988/30-35-6 DORMANT YOL.1

					CBARG			RD		91.3		
то	1	DAT	E	ву	то		DAT	E	ву	REQ'D BY	PER	DATE
1473-1-2	15	6	71	14	-							
						_	_	_				
4						_						
					"	_						
49												
			J.,		y							
		- 1				,						
											*	
	5	6			~					,		
					-5							
				ŧ						4		
				0	0	н						
								,	,			er .
			_									
							•					
t t		1										
				,								
					p-							
		-			INDIAN AF	FAIRS	BRA	NCH	9	70		
IA-12												

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-6, pt. 1)

#### Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

	974/8-16	1	COWICHAN AGENCY - TWO LETTERS REGARDING WATER LICENSES IN THE SOUTH ISLAND DISTRICT.	1933
	974/8-16-3-1	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING WATER LICENSES ON THE COWICHAN RESERVE 1. (COWICHAN BAND).	1918-1919
	974/20-7-24-2	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING TIMBER LICENSE ON THE SOOKE RESERVE 2. (SOOKE BAND).	1917-1950
	974/30-31-2	1	WEST COAST AGENCY - SOUTH ISLAND DISTRICT - KLEHKOOT RESERVE NO. 2 CORRESPONDENCE REGARDING A PROPOSED FISHWAY ON THE SPROAT FALLS AND A RAILWAY RIGHT OF WAY.	1951-1972
7	974/30-32-8	1	WEST COAST AGENCY, SOUTH ISLANDS DISTRICT - CORRESPONDENCE REGARDING THE BRITISH COLUMBIA ROYAL COMMISSION REPORT ON THE EQUIS RESERVE 8. (SHESHAUT BAND).	
	974/30-35-6	1.	WEST COAST AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING AN ATTEMPT TO BUY THE UCLUTH RESERVE 6. (UCLUELET BAND).	1938
	974/30-35-9	1	WEST COAST AGENCY, SOUTH ISLAND DISTRICT APPLICATION, FROM ALEX J. BALTZO, TO PURCHASE PART OF LOT 434, QUISITIS RESERVE 9. (UCLUELET BAND).	1936
	974/31-2-3-2 C.B.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE THEIK RESERVE 2 FOR TRHE COWICHAN BAY RAILWAY CO.	1922
	974/31-2-3-7 C.N.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SKUTZ RESERVE 7 FOR THE CANADIAN NATIONAL RAILWAY. (COWICHAN BAND).	1912-1934

974/30-35-9 DORMAND

FILE NO.

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION SURVEYS & RESERVES
SOUTH ISLAND
DISTRICT

FROM

VOLUME 1

SUBJECT

VOL.1

30-35開師

UCLUELET BAND QUISITIS RES. NO.9

		REFERENCE	196					
Repersed To	Br	REMARKS		DATE	PA OB BF	Ву	DATE	Fon Recond
PLT 3-1-2	14	Reg		15-6-7		D.L.T	15/6/11	
	0							
				a grain	7 A410			
Application of the second second			7					

To	BY	REMARKS	DATE	BF	BY	DATE	FOR RECORDS USIN
PLT 3-1-2	14	Reg	15-6-7	PA	D.L.T 3-1-0	15/6/11	
	0				17		
				8 8640		4.0	
4							
-							-
54						S. pr	
200							
						-	
200							
	1					0.1	
	7						
	ALS, Leaves						
	in the			e de la companya del companya de la companya del companya de la co	0		
						P	
	and the			C			144
58.4				W			
	0 6500		A 13 18	A			

DO NOT WRITE BELOW THIS LINE

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-9, pt. 1)



No. 27159-30

Department of Indian Affairs

WEST COAST

SURVEY & RESERVES

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-9, pt. 1)

27/59-30



Lower Capilano, B.C., May 5th, 1936.



Department of Indian Affairs, Ottawa, Ontario.

Genetlemen:

Last year I purchased from the Government Lot 434 Clayoquot District. Within this piece of property is a very small piece of land (only a few acres) known as Reserve No. 9 of that District. From inquiries I have made I understand that this parcel No. 9 has been abandoned over twenty years ago by the Indians and has never been occupied or even visited since. Only demolished old shacks lay strewn about the place to show that it had at one time been squatted upon.

My purpose in the purchase of Lot 434 was to retire there with my family, build a little home, and improve the property, but consider my position, as the only available water supply is, a small spring in the Reserve, which would necessitate my building very close by. With an eyesore of old demolished shacks about and the possibility of Indians returning sometime as neighbours does not offer a very bright outlook.

I wrote the West Coast Agency my offer to purchase this parcel No. 9, and their reply to my letter please find enclosed, also a letter from W. Harry Boothroyd regarding same so at his suggestion I am appealing to you in hopes that you might be able to assist me in obtaining these few acres.

If this is an abandoned reserve, as claimed by the native settlers in the neighborhood, haven't I some right, especially as my property nearly surrounds it, towards obtaining it. I am asking your opinion and will appreciate any assistance or advise you can give me and remain.

Yours truly,

P.S. Kindly return enclosed letters and blue-pring when you have no further use for them.

allerandy J. Baltgo.

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-9, pt. 1)

May 14th, 1936.

Sir,-

I beg to acknowledge receipt of your letter of the 5th instant, in which you submit an application to purchase a few acres of Lot 434, known as Reserve No. 9, Clayoquot District. I note from your enclosure that you were advised by our acting Indian Agent, Mr. H. P. Nightingale, on the 27th ultimo, that the matter had been placed before the Ucluelet Band, the owners of the property, and, as they were unfavourable to disposing of the small area, it is regretted that the Department is unable to meet your request.

I return the enclosures for your records.

Your obedient servant,

Director.

Enclosures.

Alex. J. Baltzo, Esq., Lower Capilano P. O., British Columbia.

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-9, pt, 1)

9740/30-35-6 - 7 minsing 17LT 3-1-2.

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-9, pt. 1)

# 974/30-35-9 DURMAINT-YOL.1

то	I	DATI	E .	ву	то	DAT	E	ву	REQ'D BY	PER	DATE
9473-12	15	6	71	14	***************************************						
								billion		-	
								-			
							-				
						-	-				
						-					
							-				0
	- 8						-				
		623	La vo								
					Nac. 2						
j.			-				1				
		-									
		_					1				
		-					-		. 4		
× .						-	-				
		,				-	-				
										2	
,				0					-		
								Ajrha (, e.e.)	• Control of the second	The Brands and Books	beautilit
										-	
											- 1
											0

Indian Affairs. (RG 10, Volume 8066, File 974/30-35-9, pt. 1)

#### Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

		· · · · · · · · · · · · · · · · · · ·	
974/8-16	1	COWICHAN AGENCY - TWO LETTERS REGARDING WATER LICENSES IN THE SOUTH ISLAND DISTRICT.	1933
974/8-16-3-1	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING WATER LICENSES ON THE COWICHAN RESERVE 1. (COWICHAN BAND).	1918-1919
974/20-7-24-2	1 -	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING TIMBER LICENSE ON THE SOOKE RESERVE 2. (SOOKE BAND).	1917-1950
974/30-31-2		WEST COAST AGENCY - SOUTH ISLAND DISTRICT - KLEHKOOT RESERVE NO. 2 CORRESPONDENCE REGARDING A PROPOSED FISHWAY ON THE SPROAT FALLS AND A RAILWAY RIGHT OF WAY.	1951-1972
974/30-32-8	1	WEST COAST AGENCY, SOUTH ISLANDS DISTRICT - CORRESPONDENCE REGARDING THE BRITISH COLUMBIA ROYAL COMMISSION REPORT ON THE EQUIS RESERVE 8. (SHESHAUT BAND).	
974/30-35-6	1	WEST COAST AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING AN ATTEMPT TO BUY THE UCLUTH RESERVE 6. (UCLUELET BAND).	1938
974/30-35-9		WEST COAST AGENCY, SOUTH ISLAND DISTRICT APPLICATION, FROM ALEX J. BALTZO, TO PURCHASE PART OF LOT 434, QUISITIS RESERVE 9. (UCLUELET BAND).	1936
974/31-2-3-2 C.B.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE THEIK RESERVE 2 FOR TRHE COWICHAN BAY RAILWAY CO.	1922 .
974/31-2-3-7 C.N.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SKUTZ RESERVE 7 FOR THE CANADIAN NATIONAL RAILWAY. (COWICHAN BAND).	1912-1934

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)

974 FILE NO. 152 / 31-2-3-2 C.B.

- INDIAN AFFAIRS BRANCH -VOLUME DEPARTMENT OF CITIZENSHIP AND IMMIGRATION FROM SUBJECT RIGHTS OF WAY COWICHAN BAY RAILWAY TO COWICHAN BAND THEIK RES. NO. 2 SOUTH ISLAND DIST. A Š. FILE

DO NOT WRITE BELOW THIS LINE

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)

No. 20 / 32 S. O. N.

Department of Indian Affairs

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)

#### J. ISLAY MUTTER

Notary Public and Conveyancer.

DUNCAN, B. C. 14th, September, 1922.

A. H. Lomas, Esq., Indian Agent, Duncan, B. C.

Dear Sir: -

to make formal application to purchase Theik Indian Reserve No.2, being Section seven, Range three, Cowichen District, Vancouver I land, B. C. containing seventy five acres more or less.

As this land is at present unproductive to the Indians I would be prepared to secure as part payment good agricultural land paying any difference in value in cash. I can offer land adjacent to their reserve which would be more suitable for their needs than that for which application is made.

will run through the Theik No.2. Reserve, and I and my associates, who are negotiating for the construction of this railroad have thought it would be in the best interests of all concerned to purchase if possible the entire parcel from the Indians. In this conjection I would point out to you that very great advantages would accrue to all the Indians resident, or within some considerable distance of Cowichan Bay. They would be employed in connection with logging, milling and other industries which wo would naturally follow the construction of this road with its terminus at Cowichan Bay. I will be pleased to give you any further information you require and will be glad to have you give this matter your favourable consideration. Trusting to hear from you at an early date.

Yours truly,

(Signed) J. Islay Nutter

INDIAN AGENT'S OFFICE

Duncan, B. C.

September 16th. 19 22

572426

No 830-T-2 AL80 TO DATE OF THIS LETTER

Sir,

I beg to inform you that I am in receipt of an application from Mr. Jas. I. Mutter of Duncan on behalf of the Cowichan Bay Railway Co. for the purchase of the Theik Indian Reserve No. 2 at Cowichan Bay.

This Company intend expending about Two million dollars on connecting with the Canadian Mational railway, and over which line they have obtained running rights to tap valuable timber area at Cowichan Lake and Nitinat Districts.

The object of the application for the purchase of the Reserve is for a terminal site.

The Theik Reserve comprises approximately 75 acres, the land is of a poor quality and surface very much broken by deep gulches, etc.; the timber also being of little commercial value. The reserve is unoccupied and only has about two acres under cultivation.

I have suggested to the Company that should the Indians be willing to surrender and the Department consenting to the sale, that they obtain in part exchange a piece of good agricultural land, I believe this could be arranged and in my opinion would be more satisfactory to the Indians.

I intend reporting more fully on the matter after I have taken the question up with Chief Inspector Mr. W. E. Ditchburn at Victoria.

I might point out that the advent of this Railway will be a great asset to this District, not only to the Whites, but also to the Indians, as extensive logging operations and saw-mills are bound to follow, which would mean that where the Indians of the Cowichan Bands now leave for the United States to obtain employment at certain seasons of the year, it would practically be at their door.

I might further point that the Cowichan Bay Railway Company is chartered by the Government, has been promoted and initially financed by local men, I therefore anticipate little or no trouble over compensation to the Indians for rights-of-way through the Reserves where their line passes.

I should

J. D. McLean, Esq., Assistant Deputy & Secretary, Dept. Indian Affairs

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2,

C.B. pt. 1)

. . .

water September

(2)

I should be glad to hear ff the Department would consent to the sale, providing the Indians are willing to surrender: I would strongly favor a part exchange for a piece of good agricultural land ready for cultivation, and balance in cash.

No price has been set, but I feel confident that the Company will be willing to deal generously with the Department and the Indians.

Your obedient servant,

Alfred H. Lomas, Indian Agent.

12 me

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)

Ottawa, October 2, 1922.

Sir,-

I beg to inclose for your consideration copy of letter received from Alfred H. Lomas, Indian Agent at Duncan, B. C., in which he states he has received an application from Mr. James I. Mutter, of Duncan, on behalf of the Cowichan Bay Railway Company for the purchase of the Theik Indian Reserve, No. 2, at Cowichan Bay.

You will note that Mr. Lomas intimates he proposes discussing this matter with you, and before taking further action the Department will await your recommendation.

Your obedient Servant,

J. D. McLean. Assistant Deputy & Secretary.

W. E. Ditchburn, Esq., Chief Inspector, Victoria, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)



CABLE CONNECTIONS TO ALL PARTS OF THE WORLD

J. McMILLAN, General Manager of Telegraphs, Montreal,

OF MA J 21 COME NL

MUNCAN BC DOT 30-22

J D MCLEAN

574103

INDIAN DEPT OTTAWA ONT

NO REPLY. TO MY LETTER SEPTEMBER SIXTEENTH RE THEIR INDIAN

RESERVE NUMBER TWO RAILWAY COMPANY PRESSING FOR INFORMATION

A H LOWAS

INDIAN AGENT

1020 P

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)



# DEPARTMENT OF INDIAN AFFAIRS CANADA /

59-1

ottawa, January 29,1925.

Dear Sir,-

In the administration of Indian Affairs one of the most important problems confronting the Department is the repression of intemperance among Indians on the Reserves. In view of the peculiar character of the duties of Indian Agents and particularly, moreover, as they are frequently obliged to act in a magisterial capacity, it is essential that they should themselves be above reproach and that they should observe the strictest propriety in their personal conduct in every respect. So serious is the view taken by the Department with regard to this subject that any well-founded reports of inebriety will result in immediate suspension and probable dismissal.

It should be understood that this letter is intended for the advice and guidance of all Indian Agents and that no personal application is intended.

Yours very truly,

Deputy Superintendent General.

Duncan CScoll

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)

Ottawa, November 3, 1922.

81r,-

Agent Lomas, of Duncan, is pressing for reply to the application of Mr. James I. Mutter, of Duncan, on behalf of the Cowichan Bay Railway Company for the purchase of the Theik Indian Reserve, No. 2, at Cowichan Bay.

On the 2nd ultimo the Department requested your recommendation in the matter, but to date have not received same.

Your obedient Servant.

J. D. McLean. Assistant Deputy & Secretary.

Chief Inspector,
Victoria, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)

# 914/31-2-3-2 0.13.

CHARGE CARD

TO	DATE	ву	то	DATE	BY	REQ'D BY	PER	DATE
1 (0)								
			-	-				
								- 33
y.								
	3							
1								
	-				-			
		-	0					
					_			
								-
								1
					,			1
			,					A.
					-			
	-				-			
						7		
	-				20			
					-	p-		
				.ipa		K.		
	, t	4. 5	,i	6				1.0
					-	*		
		1	0		1			Y
	1 1	1 11		1 1	/	D.	1	

INDIAN AFFAIRS BRANCH

IA-12

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-2, C.B. pt. 1)

#### Indian Affairs Central Registry Files, 1874-1959

			-	
- 1	w	٦.	- 1	0

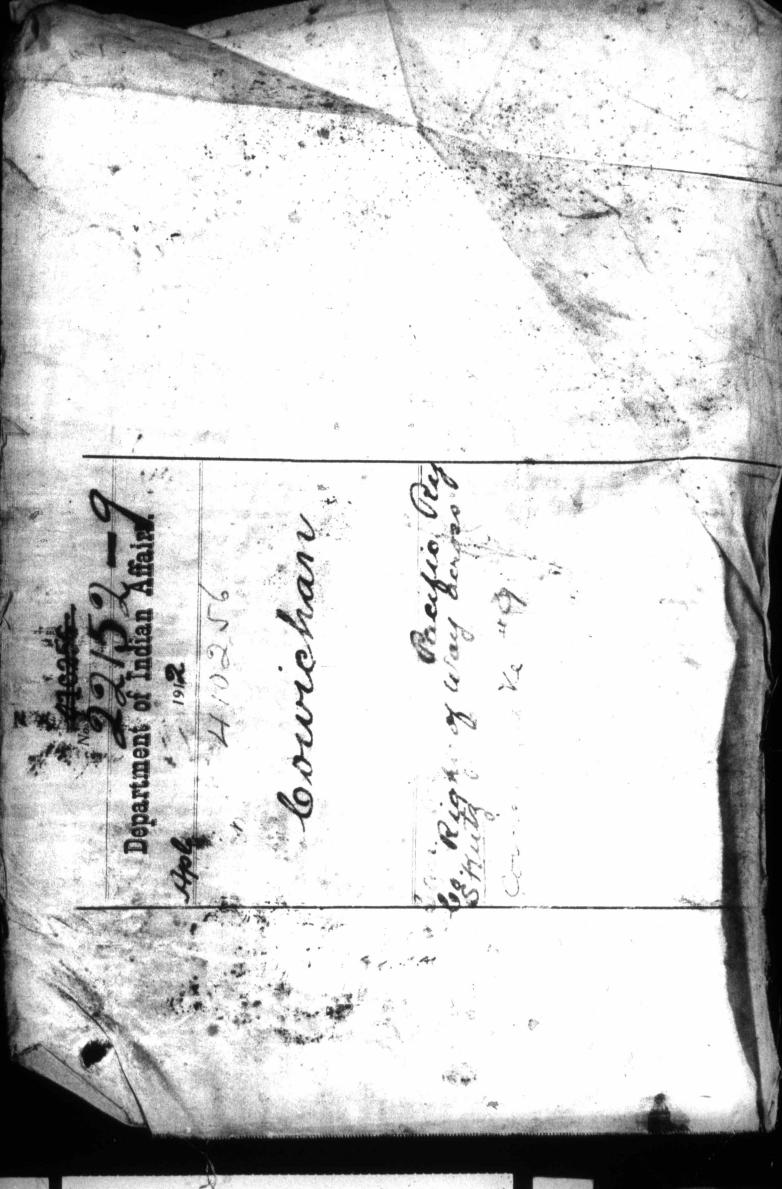
(RG 10, Volume 8066)

			*
974/8-16	1	COWICHAN AGENCY - TWO LETTERS REGARDING WATER LICENSES IN THE SOUTH ISLAND DISTRICT.	1933
974/8-16-3-1	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT CORRESPONDENCE REGARDING WATER LICENSES ON THE COWICHAN RESERVE 1. (COWICHAN BAND).	1918-1919
974/20-7-24-2	1	COWICHAN AGENCY, SOUTH ISLAND ODISTRICT CORRESPONDENCE REGARDING TIMBER LICENSE ON THE SOOKE RESERVE 2. (SOOKE BAND).	1917-1950
974/30-31-2	1	WEST COAST AGENCY - SOUTH ISLAND DISTRICT - KLEHKOOT RESERVE NO. 2 CORRESPONDENCE REGARDING A PROPOSED FISHWAY ON THE SPROAT FALLS AND A RAILWAY RIGHT OF WAY.	1951-1972
974/30÷32-8	1	WEST COAST AGENCY, SOUTH ISLANDS DISTRICT - CORRESPONDENCE REGARDING THE BRITISH COLUMBIA ROYAL COMMISSIO REPORT ON THE EQUIS RESERVE 8. (SHESHAUT BAND).	
974/30-35-6	1	WEST COAST AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING AN ATTEMPT TO BUY THE UCLUTH RESERVE 6. (UCLUELET BAND).	1938
974/30-35-9	1	WEST COAST AGENCY, SOUTH ISLAND DISTRICT APPLICATION, FROM ALEX J. BALTZO, TO PURCHASE PART OF LOT 434, QUISITIS RESERVE 9. (UCLUELET BAND).	1936
974/31-2-3-2 C.B.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE THEIK RESERVE 2 FOR TRHE COWICHAN BAY RAILWAY CO.	1922
974/31-2-3-7 C.N.	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SKUTZ RESERVE 7 FOR THE CANADIAN NATIONAL RAILWAY. (COWICHAN BAND).	1912-1934

	DEPAR  BJEC	THENT OF CITIZENSHIP AND INDIAN AFFAIRS BRANCE  RIGHTS OF WAY CANADIAN NATION CONTCHAN BAND SKUTZ RES. NO		FROM TO DISTRICT			
Rapasa	- Br	REFERENCE  REPARES	DATE	PA on BF	DISPO	DATE	Fon Reconne
		The Part of the Pa	and things	BF		2004	
	6,	* 4		1			
				Alaba s			
	4,744		* 10° 1 11° 10° 10° 10° 10° 10° 10° 10° 1		16.9° 40'	The Market	
						e Vereile.	147
18.5	Action 1						Control of
					400.00	•	
					- 10 A		
reit-			- A P 3.			Mary Republic	
B . f × fax			*1****				
			alto			1-1	
						1	A CAMPA
			4.0			0	
		. The same of the	- 1	4	1	U	
			_ / /	4			69 X
				1>	7		
				/_	b	V	
					·a		
					1		

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)





Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

#### CIVIL AND MINING ENGINEERS, BRITISH COLUMBIA LAND SURVEYORS

P. O. BOX 1046

OFFICE, ROOMS 211-212 PEMBERTON BLOCK

Birtoria, B. C. April 1, 1072

Chwichan Lale Indian Reserve, Comicing Lake District, B.C.

particularly described as follows;-

DESCRIPTION.

All and singular, that contain hardel or track of land and premises situate, lying and being in the Cowichan Lake Indian Reserve Cowichar Lake District. Reliab Columbia, and being cornered of a strip of land One Headred Feet (100.0') in width, First Feet (50.0') on the North Easterly side and Fifty Reet (50.0') On the South Westerly side of the center-line as now located and surveyed of the track of the Canadian Northern Pacific Reilway which said center line may be more

Cowichen Lake Indian Resorve at a distance of Two Thousand One Hundred and Six and Four Tenths Feet (2106.4') reasons a character allow along along the said Westerly limit from the North West corner of the said reserved thence S 35° 70'E's Mistance of One Mireland and Dixty and Tenths Feet (160.5') became the said Minutes (3° 36') in One Mundred and Twenty Feet (120.0') thence by a Six Degace curve to the left a distance of Seven Mundred and Twenty and Seven Tenths Feet (720.7') thence by a Six Degace curve to the left a distance of Thirty Six Minutes (3° 36') in One Hundred and Twenty Thirty Six Minutes (3° 36') in One Hundred and Twenty Thirty Six Minutes (3° 36') in One Hundred and Twenty Feet (120.0').

Son G

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

#### CIVIL AND MINING ENGINEERS, BRITISH COLUMBIA LAND SURVEYORS

Nictoria. W. C.

Co icher lake Indian Reserve For Torthe For (0.0.4!) thought, a Two Degree curve to the right. a distance of Three Hundred and Eighty Nine and Five Tenths Feet (389.5') more or less to an intersection with the Easterly limit of the said reserve the whole containing Four and Thirty Four One Hundredths Acres (4.34 Acres) more or less. The tract of lend hereby intended to be conveyed being shown colored red on the plan annexed hereto.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

#### CIVIL AND MINING ENGINEERS, BRITISH COLUMBIA LAND SURVEYORS

P. O. BOX 1049 PHONE 2996

OFFICE, ROOMS 211-212 PEMBERTON BLOCK

Hictoria, B. C. April : 1912

Skutz Indian Reserve, Cowichar Lake District,

• Vancouver Island B.C.

DESCRIPTION.

the Canadian Northern Pacific Reliway through the Skutz Indian Reserve

demicroing at appliet in the first line of the said Skutz Indian Reserve, said point being siduate S of not a contence of Three Hundred and Fifty Three and Eight Tenths Feet (333.8') from the North East corner of said Shath Theoryo, all man with good and a coring per transfer and Seconty and Mine Tonths N 54° 39' W for a listance of T Feet (370.9') thence alone will have left beging a deflection of Six degrees and Twenty Form - 1 (1) (24) to Jundred and Samby Time of the Cantal Paul (350 to ) between er ong e emrye to the luit having arranhab whatehar For headers of fire and Let ice of One Hundred and Seventeen and Two Norths Foot (117:21) to the Mortly rly line along a tangent bearing 5 2°36' W for a distance of Seventy Six and Eight Tenths Feet (76.8') to the Westerly line of said Skutz Indian Reserve thence along said Westerly line S'O 32' E for a distance of One Hundred and One Feet (101.0') thence along a tangent hearing

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

Son Copy

#### CIVIL AND MINING ENGINEERS, BRITISH COLUMBIA LAND SURVEYORS

P. O. BOX 1049 PHONE 2998

OFFICE. ROOMS 211-212 PEMBERTON BLOCK

Nictoria, B. C.

Skutz Indian Reserve.

N 82 26 E for a distance of ThreeHundred and Forty Four and Two Tenths Feet (344.2') thence along a spiral to the right Faving a defrection of Six degrees and Twenty Four minutes (6°24') in a distance of One Hundred and Fifty Four and One Tenth Foot (154.1') thence along a curve to the right Having a radius of Six Hundred and Sixty Six and Eight Tonths Feet (666.8') for a distance of Three Hundred and Fifty and Five Tenths Feet (350.5') thence along a spiral to the right having a deflection of Six degrees and Typht, Four minutes (6:24') in One Hundred and Fifty Four and One Tenth Feet (154.11) though alor, a tangent bearing 5 54 39' E for a distance of Four Hundred and Forty one and line Tenths feet (441.9') to the Easterly line of said Skutz Indian Reserve, thence, along the said Easterly line, N 0°09' W for a distance of One Hundred and Twenty Two and Eight Tenths Feet of beginning and containing Two and Eight Two One Hindredthe Acres (2.82 Acres) more or less and shown colored red on the plan heroto attache to

Son Copy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



AVERS LIABILITY ASSURANCE CORP OF LONDON, ENGLAND

PACIFIC MARINE INS CO

Green & Burdick Bros.

REAL ESTATE

TIMBER.

COAL.

LOANS

OFFICES: COR BROUGHTON AND LANGLEY STS

VICTORIA. B. C.

April 18th.

TELEPHONE 1518 O. BOX 236

To the Secretary of the Indian Department.

Parliament Buildings.

Ottawa, Ontario.

RE - CANADIAN NORTHERN PACIFIC RY.
RIGHT OF WAY \* VANCOUVER ISLAND. Sir:--

We enclose herewith maps and descriptions showing the line of the Canadian Northern Pacific Railway which passes through the Cowichan Lake Indian Reserve and the Skutz Indian Reserve, both We would be glad if in the Cowichan District. you would arrange to sell to the above Company this right of way, at your earliest convenience. Kindly acknowledge.

Yours very truly,

GREEN & BURDICK BROS.

Right of Way Agents, CANADIAN NORTHERN PACIFIC RY.

A - HFC.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



ottawa, April 26, 1912.

sir,

I beg to enclose her with copiet in duplicate of plans showing the lands required by the Canadian Northern Pacific Railway for right of way through the Cowichan Lake Indian Reserve and the Skutz Indian Reserve in the Cowichan District, Vancouver Island, British Columbia. I shall be obliged if the proper officer of the Board will be good enough to certify that the lands are required for Railway purposes, in the usual way and to eturn one copy of each of the plans to this Department.

Engl.

自称〇条

Your obedient servent,

Stringland

Assistant Deputy and Secretary.

A. D. Cartwright, Esq.,

Secretary,

Boord of Railway Commissioners, Ottawa, Ont.

Son Capy

\_\_\_.

Ottawa, April 26, 1912.

Gentlemen:

I beg to acknowledge the receit of your letter of the 18th instant together with plans showing the lands required by the Canadian Northern Polific Railway for right of way in the Cowichan Lake Indian Reserve and the Skutz Indian Reserve in the Cowichan District, Vancouver Island, British Columbia, and to inform you that the matter will receive immediate effection.

Your obedient servant,

22

Assistant Deputy and Secretary.

Green and Burdick, Bros.,

Right of Way Agents,

Canadian Northern Pacific Railway,

Vancouver, B. C.

don Cap

O. H. M. S. Ip me Lean Eag ast seputy , Levelany, De 1 , true at 7 Du dean ce ffairs Ottawas Out.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

Judian Reserve A. D. CARTWRIGHT,

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

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

410-25-5-

RIGHT.

BOARD OF RAILWAY COMMISSIONERS

FOR CANADA.

OFFICE OF SURVEYS nn 82 1918

MANAGEN WERNEY AND FARM Ottawa,

Dear Sir: -

File 19696 C.N.P.Ry. right of way through Indian Reserves.

Referring to your letter of April 26th File No. 410,255.

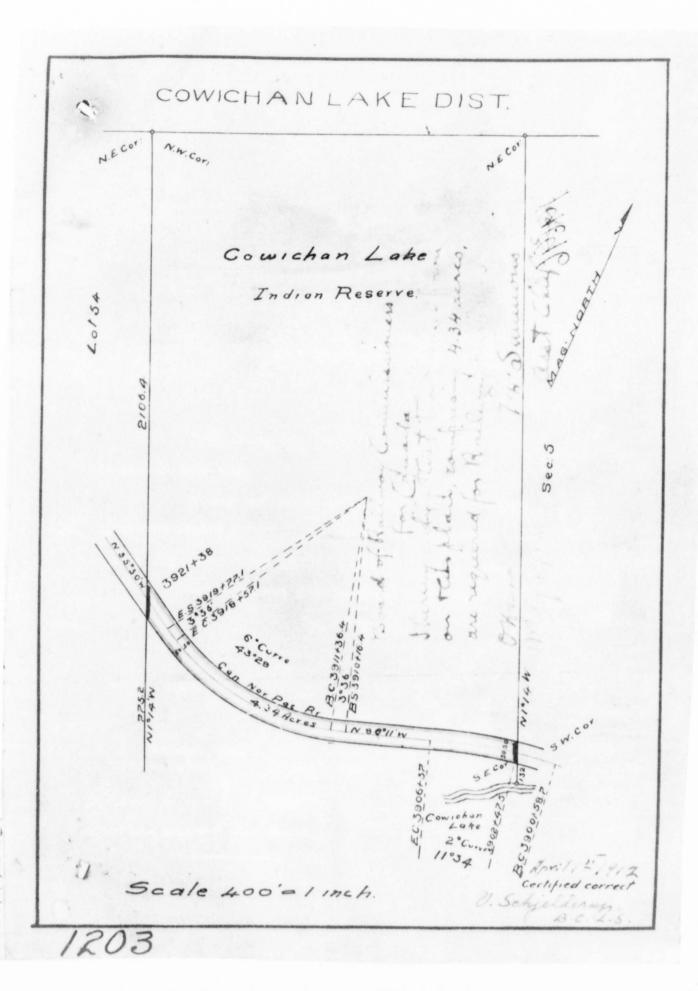
I beg to send you herewith two linen Enc. tracings which bear certificate of Assistant Chief Engineer Simmons that the lands shown on the plan are required for railway purposes.

Yours truly,

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

N.7 Carreland

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES



J. JBI IC ARCHIVES
A M. HIVES PUBLIQUES
(CANADA)

SKUTZ INDIAN RESERVE Certified correct. COWICHAN LAKE DIST. 1202 V. Schillerun 8. Scale 200= 1 inch.

roon Capy

WH 23 1 310 period

Ottawa, June, 15, 1912.

Sir;-

I beg to inclose one copy each of the plan of the Canadian Northern Pacific Railway through Skutz Indian Reserve, being No. 8 of the Cowichan Band, and also plan of the Canadian Northern Pacific Railway through Cowichan Lake Indian Reserve.

You will notice that in the former the railway proposes to acquire 2.82 acres and in the latter 4.34 acres;

I have to request you to be good enough to value the said land and separately the Indian improvements affect; ed(if any).

In these valuations you will be good enough to consult the Indian Council and especially the Indians interested. If possible it is preferable to have the representative of the railway on the ground at the same time, so that the Indians, the Railway Company, and yourself may beach definite valuations. However this is not imperative,

Your obedient servant,

Assistant Deputy and Secretary

W. F. Robertson, Esq.,

Indian Agent.

Duncan Station.

B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

The Great North Western Telegraph Co.

Pone &

It is agreed between the sender of the following measure and this Company, that said Company shall not be liable for damages arising from failure to transmit or deliver, or for an unrepeased telegram, whether happening from negligence of its servants or otherwise, or for delays from interruptions in the morking of its line, a tor grows in cypler or obscure measure, or for errors from lifetible writing, beyond the amount received for sending the same.

beyond fifty lines or known request to sending said repeating.

Correctness to the turnspassion of messages can be insured by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for ripeated massages are not as a sending and two per cent. for any greater distance.

This continue within the behalf of the line for the act of or mission of any other Company, but when deceavor to forward the elegram by any other Telegram Company necessary to reaching its destination, but only as the act of the surfer and without liability therefor. The Company shall not be responsible for messages until the same are presented unit specified at one of its transmitting offices; if a message is sent to such with the Company and agree the continue of the Company shall not be liable in any case for damages, unless the same be claimed, in writing, within at the surfer and the continue of the sender. This Company shall not be liable in any case for damages, unless the same be claimed, in writing, within at the surfer and the continue of the formation.

H. P. DWIGHT.

HEAD OFFICE: TORONTO.

GEO. D. PERRY General Manager

DIRECT CONNECTION WITH WESTERN UNION TEL. CO. CABLE SERVICE TO ALL THE WORLD.

CUSTOMERS'
TYPE-WRITER
BLANK,

SENT NO. SENT BY.

DBY. TIME S

TIME FILED.

HECK.

Send the following message, subject to the above terms, which are hereby agreed to.

W.R.Robertson, Esq.,

Ottawa, Oct. 23,1912.

Indian Agent,

Duncans Station.

Valuations wanted for right of way of the Canadian Northern Pacific Railway through Skutz Indian Reserve Number Eight Cowichan Band also through Cowichan Lake Indian Reserve; areas two acres and eighty-two hundredths and four acres and thirty-four hundredths; see letter June fifteenth. Wire reply and confirm by letter of even date.

while here

Charge Dept. I.A.

S. Stewart.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA dar Cary

CAMADIAN PACIFIC RY GO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific Ry Go.'s Telegraph treasmits and delivers this night lettergram subject to the farms and conditions printed an the back of this blank, JAS. KENT, Menagor Telegraphs

a 362 Ra.J. 57-0011001-N.S.

PEGEIVED AT

Duncans BO Oct 26-12

S Stewart,

Section 1. 422485

Land for Canadian Northern Pacific Rails 2. Share saided one

Land for Canadian Northern Pacific Railway at State Salad one hundred and fifty dollars per acre no improvements land deviction land reserve valued at five hundred dollars per acre improvement on whole area value forty dollars and elast cents plan of Coyishan lake reserve submitted does not idelude value area should extend five chains to west.

18:23Am

W.R. Robertson.

- 01

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA four Capy

Ottewa, Nov. 13, 1912.

Gentlemen:

With further reference to your favour of April 18, 1912, I beg to say it has been brought to the attention of the pepartment that the plan of the right of way through the Cowiehan Law Indian Reserve accompanying said letter does not include the whole area within the Indian Reserve and should extend about five chains to the West. I shall be obliged if you will be good enough to look into this matter.

Your obedient servant,

Sed Johnson

Assistant Deputy and Secretary.

Mesurs. Green & Burdick,

Right of Way Agents.

Canadian Northern Pacific Rwy. Co., Veitoria, B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

Department of Andian Affairs,

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

FIRE. ACCIDENT, SICKNESS, EMPLOYERS LIABILITY AND FIDELITY GUARANTEE INSURANCE

AGENTS

EMPLOYERS LIABILITY ASSURANCE CORP. OF LONDON, ENGLAND.

PACIFIC MARINE INS. CO.

Green & Burdick Brog. Latten

REAL ESTATE

TIMBER.

COAL.

OFFICES: COR. BROUGHTON AND LANGLEY STS.

VICTORIA, B. C. 19th Hovember.

TELEPHONE 1518 P. O. Box 256

Secretary Department of Indian Affairs,

Dear Sir.

Replying to your letter of November 13th; we have referred the matter of the Cowichan Lake Indian Reserve to the Company's Chief Engineer.

Yours very truly.

CREEN & BUNDICK BROS., LTD.

Right-of-way agents for the Canadian Northern Pacific Railway Company.

410256 ACKENIE, MANN & CO. LIMITED CANADIAN NORTHERN PACIFIC RAILWAY METROPOLITAN BUILDING, VANCOUVER, B.C. Dec . 24th, 1912. Secretary, Department of Indian Affairs, Ottawa, Can. . . . Dear Sir:-I am sending you under Separate Cover, Plans in Duplicate on tracing linen, of Towichan Lake Indian Reserve, and Skutz Indian Reserve, Vancouver Island, together with descriptions covering same. Yours very truly, 1203 1 Mars 120 Chief Engineer. VJB/MS .-

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Bon Cap

#### CIVIL AND MINING ENGINEERS, BRITISH COLUMBIA LAND SURVEYORS

P. O. BOX 1049

OFFICE: ROOMS 211-212 PEMBERTON BLOCK.

Bictoria, B. C.

Dec. 4, 1912.

#### DESCRIPTION.

Canadian Northern Pacific light of Way

Through the kutz Indian Reserve,

Cowichan Lake District, Vancouver I sland, B.C.

Commencing at the North Vesterly angle of the Skutz Indian Seserve, thence North 89° 18' E alon, the Northerly limit of the said reserve a distance of seven hundred and ninety one and two tenths feet (791.2'), thence South Easterly on a curved line to the right having a radius of seven hundred and sixty six and eight tenths feet (766.8') a distance of ninety four and eight tenths feet (94.81) thence on a spiral curve to the right with an increasing radius a distance of one hundred and sixty five and whine tenths feet (165.91) thence South 54° 39' E a distance of three hundred and seventy and nine tenths feet (370.9') to the Easterly limit of the said reserve, thence thence S 6° 09 E along the Easterly limit of the said reserve for a distance of one hundred and twenty two and eight tenths feet (122.8'), thence N 54° 39' % four hundred and forty one and mine tenths feet (441.9'), thence orthwesterly by a spiral curve to the left of decreasing radius for a distance of one h hundred and fifty four and one tenth feet (154.1') thence Worthwesterly on a circular curve to the left whos radius is six hundred and sixty six and eight tenths feet a distance of

Low Capy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

# CIVIL AND MINING ENGINEERS BRITISH COLUMBIA

P. O. BOX 1049 PHONE 2008

OFFICE: ROOMS 211-212 PEMBERTON BLOCK.

Victoria, B. C.

#2

Canadian North. Pac. Bight of May
Through kutz Indian Reserve, Cowichan Lake District,
Vancouver Island, B.C.

erly on a spiral curve to the left ith an increasing radius for a distance of one hundred and fifty four and one tenth feet (154.1') thence \$ 82° 26' W three hundred and firty four and two tenths feet (344.2') to the esterly limit of the said reserve, thence N 00 32' W ninety three and sixteen one hundredths feet more or less to the point of commencement. The piece or parcel of land hereby conveyed contains two and eighty two one hundredths (2.82) heres more or less and is shown colored red on the attached plan.

Son C

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

#### CIVIL AND MINING ENGINEERS, BRITISH COLUMBIA LAND SURVEYORS

P. O. BOX 1049 PHONE 2998

OFFICE: ROOMS 211-212 PEMBERTON BLOCK.

Birtoria, B. C. Dec. 4, 1912.

#### DE CRIPTION.

Canadian Northern Pacific Railway Right of Way Through The Cowichan Lake Indian Reserve, Cowichan Lake District, Vancouver Island, BiC.

All that certain piece parcel or strip of land lying fifty feet (50') on each side of the center line of the Canadian N Northern Eacific Railway as now located and surveyed upon the ground through the Cowichan Lake Indian Reserve, Cowichan Lake District, Vancouver Island, B.C. which may be more particularly described as follows, commencing at a point on the Westerly limit of the said Reserve, distant two thousand and twenty two and ninety eight one hundredths (2022.98') meas red S 1° 14's E from the North Westerly angle thereof, thence S 34 37' E two hundred and eighty eight and one tenth feet (288.1%) theace Bouth Easterly on a spiral curve of decreasing redius to the left a distance of one hundred and fifty four and one tenth feet (154.1') to a point on a circular of curve thence South Easterly on a circular curve to the left having a radius of six h nared and sixty six and seventy eight one hundredths feet (666.78') a distance of three hundred and eightyseven and seven tenths feet (387.21), thence outh Easterly on a spiral to the left having an increasing radius a distance of one hundred and fifty our and one tenth feet (154.1') thense 3779° 59' E a distance of nine hundred and ninety four and adventy five one

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



#### CIVIL AND MINING ENGINEERS, BRITISH COLUMBIA LAND SURVEYORS

P.O. BOX 1049 PHONE 2998

OFFICE: ROOMS 211-212 PEMBERTON BLOCK

Hictoria, B. C. Dec. 4th, 1912

42

CAN TOPP. M. CAN. BOG. C.

Canadian North. Jac. Right of Way Cow. Lake Ind. Res. Cow. Lake Dist. V.I. B.C. one hundredths feet (994.75') to the "asterly limit of the said Reserve, thence South 1° 14' E along said Tasterlylimit one hundred and one and ninety six ondredths feet (101.96') to a point seventeen and two one hundredths feet (17.02') from the South Easterly angle of the said Reserve, thence N 79° 59' W, one thousand fourteen and sixty five one hundredths feet (1014.65') thence North & Westerly on a spiral curve to the right of decreasing radius a distance of one hundred and sixty five and ninety one hundredths feet (165,90') to a point on a circular curve, thence orth Westerly on a circular curve to the right having a radius of seven hundred a and sixty six and seventy eight one hundredths feet (166.70') a distance of four hundred and thirty five and five tenths feet (435.5') thence North esterly on a spiral curve to the right having an increasing radius a distance of one hundred and sixty five and minety one hundredths feet (165.90') thence N 34° 37' W a distance of one hundred and thirty nine and one tenth feet (139.1') to the Westerly limit of the said Reserve thence N 1º14' W along said Westerly limit for a dist nce of one hundred and seventy nine and fortyfour one hundredths feet (179.44') to the point of commencement. The piece or parcel of land hereby conveyed contains four and four hundred and sixty five one thousandths (4.485) acres more or less

Low Copy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

#### CIVIL AND MINING ENGINEERS, BRITISH COLUMBIA LAND SURVEYORS

P. O. BOX 1049 PHONE 2998

OFFICE: ROOMS 211-212 PEMBERTON BLOCK,

Bictoria, B. C.

3

Can. North. Pac. Right of day

Cow. Lake. Ind. Res.

Cow. Lake Dist., V.I., B.C.

and is shown colored red on the attached plan.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Poor Capy



Ottawa, Jan. 16, 1913.

Sir,

The telegram to your of Oct. 23, last, requested a reply by wire and confirmation by a subsequent letter. Your telegram of the 26th of the same month was duly received but a confirming letter has not been received.

Your telegram is as follows: "Land for Canadian Northern Pacific Railway at Skutz valued one hundred and fifty dollars per acre no improvements land Cowichan land reserve valued at five hundred dollars per acre improvement on whole area value forty dollars and eight cents plan of Coyishan Lake reserve submitted does not include whole area should extend five chains to west."

on whole area value forty dollars is ambiguous and that the item of eight cents is very peculiar. Kindly send a statement in detail as soon as possible of these values, who owns the improvements, etc.

A new plan has been filed by the company of its right of way through Cowichan Lake Reserve a copy of which is herewith enclosed for record and reference in your office.

Apparently the error which you noted has been corrected.

Your obedient servant,

Assistant Deputy and Secretary.

W. R. Rotertaon, Esq.,

Indian Agent,

8700

Duncane Station, B.C.

2242 70 70

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA foor Capy

410,256.

Bir,

I beg to acknowled the lines of the right of way of

Ottawa, Jan. 16, 1943.

I beg to acknowledge the receipt of your letter of the 24th ultimo and of the plans in duplicate on tracing linen of the right of way of the Canadian Northern Pacific Railway through the Cowichan Lake and Skutz Indian Reserves, Vancouver Island and of the Descriptions covering the same.

Your obedient servant,

( n 08-11 /

Assistant Deputy and Secretary.

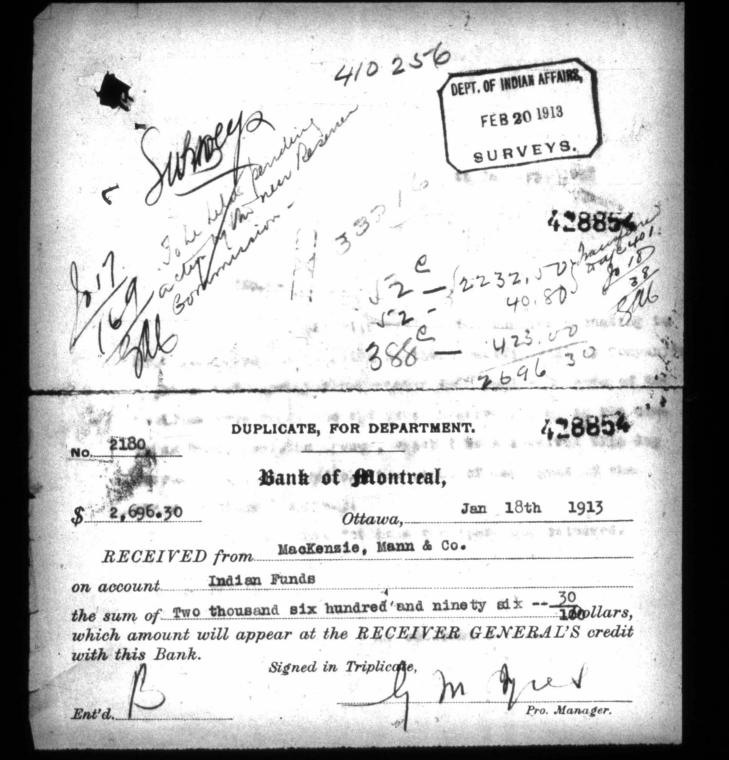
T. H. White, Esq.,

Chief Engineer,

Canadian Northern Pacific Rwy. Co.,

Vancouver, B.C.

OFFICE OF THE INSPECTOR OF INDIAN AGENCIES, SOUTHWESTERN INSPECTORATE, 6 C.11th January, 1913. 191 426654 AL80 TO DATE OF THIS LETTER. Sir,-I herewith enclose two cheques amounting to \$2,696.30, for the Canadian Northern Pacific Railway Company's right of way through the Cowichan Lake Indian Reserve of the Cowiehan Lake band, and the Skutz Reserve No. 8, of the Cowichan band, Gowichan Agency, which I have received this day through Mr. A. C. Burdick, the right of way agent of the above mentione d company. Please have vouchers receipted and returned. Enclosures (2) our etedient servant. LIVER M. E. Ditethum Inspector of Indian Agencies. Secretary, Department of Indian Affairs, Ottawa, Ont. Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1) PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA



Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

ORIGINAL, FOR THE DEPOSITOR. ing the same of the last the

THE PROPERTY OF THE PARTY OF TH

wind, somighter at the , what I have a senters when the

Bank of Montreal,

Ottawa,...

Jan 18th

MacKenzie, Mann & Co.

RECEIVED from....

Indian Funds

the sum of two thousand six hundred and nimety son which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate.

Pro. Manager

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

#### INTERIM REPORT OF

TER ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE
OF BRITISH COLUMNIA, made at Victoria the 21st
day of May, 1913.

To His Royal Himness

The Governor General of Canada in Council

and

To His Honour

The Lieutenant Governor of Britanh Columbia in Commonia

Agreement referred to in the Commission, has had under consideration the several applications of the Railway Companies nareinafter mentioned for lands required by the said companies for right of way, and foreing part of Indian Reserves in the said Province, and upon reading the said applications and correspondence and material on the files of the Department of Indian Affairs, and examining the plane submitted, and it appearing therefrom that all of the said lands are required by the said Companies for right of way.

pliance with the requirements of the law, permission be given to the said Railway Companies forthwith to enter upon the said lands and to acquire much farts thereof as has by each such Company respectively been required for each right of way, according to the plans filed in respect to each application in the Department, namely:

1. "



- 1. Casadian Northern Pacific Railway Comichan Lake Reserve)
- 2. Canadian Borthern Pacific Railway Opuzzum Reserve No. 4.
- 3. Canadian Borthern Pacific Railway Benillaton Reserve Bo.2.
- 4. Grand Trunk Pacific Rathway Hoom-Law Reserve Ho. 6.
- 5. Grand Trunk Pacific Railway So-As-Flunkut Reserve Ho. 2 Stellageo Reserve No.5.
- 6. Canadian Northern Pacific Railway Bonaparte Reserve No.2 (as to right of way, only)

All of which is respectfully submitted.

( sd) B. L. Wetmore.

Charrenn.

Victoria, B.C.

they 21 st, 1913.

Low Cary

P. C. 1324

PRIVY COUNCIL

CARADA.

ROYAL CONTRIBUTION OF INDIAN APPAIRS FOR

Victoria, R. C. Hay 23rd, 1913.

The Renourable L. C. Coderre, Secretary of State,

ottwes.

Sire

I have the honour to transmit, for submission to His Royal Highness the Governor-General-in-Council, the first Interim Export of the Commission.

I have the honour to be,
Sir,
Your obsdient servant,
(sd) J. G. H. Bergeron.
Secretary.

later to per men area con in the man of the second of the

Low Capy



Ottawa, June 25, 1913.

Sir,

Jan. 16, last, and to request an immediate reply thereto.

The sum of \$2696.30 has been received

through Mr. Inspector Ditchburn for the right of way
through the reserves mentioned in the said letter,

Cowichan Lake dnd the Skutz Reserve No. 5 of the Cowichan
Band. From this payment it would appear that the
telegram should have read "Improvements \$40.80". Is
this correct and to whom are the improvements to be
paid, also are there anyother payments to be made to
the Indian owners or to the band generally?

J.B

Your obedient servant,

Assistant Deputy and Secretary.

W. R. Robertson, Esq.,

Indian Agent,

Duneans Station, B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

410,256.

White the state of th

Sir,

Please refer to letter to you of the 25th ultimo.

I have again to draw attention to letter of Jan. 16, last,
to which a reply has not yet been received. Please inform
the Department as soon as possible as to whether the sum
received from the Railway Company is correct and also
in what manner it is to be paid or distributed.

Your obedient servant,

Assistant Deputy and Secretary.

W. R. Robertson, Esq.,

Indian Agent,

Duncans Station, B.C.

A.D.

don Capy

Ottawa, August 25, 1913.

His Excellency

The Administrator in Council.

cation has been made to the Department of Indian Affairs by the Canadian Northern Pacific Estlway Company for a right of way through the Cowichan Lake Indian Reserve and the Skutz Indian Reserve No 8, of the Cowichan Tribe B.C., comprising an area of 2.828 acres of the latter and 4.465 acres of the former reserve, making a total of 7.285 acres. These areas applied for being shown on plans numbered 120% and 1203 of record in the Survey Branch of the Department of Indian Affairs.

In this connection the undersigned would refer to the appointment recently made by Order of the overnor in Council in secondance with the terms of an agreement entered into on the 24th September 1912, between the Dominion and the Province by their respective representatives, of a Joint Commission for the adjustment of the acreage of the Indian leserves in British Columbia.

"If prior to the Commissioners making their final report, it "should be ascertained by either Government that any lands "being part of an Indian Reserve are required for right of "way or other railway purp ses or for any bominion or Fro-"vincial or Municipal Public work or purpose, the matter "should be referred to the Commissioners, who shall therewoon

mir 36 /8

dar Capy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

"thereupon dispose of the question by an interim report

"and each Sovernment shall thereupon do everything ne
"cessary to carry the recommendations of the Commissioners

"into effect."

The interim report of the Commission of the 21st of May 1913, addressed to His Royal Sighness in council and to His Henour the Lieutement Governor of British Columbis in Council, deals with, among others, the above mentioned application of the Canadian Morthern Pacific Lailway Company for right of way through the Cowichen Lake Indian escree and the Skutz Indian Reserve Ho 8, and states that is appears that the land applied for is required by the hailway company for its right of way, and recommends that, subject to compliance with the re-uirements of the law, permission be given to the said lailway company forthwith to enter upon the land at to acquire the right of way applied for.

has forwarded to the epartment of Indian Affairs the sum of \$2696.30 being the full valuation placed upon the lands applied. for by the epartment the undersigned would recommend that authority be given for the issue by this epartment of a crown grant covering the 7.285 acres above mentioned upon the consent of the Government of British Columbia being obtained for the disposal of the said land.

of the Minute in Council based upon this report by transmitted to the Lieutenant overnor of the Province of British Columbia.

Acting superintendent Some al of Indian Affairs.

Son Cap

4

Application of the Canadian Northern Pacific ailway Co., for right of way through the Cowichan Lake Indian Reserve and the Skutz Indian Reserve No. 8 of the Cowichan Tribe, B.C.

Section 46 of the Indian Act as ammended by Chap., 14, 1-2 Geo. V. provides as follows:

"Any Company or Municipality or
"local authority having statutory power
"either Lomini nor Provincial for taking
"or using lands or any interest in lands
"without consent of the owner, may, with
"the consent of the Governor in Council,
"as aforesaid and subject to the terms
"and conditions imposed by such consent
"exercise such statutory power with reserved to any such reserve or portion of
"a reserve; and in any case compensation
"shall be made therefor to the Indians
"of the band...."

4d John have

Indian Affairs.
August 26, 1910.

L. NH

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

Certified copy of a Report of the Committee of the Privy Council, approved by His Excellency the Administrator on the 30th. August, 1913.

445097

Superintendent General of Indian Affairs, stating that application has been made to the Department of Indian Affairs by the Canadian Northern Pacific Railway Company for a right of way through the Cowichan Lake Indian Reserve and the Skuts Indian Reserve No.5, of the Cowichan Tribe B.C., comprising an area of 2.525 acres of the latter and 4.465 acres of the former reserve, making a total of 7.285 acres; these areas applied for being shown on plans numbered 1202 and 1203 of record in the Survey Branch of the Department of Indian Affairs.

The Minister would refer, in this connection, to the appointment recently made by Order of the Sovernor in Council in accordance with the terms of an agreement entered into on the 24th September, 1912, between the Dominion and the Province of British Columbia by their respective representatives, of a Joint Commission for the adjustment of the acreage of the Indian Reserves in British Columbia.

The Minister observes that it is provided in the said agreement, inter alia, that "If prior to the Commissioners making their final report, it should be ascertained by either Government that any lands being part of "an Indian Reserve are required for right of way or other "railway purposes or for any Dominion or Provincial or "Municipal Public work or purpose, the matter should be "referred to the Commissioners, who shall thereupon dispose

"of

The Honourable

The Superintendent General of Indian Affairs.

DEPT. OF INDIAN AFFAIRS,

SURVE

Son Copy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

of the question by an interim report and each Government "shall thereupon do everything necessary to carry the "recommendations of the Commissioners into effect;"

of May, 1913, addressed to His Royal Highness in Council and to His Honour the Lieutenant Governor of British Columbia in Council, deals with, among others, the above mentioned application of the Canadian Northern Pacific Railway Company for right of way through the Cowichan Lake Indian Reserve and the Skutz Indian Reserve No.5, and states that it appears that the land applied for is required by the Railway Company for its right of way, and recommends that, subject to compliance with the requirements of the law, permission be given to the said Railway Company forthwith to enter upon the land and to acquire the right of way applied for.

The Winister recommends,—as the Canadian Northern
Pacific Railway Company has forwarded to the Department
of Indian Affairs the sum of \$2696.30, being the full
valuation placed upon the lands applied for by the Department of Indian Affairs,—that authority be given for
the issue by the Department of Indian Affairs of a Grown
Grant covering the 7.255 agrees above mentioned upon the
consent of the Government of British Columbia being
obtained for the disposal of the said land.

The Committee, on the recommendation of the Asting Superintendent General of Indian Affairs, advise that a copy hereof be transmitted to the Lieutenant Governor of the Province of British Columbia.

All which is respectfully submitted for approval.

Clerk of the Privy Council.

445097

000

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

Ottawa, Sept. 17, 1913.

Sir,

Letters have been written to Mr. W. R. Robertson,
Indian Agent, Duncans Station, dated Jan. 16, last, June
25, and July 19, relating to his valuation of the right
of way through the Cowichan Lake and the Skutz Indian
Reserves. Mr. Robertson has not replied to either of
these letters. I have to request you to be good enough
to enquire at your earliest convenience the reason for
the agent's neglect to send replies.

You may be able to afford the information required and for this purpose copies of the three letters are enclosed herewith.

Encl.

Your obedient servant,

Assistant Deputy and Secretary.

W. E. Ditchburn, Esq.,

Inspector of Indian Agencies, Victoria, B.C. Part of Map of Ed. N. Ruray les & Lane

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Cary

410256

## Cowlenen Agency

Indian Office



1111

Duncans Station, B. C. Oct.20, 1913,

DEPT. OF INDIAN AFFAIRS,

OCT 28 1913

SURVEYS.

447894

In reply to yours of the 16t . of January last file No.
410256 and subsequent correspondence. I beg to reply as
follows.— The following telegram was sent on the 26th.
October, 1912. \* Land for Canadian Northern Pacific Railway
at Skutz valued one hundred and fifty dollars per acre. No
improvements. Land Cowichan Lake reserve valued at Five
hundred dollars per acre , improvements on whole area valued
forty dollars and eighty cents. Plan of Cowichan Lake
Reserve submitted does not include whole area should extend
five chains to west.

The area taken at the Skutz reserve is 2.82 Acres at \$150.00 = \$485.00. I am informed that this reserve was set aside by the Indian Commission in 1877 for four (4) Indians. viz. Hermslock, Matilth, Sultamult and Swull auston, and they claim they are the only ones to share in the proceeds of the sale. There were no improvements on the land taken from this reserve.

With regard to area taken from Indian Reserve at Cowienan Lake Reserve the new plan filed by the Company does not include the whole area, according to this plan it has an area of 4.465 acres at \$500.00 per A. = \$2232.50, there were improvements 0.408 seres at \$100.00 per A. = \$40.80. These improvements belong to an Indian Danny Dan and an Aunt of his may

J. D. McLean, Esq. .

Asst. Deputy & Secretary of Indian Af airs

Son Capy

may have an interest but I am not sure. Danny spends the most of his time at Clo-cose in the West Coast Agency. I have sent word for him to come over and settle this matter.

Tam attaching to this letter a part of a map of the Department can recognise the sale as the land was set aside by the proper authorities as an Indian Reserve in 1887 to include certain houses and improvements owned by the Indians at that place. The part sold includes an Indian receptance.

I will advise you later when I learn to whom the money for the improvements is to be paid.

May I advise the Indians of this reserve that one half of the money paid by the Company will, be paid to them pro rata as provided by the Act.

I regret the delay in making this report.

Your obedient servant

Indian Agent.

15 11 1 10 V

dan Capy

OFFICE OF 210223

### THE INSPECTOR OF INDIAN AGENCIES, SOUTHWESTERN INSPECTORATE,



Victoria, B.C. November 14.

IN YOUR REPLY REPER TO No. 471/C. TO DATE OF THIS LETTER.

Marketine Market College Control College

449594

File No. 410,225.

31r:-

With reference to the subject contained in your letter of September 17th, relating to Indian Agent Robertson's lack of attention in answering correspondence bearing on the Canadian Forthern Pacific Railway's rightof-way through the Skutz Indian Reserve of the Cowichan Indians and also the Cowichan Lake Reserve, I beg to inform you that I took this matter up with Agent Robertson early in the month of October. Er. Robertson's reasons for allowing this matter to stand so long is that he had been waiting for the Indians, belonging to the Cowichan Lake Reserve to go to Duncan to give him Tull information as to who are the Indians interested or entitled to compensation on this reserve.

These Indians do not live on the reserve itself but on the West Coast of Vancouver Island at Clahoose among their relatives of the Mitinat tribe. Although he had sent word to these people on different occasions they had not up to that time gone to Danean. In the meantime the Department's correspondence had been put to one side awaiting the arrival of these Indians. Upon my taking the matter up with him he forwarded a report to the Department giving the necessary information except that pertaining to the Cowichan Lake Indians whom he was still waiting on. It is expected these Indians, who have working in the woods during

The Secretary:

Department of Indian Affairs.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

during the summer, will be in Victoria in the very near futur and the matter will be finally completed.

There appears to be some misunderstanding with reference to the Cowichan Lake Indian Reserve. The schedule of Indian Reserves states that the reserve contains 130 acres, 107% of which was conveyed by Mr. C. Green(originally Mr. McCallum's preemption) to the Dominion Government in December 1888, the balance consisting of 20% acres being taken from the preemption of a Mr. Swenarton thus making the 130 acres. The area acquired from Mr. C. Green was 25 chains by 44.50 chains and the portion taken from Mr. Swenarton was 5 chain by 33.30 chains. The information I have obtained on this subject is that 22% acres were taken from Mr. Swenarton's preemption for the purpose of including in the reserve an Indian house and some fruit trees and the tracings attached to the minutes of decision of Commissioner O'Reilly clearly show this to be the case.

In dealing with the Cowichan Lake Reserve I find, in Letter Book 3 of the Indian Reserve Commission, the following communication from Commissioner O'Reilly to John Trutch, Esc., Land Commissioner of the E.&N. Ry. Co.:

Indian Reserve Commission.
Victoria. B. C..
December 5, 1888.

I have the honor to enclose herewith a sketch of the Indian Reserve situated on the Northern bank of Cowichan Lake, near its outlet, and in the Island Railway belt.

I also enclose a copy of an application No.362, and dated 17th January 1887, from Mr. William Swenarton to preempt 160 acres west of Eccallum and Morrow claim on the North side of Cowichan Lake, Renfrew district.

You will observe by reference to the plan of the Indian Reserve that Mr. Swenarton's application as described

don Cap

described encroaches on the reserve by five chains by an average depth of forty, or about 20 acres; this would deprive the Indians of a portion of their fenced and cultivated field.

Mr. Swenarton may not have been aware when making his application that he was trespassing on an Indian settlement. I must however protest against any steps being taken by which he can obtain a little to so much of this land as is in possession of the Indians.

I have the honor to be

Your obedient servent, (Signed) P. O'Reilly.

It appears that within the last year or so the E.&N.Ry. Co. have sold this 22% acres to Messrs. Hayward and Lomas and these gentlemen have been paid by the Canadian Northern Railway for their right-of-way through this Schain. Will you please inform me as to whether you were ever consulted in this matter before and if so what action was taken; also as to whether the 22% acres have been relinquished by the Department?

Your obedient servant,

Mr. 6. Literaturan

Inspector of Indian Agencies.

Bon Capy

Shere a no plan of server of the Something has been recreated for the Ser of Royal Com.

The Sec. of Royal Com.

The 160557 - C.B.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA han Capy

Ottawa, Nov. 24, 1913.

Sir,

With reference to the extent of the Cowichan

Lake Indian Reserve referred to in your letter of the 14th
instant, No. 471-C, I have to say that the correspondence
and plans relating to this reserve are now in Victoria
with the Royal Commission on Indian Affairs for the
Province of British Columbia. Mr. Robertson will be
informed later on in connection with the right of way
through this reserve of the Canadian Northern Pacific
Railway and on the extent of the reserve.

Your obedient servant,

Assistant Deputy and Secretary.

**大学和教徒人,不会解释之一。** 

W. E. Ditchburn, Esq.,

THE STREET

Inspector of Indian Agencies, Victoria, B.C.

Carlo Man grown to the out of

dan Capy

1

Ottawa, Jan. 5, 1914

Bir,

On May 23, last, there was sent to Mr. Inspector W. E. Ditchburn for the use of the Commission Volume 1 of Minutes of Decision and Correspondence relating to Indian Reserves in British Columbia; I shall be obliged if you will be good enough to have this volume returned to the Department by express. It consists of correspondence, etc., of a valuable nature, at least the sum of \$500.00 should be quoted as its value to the express office.

Your obedient servant,

Assistant Deputy and Secretary.

The Secretary,

Royal Commission on Indian Affairs, Victoria, B.C. 410256

# ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

HON. E. L. WETMORE, CHAIRMAN NATHAMIEL W. WHITE, K. C. JAMES A. J. MCKENNA, LL. D. JAMES P. SHAW, M. L. A. DAY H. MACDOWALL J. G. H. BERGERON, K. C., SECRETARY AND SOLICITOR 203

TORIA. B.C. 15th.

TO THE SECRETARY

JAN 221914

SURVEYS.

ULPI. OF INDIAN AFFAIRS,

JAN 221914

153691

D. McLean, Esq.,

Secretary, Department of Indian Affairs,

Ottawa.

Sir:-

I have the honour to acknowledge yours of the Sth.instant, (File No.410256), and to state that volume One of Minutes of Decision and Correspondence re Indian Reserves in British Columbia has been expressed to you this day with valuation declaration of \$750.00, Express Receipt being herewith onclosed.

I have the honour to be,

Sir,

Your obedient servant,

Secretary.

Enclosure.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

MONEY RECEIPT.	A TOTAL CONTRACTOR OF THE PARTY
PEAD THIS RECEIPT DOMINION EXPE	RESS COMPANY
Received of Bush Come	sid to contain.
Valued at Addressed AD 2 V C L C C	799 453636
S MAN IN WY	pany," agrees to carry and deliver, upon the terms and conditions
1. The word company shall include any connecting express company subject to the Italiway Act.  2. This agreement is issued subject to the Classification authorized by the Board of Railway Commissioners for Canada, and all the clauses of said Classification not inconsistent with this agreement are incorporated herewith.  3. This agreement shall extend to and be binding upon the shipper and all persons in privity with him, claiming or asserting any right to the ownership or possession of the shipment and shall anure to the benefit of any person or company to whom the shipment may be delivered for the performance of any act or duty in gaspect thereod, or in whose custody or charge the same may lawfully be, or on whose vehicles ar vessels the same is being carried under this agreement, and shall apply to any re-consignment or return thereof.	the express and other charges, if paid, and the duty, if payable, or paid and n refunded;  (f). For loss or damage from delays beyond its control or caused by the refus of any railway, steamboat, stage, or other transportation line to receive or forwa the said property, owing to any unusual or unforcesen movement of or interferent with traffic;  (g). For any damage, loss or shortage, unless written notice thereof is given an office of the company within two months from delivery or from the Lindelivery should, in the ordinary course of transit, have been made.  5. If no express company subject to the Railway Act has an office at the point of destination, then the company only agrees to carry the shipment to office or to that of some other express company subject to the said Act, me

4. The company shall not be liable:

(a). For less or damine occurring after twenty four hours exclusive of legal holidays after notice of the arrival of the shipment at destination has been mailed to the above address of the consignee, unless such loss or damage is caused by the negligence of the company;

(b). For any loss, damage or delay caused by the act of God, the King's or public enemies, the authority of the law, quarantine, riots, strikes, perils of navigation or the act or default of the shipper or owner, or from conditions beyond its control;

(ie). For any loss or damage occurring in Customs Warehouse:

(ii). For any loss, damage or delay resulting from improper or insufficient packing, securing or addressing;

(iii). For a greater sum that above stated or in any event beyond the actual value of the shipment at the time of the receipt thereof by the company, including

omee, or to that of some other express company subject to the said Act, most convenient for furtherance to destination, and upon arrival there, the company may notify the consignee or other proper person, or upon direction of the shipper will, or upon its own discretion may, deliver the shipment to any connecting carrier for furtherance to destination; in the latter event if such carrier is not subject to the Railway Act, the company shall act as the agent of the shipper in effecting such delivery, and the liability of the company shall thereupon cease.

6. The company reserves the right to call upon the consignee to take delivery of the shipment at its office at destination.

7. Duty and Customs House expenses and guaranteed by the shipper.

For the Compuny.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

The Market State of the State o

· Or in

Ottawa, Jan. 22, 1914.

Sir,

I beg to acknowledge the receipt of your letter of the 15th inetant and of <u>Volume 1</u> of the Minutes of Decision and Correspondence re Indian Reserves in British Columbia, which you sent by express to this Department.

The second secon

Your obedient servant,

Sal Whehear

Assistant Deputy and Secretary.

The Secretary,

6

Royal Commission on Indian Affairs, Victoria, B.C.

#### Indian Office

Duncans Station, B. C. Dec. 19, 1913.

Sir:-

We, Alfred David Livingston and Dan Daniels Indians of the Cowichan Lake Indian Reserve, respectfully ask that the Department of Indian Affairs pay to the members of the Cowichan Lake Band of Indians pro rata, one half of the proceeds received by the Department from the Canadian Northern Bacific Railway Company for right-of-way through our reserve at Cowichan Lake.

We recognise the following as members of the Band, viz,-

Alfred David Livingston,

Madge

Gilbert) son of A. Livingston.

Benny ) \* \* A. Livingston

Lucy, Widow of Sam Yah ah wick

Tenas Peter, husband of Lucy, who lived for some years on the reserve.

Dan Daniels

Elizabeth , Dan's wife.

Anna. Daughter of Charley See ta lock, deceased, and mother of Dan Daniels

Charley Wensues, Husband of Anna, lived for some years on the reserve.

beg to remain.

Yours respectfully

W. R. Robertson.

Indian Agent.

Duncans, B. C.

The Rand Daniel Histanik

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

410256

Jang N.

owichen Agency Indian Office

Duncans Station, B. Y. April 4, 1914.

File No. 410,266 - APR 15 1914
SURVEYS

459272

Having regard to yours of June 25th, 1913, also to mine of the 20th, October 1913 No.411 D-2 Re- amount paid by the Canadian Northern Pacific Railway for right-of-way through the Cowiehan Lake Indian Reserve. I have the honor to enclose herewith a letter dated December 19th, 1913 from Alfred D. Livingston and Dan Daniels of the Cowiehan Lake Band asking that one half of the proceeds received for the right-of-way, namely \$1116.25 being the one half, be paid

right-of-way, namely \$III6.25 being the one half, be paid
pro rata to the following Indians, Alfred Livingston and wife,

Tenas Peter and wife, Dan Daniels ami wife and Charley Wensues
and wife. I am forwarding by this mail, a voucher for
Anna Charley, I am informed by both Alfred Livingston and
Dan Daniels that she is the proper person to receive the pro-

Part-H, that the amount \$2232.50 paid for the right-of-way is wind credited to account No.52 for Cowiehan Indians. This is not right, the Cowiehan Lake Band of Indians are more related to the West Coast Indians at Nit-i-nat or Clo-ocse Reserve.

This reserve was set aside for two Indians Sam Vah ah wick and Charley See to lock and their families, the widow and descendants are described in letter dated Dec. 19, 1913 and attached hereto.

The new

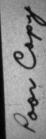
J. D. McLean, Esq.,

Asst. Deputy & Secretary of Indian Affairs

Ottawa

ceeds of the improvements, \$40.80.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



Successive State of the State o

The new plan submitted by the Railway Company giving the area taken as 4.465 acres does not show the true area of the Indian Reserve, it should include lot No.54.

I will respectfully recommend that the Indians be paid the amount as asked for.

Your obedient servant

And the same of the same and the same of t

mentages and appropriate the transfer of the second of

The state of the s

And the second s

a many the second of the second

Salar Albania

which is the second of

Commence of the Commence of th

the second second second second

The second second second

the parallel of the second second second

THE STREET

The state of the s

A STATE OF THE RESIDENCE OF THE PARTY OF THE

Indian Agent.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Cary

Driging !

Miscellaneous.

45937

Vote 40

### GOVERNMENT OF THE DOMINION OF CANADA.

# DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

COWICHAN

AGENC

To Anna Charley, Indian

DATE.

DETAIL.

AMOUNT

-1914

To amount paid by Canadian Northern Pacific
Railway for improvements on right-of-way through
the Cowichan Lake Indian Reserve.

40.80

This was paid by the Railway Company and forwarded through Mr. Inspector Ditchburn, to the Department.

M. R. Robertson

Indian Agent.

will

280

40.80

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

Indian Agent.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

410256

cowichan Agency

Indian Office

Duncer Station, B. C. April 4 1914.

14 -1-2

De for

4593

Sir:-

I have the honor to enclose herewith the following voucher, for payment, namely,-

Anna Charley, Indian

Voucher No.149

\$40.80

Please send cheque to my address here.

Your obedient servant

RECOMMENDED FOR PARMENT

D. S. G. of 1. /

Indian Agent.

APR 30 10M SURVEYS

J. D. McLean, Esq.,

Asst. Deputy & Secretary of Indian Affairs
Ottawa

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

COWICHAN LAKE INDIAN RESERVE RENFREY DISTRICT

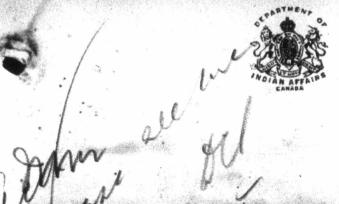
BREESH COLUMBIA.

SCALE

Annewed In Orleanin & Green CE

8.0

Interver . A. O. Services, Charles and Care . March



Ottawa, April 25, 1914.

File 410,256.

#### Memorandum for the Deputy Superintendent General:-

With reference to the paragraph near the end of Mr. Robertson's letter hereunder of the 4th instant, I beg to state that Mr. Agent Robertson as well as Mr. Ditchburn brought attention to the fact that apparently the Railway Company had not shown the right of way across the whole of the Cowichan Lake Indian Reserve. Search is being made for the correspondence relating to the apparent trespass on a width of five chains on the West adde of the reserve.

There is no question as the ownership of the

Easterly portion of the reserve twenty-five chains wide

and containing 107.5 acres. The Railway Company has

paid \$2232.50 for the right of way, \$\frac{1}{2}\$C.80 for Indian

\*\*There part\*
improvements. The Indian Agent recommends that half
are the
of the said \$2232.50 be paid to the Indians who recognized

owners of the reserve. We have been doing this in

nearly all similar cases in British Columbia. I beg to

recommend that the said 50% of the sum received be sent

to the Indian Agent for distribution. The difficulty in
Connection

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

connection with the strip five chains wide on the Westerly side of the reserve above mentioned may be subsequently dealt with and arranged.

Chief Surveyor.

The said Right of Way has been dealt with by the Royal Commission and an O. E. passed; the patent will not be issued until the matter, has been dealt with by the Prox. Sook

C. Bray

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

410,256

State of the state

ottawa, 28th April, 1914.

with Cheque

Sir,-

I beg to transmit herewith cheque No. 566 for \$1116.25 being fifty per cent of amount received from the Canadian Northern Railway Company for right of way through the Cowichan Lake Indian Reserve. The proceeds of the Cheque should be distributed at an even per capita rate to the members of the Cowichan Lake Band. Pay-lists in which to account for the distribution whe being sent you. The original and duplicate pay-lists should be transmitted to the Department and a third copy should be kept in your office for reference. You should observe the printed rules in the front of each pay-list book. Each head of family should be given a number, by which number he should be known in future.

on the 21st instant the Department sent you oneque No. 380 for \$40.80 in payment of the voucher submitted in favor of Anna Charley being compensation for improvements on the right of way through the above mentioned reserve.

Your obedient servant,

J. B. Melie

Asst. Deputy and Secretary.

Indian Agent,
Duncan's Station,
B.C.

Son Cary

Ottawa, May 1, 1914.

Sir,

Mr. W. R. Robertson, Indian Agent, Duncane Station, B.C., brought the attention of the Department to the fact that the right of way of the Canadian Northern Pacific Railway through the Cowichan Lake Indian Reserve showed that the width of five chains at the Westerly side of the reserve was supposed to be part of the reserve and apparently it was wrongfully excluded. The plan, of which a copy has been received from the Royal Commission, shows that the reserve consists of an Easterly width of twentyfive chains and a Westerly width of five chains but that the said Westerly width appears to be a portion of W. Swenarton's pre-emption. We have been unsuccessful in finding any correspondence in the Department relating to the said width of five chains although the correspondence relating to the width of twentyfive chains is complete.

The survey was made by yourself in 1890.

I shall be obliged if you will be good enough to state the facts of the case and to ascertain from the Provincial Office whether Swenarton's pre-emption A. H. Green, Esq., B.C.L.S.,

Indian Office,

VICTORIA, B.C.

10.60.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA don Capy

pre-emption was confirmed to him without the deduction of the said width of five chains.

Your obedient servant,

Sgd Dhehran

Assistant Deputy and Secretary.

Low Capy

CANADIAN PACIFIC



## R'Y CO.'S TELEGRAPH

## NIGHT LETTERGRAM

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

JAS. KENT, Manager Telegraphs

RECEIVED AT

as rave 26 COLLEGE TRAIL Letter 425 and 52

WHERE ANY REPLY SHOULD BE SEN

Duncan B.C. May 16th Q

00397

J.D.McClean,

Assistant Deputy Such Department of Indian Affaire

Pay shoots in connection with charge me five hundred and winty str.

".Robertson.

Payhor ser.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Poor Capy

SURVEYS

Victoria, B. C., May 11th, 1914.

Just en

46162

I have the honor to acknowledge the receipt of your letter of the let instant. No. 410,256, with reference to the five chains which formerly formed the westerly portion of the Cowichan Lake Reserve.

This land was originally within the bounds of Mr.

W. Swenarton's pre-emption dated 17th January, 1887. On the

31st May, 1887, it was allotted to the Indians by the late

Mr. Commissioner O'Reilly, and on the 5th December, 1888,

notice was given to the Esquimelt & Nanaimo Reilway Company

(within whose grant the land was situated) that Mr. Swenarton's

pre-emption encroached on the reserve. Only a formal acknow
ledgment was made to this letter.

On 1st August, 1891, Mr. Swenarton received a deed for 160 acres, excluding the five chains which was entered in the E. & N. Railway Company's books as Indian Reserve.

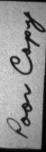
Some time afterwards Mr. Agent Robertson was informed that parties were trying to purchase the place and he and I went to the E. & N. Railway land office and were shown the book in which the land was entered as an Indian Reserve.

The question again coming up we once more went to the office, but this time the words "Indian Reserve" had been erased in the book, and I have only today ascertained that Messrs. Hayward and Lomas were the purchasers on 1st September, 1911.

The Secretary,

Department of Indian Affairs, Ottawa, Ontario.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



At that time the work of the Indian Commission had become amalgamated with the Indian Superintendent's office with
which I had nothing to do, being merely engaged temporarily on
surveys. I have always been under the impression that the
that
matter had been fully reported upon to you and the question
was closed.

I have the honor to be

Sir.

Your obedient servant,

Ashdron A freen 13CL.

Low Cary

410,256

Meneral March

27 Ottawa, May 28, 1914.

Sir.-

Encl.

print copy of the Cowichan Lake Indian Reserve. Please note that at the westerly side of the said Reserve there is included a width of five chains which had been included in error by Mr. W. Swenarton in his pre-emption. The limits of the Indian Reserve were decided on the 5th December 1888, by Mr. Commissioner O'Reilly, including as shown on the plan the said width of five chains.

1. D.

on the 1st August 1891, Mr. Swenarton received a deed for 160 acres excluding the said five chains which was then entered in your books as Indian Reserve. It now appears that the words "Indian Reserve" had been erased in your books and that the said width of five chains had been sold to Messrs. Hayward and Lomas, on the 1st September, 1911.

I beg to inform you that this Department has not taken any steps to alienate the said width of five chains and I have to request that your Company will take steps to cancel the sale, and to inform me as soon as possible of the action taken.

Your obedient servant.

Asst. Deputy and Secretary.

The Secretary.

Esquimalt & Manaimo Railway Company,

Victoria, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA for Copy

ESQUIMALT AND NANAIMO RAILWAY CO.

Secretary.

410256

VANCOUVER, B.C. June 3, 1914.

File- 27926

Just of

JUN 8 1914 SURVEYS

402888

J. D. McLean, Esq.,

Asst. Deputy & Secretary,

Dept. of Indian Affairs, Canada, Ottawa.

Dear Sir:-

I have to acknowledge receipt of your letter dated May 27th, #410256, in reference to the limits of the Cowichan Lake Indian Reserve, and have passed your communication on to Mr. R. Marpole, Vice President, at whose hands I have no doubt it will receive every attention.

Your obedient servant,

Secretary

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

PLAN OFTHE COWICHAN LAKE INDIAN RESERVE RENFREW DISTRICT BRITISH COLUMBIA Citing Deputy Superintendent General
Dept. of Indian Affairs Surveyed by Ashdown K. Sven C.C. Chief Surveyor

Dept. of Indian Affairs

CONTRALE A SARAIMO BATCHAY CO.

TALLED SHIP A NUMBER OF T

La M. Bolly Land Agent.

VIORORIA, S. C. June 6th, 1914.

N. Maryote, Esq., Vice-Formant,

463016

Depr Siri-

I have your between the block of the delication of the feature of the feature. I send you fit he feature of the feature of the feature. I send you fit he feature of the feature of the feature of the feature.

When month according to the control of the control

Treman the plan middle to be a series of the series of the

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA VERY POOR

VERY POOR

the nature, no entry to this effect having ever been made not any or arranged as an inappearance of the retriber vill offerely slow. Become the mate was made to Bayward & Lones I again suited to solf.

by locking up the standing of this 52 words.

Yours trily

"Established Total Total

Carl Ae Sht

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

ESQUIMALT AND NANAIMO RAILWAY CO.

GOICE OF THE VICE-PRESIDENT

L. D. McLean, Mag. a

Abet. Deputy & George

Serveday, Mrs. Salabury, was control

410256

VANCOUVER, B.C.

World.

Dear Sirim

Longon

Bagle.

P. S.

JUN 12 1914 SURVEYS

CONTRACTAL:

BOOK TO THE STATE OF THE STATE

Apparently there is a market to attraction

books Band Department that cele to Depart the Markett and Longs at.

recta forch our capata tire, to be necessarily the fire of the plant in

PROBLEM SOFT TOWNS PARTY OF THE SECOND PROBLEMS TO SECOND SECOND STREET AND THE PROBLEMS OF THE

was the allegations to granted on the contract of the contract of the first of the contract of

Enthology of the Common part of the section of the

Ta proces of the Conteller Leve Touten Sesenter I was to be at

explanations for the realizable flow for the first factor for the first form of th

403076

June Oth, 1914. (4)N

189.

- Marsolf

herewith the believent year, englosed with four lest

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

Dy Jach

Ottawa, June 15, 1914.

Sir,

I beg to acknowledge the receipt of your letter of the 6th instant and with reference to the copy of letter enclosed therewith from your Land Agent, Mr. L. H. Solly, in which he states. "This five chains was never Indian Reserve and after it was abandoned by Swengrton reverted to the company and our sale to Mesers. Hayward and Lomas was in order." I have to say that the said five chains was abandoned by Mr. Swenerton apparently because he had wrongfully included it in his pre-emption. The said five chains was duly declared to be part of an Indian Reserve by the Reserve Commissioner and shown on the plan of the reserve. It is, therefore, not apparent in what manner the land could revert to your company and consequently the sale to Messrs. Hayward and Lomes does not appear to have been in order. Enclosed herewith is a copy of a letter dated Dec. 5, 1888, from Mr. P. O'Reilly, Indian Reserve Commissioner, in which he protests against Mr. Swenerton trespassing on an Indian Settlement.

I shall be obliged if you will be good enough to have this matter taken further into consideration as the nol. Pacts submitted to the Department do not appear to be sufficient R. Marpole, Esq.,

Vice President, Esquimalt and Nanaimo Rwy. Co.,
Vancouver, B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

sufficient to warrant relinquishment of the Indian claim to the five chains in question.

Your obedment servant,

Assistant Deputy and Secretary.

Son Co

Victoria, B. C. Jan. 25rd 1914.

R. Maryotte, Mrs., .

Word Praris Lity

Dear S. :-

183

#### Baskerichas har direkt har ber

The transfer of the angle of the contract of t

15. In far R. 107.

ි. ම්කාමේක්, මේක ග්රාස්ත්ත්ත් වර්ග රජාවීම රටු ගර ප්රාන්ධ වර බව . සිට ග

McCallus and Morrow. (The past of the back to a first and Lord past for Bound of the service of

Margares. The Salvey of the last of the Mr. July 181 feet,

## ILLEGIBLE

Indian-Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

B.C.L.S. an ol . w location the Line the year charage and the relef Mr. L Indian Agent at D great this. tree to . 11 0 額の語・ユニ NOW DANG THE GOVERN LET TO F to Maria McC To. 1071

( Al) L. H. 58

ILLEGIBLE

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

ESQUIMALT AND NANAIMO RAILWAY CO.

.... H10253

OFFICE OF THE VICE-PRESIDENT INDIAN AFFAIRS

VANCOUVER, B.C.

19900

June 25th 1914.

D. McLonn, Eco., Department of Logica Afficial OTTAVA.

Desir State of the Property to the second se

But in the second of the \$5 to be set all the well attem to the I lan Nest aven at the fort of the cities when at Vi towth you to day, I had as nymer towards hake. of empering into this case, no manager that is not beat Woodling in that Ne people to the section 1.1 54

secured a metato and the line with Mr. Sally, the band Register D. former part of the Isings Billions.

I was a second of the second o me of yesterday, "mysters the results where week it was the point to be determined by earn to an in he she then the whole of this lead was on fadich homeway therein them. the Provincial Coverment created the Harminght and Newhole Line Great to 1888 . the query per by Mr. Bolly he postement has to the presention record to newers. McCattun & Mareda.

ILLEGIBLE

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

The Devictor Townshit is this on the land of a been committed by the provious owner of the Land of a - the Department from the provious owner. I the Land of a - the Department of the land of a - the Department of the land of the land

Jan Bul.

Back.

ILLEGIBLE

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

Ottawa, July 7, 1914.

Sir,

2:400

With reference to your letter of Nov. 14, 1913, No. 471-C, I beg to inform youthet we have been unable to ascertain from information or from the records in the Department whether the five chains to which you refer as pertaining to the Cowichan Lake Indian Reserve was ever positively declared to be a part of the Indian Reserve. A long correspondence has been had with different persons in connection with this matter without obtaining a definite result. I shall be obliged if you will take this matter up at your early convenience and advise whether action should be taken to regain possession of this land or whether the matter should be dropped.

In this connection, I beg to enclose herewith copies of a letter dated the 25th ultimo from Mr. R. Marpole, Vice President of the Esquimalt and Nanaimo Railway, and from Mr. L. H. Solly, the Land Agent of the same Company, Victoria. Also a copy of a letter from the Department of the 15th ultimo, addressed to Mr. Marpole, is enclosed, for your information.

Encl. 3.

Your obedient servant,

Assistant Deputy and Secretary.

W. E. Ditchburn, Esq., Inspector of Indian Agencies, VICTORIA, B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

## Memorandum for Agent's Guidance.

- 1. The names of all heads of families (including absentees) entitled to participate in a distribution should be entered on the pay-list each year.
  - 2. The Band Number of a family should on no account be changed.

Should a family become extinct, its number should be dropped and not used again.

- 3. When a member of a family is to be paid separately, as all adults should be, his or her name must be added at the end of the pay-list, under a new number; and the reason for paying separately should be given in the column for remarks.
- 4. All increases and decreases that affect the number in a family must be entered in the increase or decrease columns; those entered in the column headed "Other Causes," must be carefully explained in the column for "Remarks."
- 5. No money should be paid to Merchants or other persons who are not Indians, except by special permission of the Department.
- 6. No money should be paid to any Indian other than the one entitled, unless upon presentation of a written order, which should be attached to the pay-list.
- 7. Wherever possible the share of an absentee is to be remitted to him, by express order or post office order, at his expense, and the stub or number of the order is to be attached to or stated in the list. When money is sent by registered letter, a receipt for the letter from the postmaster should be attached to the list.
- 8. All money columns and the columns showing the number of Indians should be correctly added and balanced. The difference between the number on the list paid at this and the previous payment must equal difference between the total increases or decreases noted in the increase and decrease columns.
- 9. The Statutory Declarations should be taken before a Justice of the Peace, or a Commissioner for taking affidavits, according to regulations.
- 10. The pay-list should be returned to the Department promptly after the distribution. Only under very exceptional circumstances should it be retained longer than one month.
- 11. No additions are to be made to the pay-list unless title to be paid is made clear. The best attainable evidence of birth is to be got. In organized districts the paymaster should demand production of a copy of certificate of birth.

In the case of women from other districts entering the Band by marriage the paymaster must assure himself that they are not paid elsewhere by communicating with the Agent of the district from which they come. No one but newly born children and women entering the Band by marriage should be added to the list without the sanction of the Department.

Son Cary

PAY-LIST of M. Robertson, Indian Agent Vowisham Lake Indian Bure)

	NUMBER IN FAMILY.						
NAMES.	Men.	Women.	Boys.	Girls.	Amount Paid.		
Alfred David Rivingston	/	/	2	_	4 44650		
Fends Refer	· / :	/	-		111160		
Dan Daniels Elizabeth	. /				1 111.65		
Charley Hensus	/	-	<b>-</b> †	-	1 111 65		
		*		*	11162		

CAMP

No. on

previous

Pay-List.

returned to

Dept. for

Absentees.

4 4 2 - 10 \$/1/62 =

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

1914 BAND. Cowishen Aging, Bla REMARKS. SIGNATURES OF RECIPIENTS. Alfred Ravid Livingstone Part June 16, 1914 Zury Ster xmark " " 16, 1914 Witness to marks: alice In Whitaell " 16, 1914 Witness to marks: Rlice In Whitwell Tenas Peter Stin mark " 16, 1914 Witness to marks. alia In Whitwell Jan Danis His Xmuk , Elizabeth Storxmark " " 16, 1914 Witness to mather: alice me Whitwell Anna Itex muk " " 16, 1914 Witness to marker: alice In Whitwell Charley Human Itis Xmark, . 16, 1914 Witness to maches: - alice M. Whitwell

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

# RECAPITULATION of Pay-List of

NAME OF BAND.		NUMBER ON PAY-LIST.				Amount		Amount
		Women.	Boys.	Girls	Total.	Payable.	Amount Paid.	returned to Dept. for Absentees.
bowishan Lake	4	4	2	-	10	*/11625	*///625	-  -
							indication e discharge de proposition e discharg	
•				1			Control of the contro	
							Residence and the second states of the second state	
			******			43	Spirite and Spirit	
					4		Secretaria de registratorio de constitución de	
	<b>1</b>	,		· .			American action of the property of the propert	
	C				age of the same of			
	4	4	2		10	\$1116 25	# 111625	

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Bon Capy

It R. Robertson for

June 1917

		-	on the second second	gy vertegyaan ja jäinni M	seingatal aying inanimo			
Number on previous Pay-List.	INCREASE.		DECR	EASE.	e or Decrease.			
	Births.	Other Causes.	Deaths.	Other Causes.	Net Increas			
-	-		-					
	•						*	. *
		BULK ARCHITERE						
1								
A Pagara		Contraction on the contraction of the contraction o		- 100		,		
					to Carticological Michael Action (			
					et a minima de de la companya de la			

M. R. Roberton Agent.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA don Capy

# DECLARATION OF INDIAN AGENT.

Province of British Columbia 3, Walliam Russell Robertson	
of Dunians Station B.C.	
do solemnly declare that I am an Indian Agent for Coronal Agenty	
That the money set down on annexed pay-list as having been paid for	
legal representative.	
That to the best of my knowledge and belief each Indian named in this pay-list is entitled	
to the amount set opposite to his or her name, and that each Indian head of a family has correctly	
stated the number of the members thereof whose moneys are payable to him or her.	
And I make this solemn decla ation conscientiously believing it to be true, and knowing that	
it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence	
Act."	*
Declared before me at	
Luncan	
n the Province of Brilish Columbia	i,
Indian Agent.	
his & Stynth day	
June A.D. 1914	
9. maritand-brugell 5 h	
Sh	
·	

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA for Capy

410,256 Indian Office Duncans Station, B. C. July and, 1914

Cowichan Agency

Sir:-

Having reference to yours of the 28th, April last File No.410,256, enclosing cheque No.566 for the sum of \$1116.25 being fifty per cent of amount paid by the Canadian Northern Pacific Railway Company for right-of-way through the Cowletan Dake Indian Reserve. The same of the to the

I have the honor to enclose herewith the pay-list,in duplicate, all duly signed and attested.

Your obedient servant

Indian Agent.



J. D. McLean, Bag.,

Asst. Deputy & Secretary of Indian Affairs Ottawa

410256 OFFICE OF

## THE INSPECTOR OF INDIAN AGENCIES. SOUTHWESTERN INSPECTORATE

P. O. Bex 775

Victoria, B. C., 5th December,

IN YOUR REPLY REFER TO No....710/D. ALSO

TO DATE OF THIS LETTER.

File 410, 256.

DEPT. OF INDIAN AFFALRS MEO 11 1914 47307

SURVEYS

In replying to your letter of 7th July, having reference to the Cowichan Lake Indian Reserve and more particularly that portion of the same containing approximately 224 acres, which was sold by the Esquinelt and Manaimo Railway Company to Mesers. Hayward and Lones in 1911, I beg to say that after searching the records and obtaining all information possible bearing on this piece of land I have learned that;

This reserve, consisting of 130 acres, was allotted by P. O'Reilly, Indian Reserve Commissioner, on Slat May, 1887 and the second second part of the second secon

of this land 107; acres was situated in Section 5 contained in McCallum and Morrow's pre-emption, which later became the property of Mr. C. Green; the remaining 22; sores formed part of Section 27. In land the Province of

ingent readlpon it being shown to Mr. Green that 1074 acres of his land was Indian Reserve he conveyed the same to the Grown, and to avoid litigation did certain work on the reserve and paid a certain sum of money to the Department for the Indiana, or of he apinton that the has a common the

On 17th January, 1887, a Mr. Swenarton applied for pre-emption of 160 seres of land in Section 27 which took in the five chains above referred to. Mr. Commissioner O'Reilly immediately protested to Mr. frutch, the Land Commissioner for the Railway Company, that the five chains of

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

This pre-suption formed part of the Indian Bestford.

This protest received only a formal acknowledge and by the France, but nevertheless this piece of lade was aliminated from the demonstrate pre-suption; and the came amount was added as the northern and of his pre-suption, the demonstrate as lateral pre-suption, the

· 学说的 一、 产、 产的 经营口证

The company of to ent including 1910 show this piece of them as Indian reserve. Since these, is 1911, a strip five that as Indian reserve. Since these, is 1911, a strip five that a latter, between Section 87 and Section 8. has been decignated as Section 84 and this cost outs to become. Expending the year.

Into the Tain of the opinion that the Tipe to this piece of land can be upset in the courts by the Department, as it can be about that it formed part of an Indian metalement stor to the time the Requirement and Markelman Religions to the time to derivate lands or the Indian Religion, the Graving Dock and Religion lands of the Province of 1863-4 reads as follows: All the lands of the Province of 1863-4 reads as follows: All the lands of the Province of

\*shall not include any lands now held under Grown grant, lease. \*agreement for sale, or other aliquation by the Grown, nor shall include Indian reserves or sattlements, nor Naval or Hill-

I am of the opinion that the 22} acres, or what is now known as Section 54, were as much Indian reserves as the 1072 acres in Section 5 were.

The unfortunate phase of this question from our standpoint to the fact that the Indians are not now and have not been for a many years been making use of this land. The Indians

land for the

-5-

Indians who claim this Reserve are Dan Daniels, David Listingstone, Somes Peter, and Old Charley. They have married into the Ritinat tribe of Indians on the West Coast of Vancouver Island and have been living there for a number of years, although the Indian Agent has endoavored to get them to return and reside on the Cowichen Lake Reserve on several

I staited this reserve both in June, 1918, and government, 1914. The piece of land under consideration still shows evidence of one-time Indian habitation. The four apple trees are in hearing and the old clearings are still to be seen.

Insofar as the advisability of taking the matter
into the courts I would say that the game is not worth the
candle, but I am of the opinion that the Esquimalt and
Banaimo Bailway Company should pay \$150.00 for the amount of
improgement done on this piece of land by the Indians, inoluding the fear apple trees, which are in good condition at
the present time.

the first the later of the first that the first was the first the first that the

The state of the s

The professor for the training of the contract of the contract

THE RESERVE THE PROPERTY OF THE PARTY OF THE

· · · butte White them in the second

Your obedient servant.

a react the order to be seen the expense year than the

The same in the same of the same of the same

A. E. Ditalle

Inspector of Indian Agencies.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

Ottawa, Dec. 12, 1914. File 410,256.

Memorandum for Mr. Scott:-

I beg to submit the letter hereunder of the 5th instant from Mr. W. E. Ditchburn for your consideration. It appears to go very fully into the matter. I beg to recommend that a copy of the letter be forwarded to the Royal Commission and the Commission be informed that, in the opinion of the Department, it would appear advisable under the circumstances to have the tract of 107.5 acres confirmed as the reserve and that the Department make no claim to the remaining 22.5 acres.

Please

Market Ma

THE RESERVE TO STATE OF THE PARTY OF THE PAR

the same and the same of the s

V. Poray

ARTON AND AND AND AND AND

Chief Surveyor.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

410,256

Jen Journ

Madul 8.

Ottawa, Dec. 19, 1914.

Sir,

by registered mail File No. 410,256, containing correspondence relating to a strip of land situated at the Westerly side of the Cowichan Lake Indian Reserve. The strip is five chains in width and contains approximately 22.5 acres.

I would draw special attention to the report of Mr. Inspector W. E. Ditchburn and shall be obliged if the Royal Commission be good enough to advise whether, in its opinion, action should be taken to recover the tract of land in question.

Your obedient servant,

Pd. Amehean

Assistant Deputy and Secretary.

The Secretary,

Royal Commission on Indian Affairs, VICTORIA, B.C.

The American State of the State

Low Capy

### ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

TE, K.C., CHAIRMAN

ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY

P.O. Box 755

TEL. 1802

JAMES A. J. MUKENNA, LL.D.
S. CARMICHAEL, F. K.C.
JAMES P. SHAW, B.
DAY H. MACDOWALL
J. G. H. BERGERON, B.C.L., K.C. SECRETARY AND SOLICITO

DEPT. OF INDIAS BELMONT HOUSE

JAN 14 1915

VICTORIA, B.C.

SURVEY8

Jennery oth, 1915.

it boot of Inlian ..

FILE NO. 63°

474408

is terato it claim.

John Stron the ago burn our har a 45 cm ordered their eq. ( Marco a, Je art out of 1 to returned by we interpolycet to the way out

in his others with the order, i the old The to journey contents to a d.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

LENORANDUM FOR THE COLLISSION

Re. Letter of the Department of Indian Affairs dated the 19th December, 1914, (File 410256) re Covichan Lake I. R.

Commissioner O'Reilly's Minute of Decision of the 31st May.

1887, set aside a tract of land which he estimated to contain 175

acres as an Indian Reserve on the north above of Cowichan Lake, and his description thereof puts the said tract mainly within Section 5,

Renfrew District, and a portion in the section adjoining, upon the West.

According to a report to the then Superintendent-General of Indian Affairs by Mr. Commissioner O'Meilly on the let March, 1889, 197.5 acres, being the area shown by the Survey to be within said section 5, was secured by an arrangement effected with Mr. Charles Green, the independent purchased a tract inclusive of the said area, which he this sare go out he relinquished "for the resident Indians".

In a communication of the 5th December, 1888, addressed by Mr. O'Reill can Trutch Edg., Dominion Lands Commissioner of the E. & H. Pailwey, attention was directed to the fact that an application of one William Ameharton impidged, to the extent of some 20 acres, upon the Cowichan Lake 1. H. and "would degrive the Indians of a portion of the foliced and caltivated field", which portion is the portion extending logond soid Section 5 to the west.

In the papers before we there is no waterial further bearing append the alleged impigment or the protect of Mr. O'Reilly.

The necerve was skrveped by in landown in Green D.C.I.S., and low, and the line of Survey shows the necerve to consist of 150 scres and 187.5 scres being in Section 5, Lenfrew District, and 18.5 scres lying is sometably west thereof.

The Commission being in doubt as to the area of the Lessand of the desired as incaing thereenest to the Department of Indian Laffair, by letter dated the Asth July, 1975. In the letter in question, however, this et the anti-resident plane, between, of a second like 180 acres is noted to the afficial plane, beckerous, of a second like 180 acres is noted to the legands, he visit along the second second of this absence. I close to afficial plane.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Cary

the dotted line running through the Reserve being for the purpose of indicating the western line of the sail Section 5.

The Department in a reply, deted the 5th lugust, 1913, to this letter, informed the Commission Best the area of the said Leserve "inclusive of railway right-of-way and rook allowance, is 107.5 acres", taking the tarea, as it appears from the said letter, from the area described in the aforesaid report of Mr. Commissioner O'Reilly, which did not deal with or purport to deal with the entire meserve but only with that mortion thereof, viz. 107,5 acres, which was covered by the Charles Green purchase and which was relinquished for kenerve purposes,

La my orinion the question submitted in the Department's lotter of the 19th ultime. Viv. as to the ther in the Commission's orinion action should be taken to recover the 20.5 acres, is not one which this Commission may properly account. The Commission confirmed a Reserve at Cownesson have of an area of 197.5 cases, that being the arm should by the Department in forming the will present the being the only land in the thought set of making allemated, and in the judgment of the Commission continuous allemated, and in the judgment of the Commission continuous and area.

At a party to that the constitut solution to the Countest on to the the constant of the the constitute of the constitute of the constitute.

Low C

### ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

NATHANIEL W. WHITE, K.C., CHAIRMAN JAMES A. J. ! S. CARMICHA JAMES P. S. DAY H. MACDOWALL J. G. H. BERGERON, B.C.L., K.C., SECRETARY AND SOLICITOR

PLEASE REFER TO FILE NO.....



ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY

TEL. 1302

BELMONT HOUSE

VICTORIA, B.C.

January 6th, 1915

Duncen C. Scott Esq.,
Deputy Superintendent-General of I. A.,
O t b. a w a , C a n a d a

Dear Mr Scott:

with phelosure of a renormalize of mine re Covicher Letter of this date feel that I should make it clear to get that this are or due by presses up original as to the course which this are or due by presses up original as to the course which the Consisting as a Commission, should then in the metter. Americation of the reperson that have come before as and up consideration of the art of pression person the guardies of the ladiens should not continue to consider in that appears to be, so for as the meterial before as discloses, a planing example of the a requisition of a portion of a ladien resorve by the La visual a facing and a lating resorve by the La visual a facing and a lating course.

had on where the sind of the the of the Consideral that the Consideral that the Consideral that the Consideral that the Consideral Take Logeryo was to extend sestionly beyond the boundary of Section 5, Denfrey Sistrict; and the survey subsequently under, in including a thin the section 12.5 sense to the west of the said Section, Dent west of the Section 3 to the west of the said Section, hero well of our and.

I description for the first the Improved a collection for description residence, doubtless incovered to the confidence of description residence for the weather of academy of description of the descriptio Commi, CTOB.

int that there the set in a force of the set of the set in a force of the set of the set in a force of the set of the set

I am not sufficiently informed to express an oping to as to the advisability of total action. The vist to the restinct of the land. The title has person to the remained was attracted for a long time, it is a serious mathem to proceed to upper set it. I an attractly of the view, however, that the Company of the should be called myon to reinburse the Dominion, or tract a of the latters, for the said person of the land and the injection of the land of life and the land of the land of the land of the land.

Tring 1. Windley

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

410,256

2 minister

Ottawa, Jan. 15, 1915.

Sir,

With reference to your letter of June 25, last, and previous correspondence, I beg to inform you that the Department has had an investigation and report made on the question of the \$2.50 acres which are claimed to have formed a part of the Cowichan Lake Indian Reserve.

The facts appear to be that Mr. P. O'Reilly, Indian Reserve Commissioner, set apart this reserve, to contain 130 acres, consisting of 107.50 acres, which was purchased from the owner, Mr. C. Green, and the remaining 22.50 acres now in question, which formed a part of Section 27, and was included in a pre-emption by Mr. Swenarton.

There were Indian improvements of some value on the said 22.50 acres and Mr. O'Reilly protested against this tract being included in the pre-emption. Mr. Swenarton recognized the Indian claim and consequently abandoned this portion of his pre-emption. It appears that the Esquimalt and Nanaimo Railway were in error in assuming control of this land.

As title has passed from the company the Department is not disposed to ask legal advice towards taking action to resume the land but it is considered that the Railway Company should re-imburse the Department for the Indians

R. Marpole, Esq.,
Vice President,
Esquimalt and Nanaimo Railway Co.,
VANCOUVER, B.C.

8.10

gril,

dar Capy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

Indians the value of their improvement. The Department has been advised that the Esquimalt and Nanaimo Railway Company should pay \$150.00 for the amount of improvement done on this piece of land by the Indians, which includes four apple trees, in good condition at the present time. I have to demand payment of the said sum and to state that if it is paid forthwith no further action will be taken by the Department in connection with the piece of land in dispute.

Your obedient servant,

Assistant Deputy and Secretary.

Son Co

ESQUIMALT AND NANAIMO RAILWAY CO.

L'AND DEPARTMENT

H. SOLLY, LAND AGENT

Bank collet ... must be allowed for on all cheques, except on Victoria, Vancouver and New Westminster.

Rates—ith of 1% on Frisco, Seattle, Tacoma and Portland Cheques.

Aths of 1% on Bellingham, Nanaimo, Ladysmith and Cumberland.

20 cents on \$100 and under.

3

J. D. McLean, Esq.

Asst. Deputy & Secretary

VICTORIA. B. C. Feb. 1st., 1915:

PLEASE REPER TO PILE NO.1488

J. D. McLean, Esq.,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Canada;

DEPT. OF INDIAN AFFAIRS

FER 13 1915

SURVEYS

Sir:-

I have the honor to enclose cheque, \$150.00, payable to the Department, in accordance with the suggestion contained in your letter of the 15th. ultime to the Vice-President, copy of which I have on file.

Kindly sign and return vouchers in duplicate.

I have the honor to be, Sir,

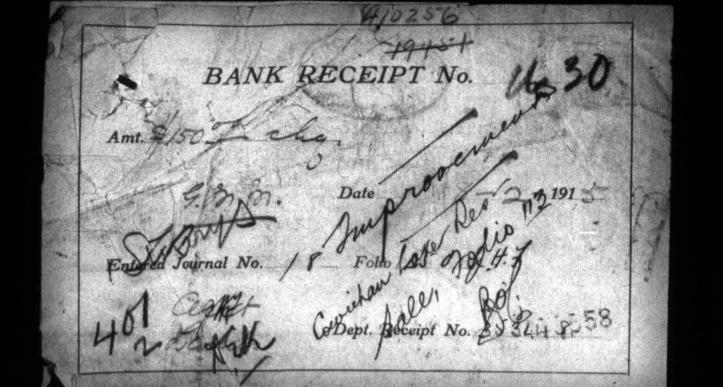
Your obedient servant.

Land Agent:

PLEASE REFER TO NOTE AT TOP OF THIS PAGE

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Dan Capy



Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Law Capy

CANADIAN NATIONAL RAILWAYS Land Surveys Department. Varcouver, B. C., September 18, 1 9 3 1. Secretary, Department of Indian Affairs. BEPT. OF INDIAN AFFAIR Ottawa. Ontario. Dear Sir. I am sending you, under separate registered cover, for deposit in your office, a certified tracing of Registered Plan Number 228 R. w. showing Right of way of the Camadian Northern Pacific Railway

Company through the Cowichan Indian Reserve, Cowichan Lake District, Vancouver Island, B. C.

Our records show that on January 4th, 1913, voucher Number 7702 was issued in favour of your Department for the sum of \$2,273.30 in full settlement for this Right of way.

Yours truly.

LAND SURVEYOR.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

EX'D.

Ottawa, 26th September 1931

Sir, -

I have your letter of the 10th instant and accompanying plan on tracing lines of the right of way of the Canadian Northern Pacific Railway through Cowichan Lake Indian reserve. The plan has been recorded in this Department under number RR 1203B. It is noted that the title states "Cowichan Indian reserve" instead of Cowichan Lake Indian reserve.

Enclosed is a copy of the description proposed to be used in the patent. If approved by officials, please ret rn for insertion, if not kindly submit the description you prefer.

Yo r obedient servant,

New That

(T.E.L.MacInnes)
Acting Secretary

G.M.Christie Esq., B.C.L.S.
Land Surveys Department
Canadian National Railways
Vancouver, B.C.

KNOW

Low Cay

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

Ottawa, 26th. Se, tember 1931

· Description for patent'

Indian reserve in Cowichan Lake District, Province of British Columbia, ontaining by admess rement four screeps of thirty-four hundredt s of an acre, more or less, being composed of the right of way of the Connectan National Britishs, Canadian Northern Pacific British through the said regree, a shown coloured red on plan in the said right of way described in the Registry Office at Victoria, on the Columbia recorded in the curvey Branch of the Department of Indian Affairs at Ottawa under number RR 1203 B.

> 16 is date carry cons continued

Son Cap

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

22152-90 0 1 INDIAN AFF

CANADIAN NATIONAL RAILWAYS
LAND SURVEYS DEPARTMENT.



OCT 7 1931

SURVEY

VANCOUVER - B. C. 1st October - 1931.

Mr T. R. L. MacInnes,
Acting Secretary,
Department of Indian Affairs,
OTTAWA - Ont.

Dear Sir:-

File - C. 301 - 3.

Your File 22152-9 Cowichan Lake Indian Reserve.

I am in receipt of your letter of 26th ultime, and note that the plan sent you has been recorded under Number R. R. 1203 B.

Copy of description which accompanied your letter, and which I return herewith, will be satisfactory previding changes noted thereon are made.

Thanking you for your attention in this

Yours truly,

Asle (Att.) Polis

matter.

LAND SURVEYOR.

son Cap

4, 465 acs 500.00 40.80 Improvemb 42,273.30

4.34 ac. 50000

> 2,232,50 2,170.00 \$62.50

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA four Capy

50/1803 DEPARTMENT OF INDIAN AFFAIRS CANADA Ottawa.26th September 1931 Description for patent All that parcel of land situate in the Cowichan Lake Indian reserve in Cowichan Lake District, Province of British Columbia, containing by admeasurement four acres and thirty-four hundredths of an acre, more or less, being composed of the right Canadian Northern of way of the G Pacific Railway through the said reserve, as shown coloured red on plan of the said right of way deposited in the Registry Office at Victoria, on the th September 1931, under number 228 R.W., a copy of which is recorded in the Survey Branch of the Department of Indian Affairs at Ottawa under number RR 1203 B. Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1 PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

CANADIAN NATIONAL RAILWAYS LAND SURVEYS DEPARTMENT. 7 1931 VANCOUVER - B. C. 2nd Deer. - 1931 Department of Indian Affairs, OTTAWA - Ont. File C. 301 - 5. Dear Sir :-DEPT. OF INDIAN AFFAIRS I am preparing a plan showing the Right--- Way through the Skuts Indian Reserve in the Cowichan Lake District, Vancouver Island, situated between Let 46 and Block 4 A. SURVEYS Befere registering this plan in the Land Registry Office, I shall be glad to have you confirm the above as being the full and correct name of this Reserve. That has & Counter Rich Sports Carryon 18 ar shub carryon and 18 ar shub carryon and will bank at shub carryon Yours truly, LAND SURVEYOR. Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1) PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

WA H.

Ottawa, 10th December 1931

Sir,-

Your ref.No.C.301-5

Your letter of the 2nd instant appears to refer to Skutz Indian reserve No.8, containing 40 acres, which is situate at the head of Skutz Canyon. The Cowichan River flows through the reserve.

Your obedient servant,

74

0

(T.R.L.MacInnes)
For Secretary

G.M.Christie Esq.,
Land Surveyor,
Canadian National Railways,
Vancouver, B.C.

Muar

CANADIAN NATIONAL RAILWAYS SURVEYS DEPARTMENT. VANCOUVER - B. C. 1st February - 1932. The Secretary, Department of Indian Affairs, OTTAWA - Ont. File - C. 301 • Dear Sir:-Your File - 22152 - 9 CN. I am enclosing herewith, for deposit in your office, a certified tracing of registered plan Ne. 231 R.W., showing Right-of-Way of the Canadian NePthern Pacific Railway Company in the Skutz Indian Reserve No. 8. Our regards show that your Department has already been paid the sum of \$423.00 in compensation for the area taken, although a grant has not been issued thereto. Yours truly, G.M.CHRISTIE LAND SURVEYOR. (Encl.) Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1) PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

22152-96.1 TELEPHONE SEY. 8420 CANADIAN NATIONAL RAILWAYS WESTERN REGION LEGAL DEPARTMENT

G. M. HAIR. ROBERT WETMURE HANNINGTON A. R. MACLEOD SOLICITOR, VANCOUVER, B.C.

OUR FILE NO. 1-22-473

VANCOUVER, B.C., CANADA

Bebruary 3rd.1932.

DEPT. OF INDIAN AFFAIRS

r-3 10

The Secretary, Department of Indian Affairs, FEB OTTAWA.

Dear Sir:

SURVEYS

Re Railway right of way through Skutz Indian Reserve No. 8

I beg to apply for a grant from the Crown in right of the Dominion to Canadian Northern Pacific Railway Company of all that parcel of land situate in the above mentioned Indian Reserve and shown as Railway right of way on the plan deposited in the Land Registry Office at Victoria and number 23/RW.

I am advised by Mr. G.M. Christie, our Land Surveyor, that he forwarded you on 1st instant a certified tracing of this plan.

Yours truly.

Solio Hor.

ARM/E?

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

0

Ottawa, 10th February 1932

Sir,-

Your ref.No.1-22-473

I have your letter of the 3rd instant and accompanying plan of right of way of the Canadian Northern Pacific Railway Company through Skutz Indian reserve No.8. The plan has been recorded in this Department under No.1202-B.

In January 1913 your Company forwarded \$423.00 for 2.82 acres at \$150.00 per scre, in accordance with plan them filed, recorded here under No.1202-A. It is noted your new plan shows the area to be 3.07 acres. There is therefore a balance due of \$37.50. Upon receipt of this sum, patent will be requested.

Your obedient servant,

(July)

A.R.MacLeod Esq.,
Legal Department
Canadian National Hailways
V ncouver, B.C.

(A.F.MacKenzie) Secretary



- Delle

EX'D.

Ottawa, 10th February 1932

Sir, -

Your ref.No.C-301-5

I have your letter of the 1st instant and accompanying plan of right of way of the Canadian Northern Pacific Railway Company through Skutz Indian reserve No.8. The plan has been recorded under number 1202-B, replacing plan 1202-A. It is noted the area is 3.07 scree, instead of 2.82 acres, as shown on the former plan.

MAN Shristi

J. Frank

(A.F. MacKenzie)
Beoretary

G.M.Christie Esq.,

Land Surveyor, Canadian National Railways Voncouver, B.C.

1.1.1.1.

Son Cy

# CANADIAN NATIONAL RAILWAYS Right of Way Department.

Vancouver, B. C., June 6, 1932.

- 840 -

The Secretary,
Department of Indian Affairs,
O t t a w a Ontario.

Dear Sir.

Your file 22152-9 CN

With reference to your letter of February 10th last, addressed to Mr. A. R. MacLeod, of our Legal Department here, in connection with the right of way of the Canadian Northern Pacific Railway Company, through Skutz Indian Reserve Number 8, plan of which is recorded in your Department under Number 1202-B.

I now enclose cheque Number A. 39538 and voucher 903 in favor of the Department of Indian Affairs, for \$37.50, covering the balance due for greater area shown on the new plan. Kindly receipt and return the voucher to me as soon as possible is same is required for our records. I presume patent will now issue in due course.

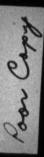
Yours truly.

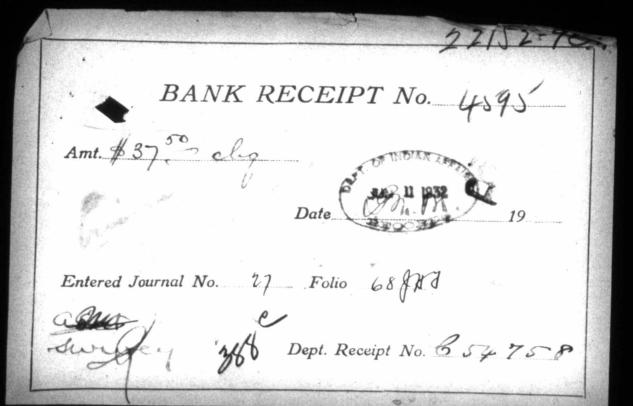
J. L. Macfadden,

District Right of Way Agent.

Encs.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)





Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



- A

DEPARTMENT OF INDIAN AFFAIRS
CANADA

Ottawa, 15th June 1932
Description for patent

All that parcel of land situate in the Skutz Indian reserve number Eight, in the Cowichan Lake District, Province of British Columbia and Dominion of Canada, containing by admeasurement three acres and seven-hundredths of an acre, more or less, and being composed of the right of way of the Canadian Northern Pacific Railway through the said reserve, as shown coloured red on plan of the said right of way deposited in the Land Registry Office at Victoria under number 231 RW, copy of which is recorded in the Surveys Branch of the Department of Indian Affairs under number 1202B.

M

Sources 222 222

Son Co

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

7.22.1522 Respungthru Skit Res. 16.8-\$150.00 = 460.50 3.07 acres 11 Jan. 1913 - the C. n. P. Ry Coy
Pd \$423.00 for 2.82 aco. 423.00 bjune 19 2 2 - the lay fa -37.50 \$460.50 Fall 3 lio 3 Ref 22375

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

Day Message
Day Letter
Night Message
Night Letter
If none of appearing twenty of worth appearing the check.

# CANADIAN NATIONAL TELEGRAM

HEAD OFFICE, TORONTO, ONT.

W. G. BARBER, General Manager

Exclusive Connection
with
WESTERN UNION
TELEGRAPH CO.
Cable Service
to all the World
Money Transferred
by Telegraph

STANDARD TIME

A22 69 NL COME QUOTATIONS

VICTORIA BC 16

THE SECY MENT OF INDIAN AFFAIRS

OTTAWA ONT

RETEL PAFTEENTH SPUR COWICHANLAKE RESERVE (STOP) RAILWAY BOARD

ORDER FOUR SIX FOUR TWO EIGHT MARCH NINETEEN THIRTY ONE PERMITS

SPUR COWICHAN RESERVE SHOULD BE COWICHANLAKE RESERVE (STOP)

SOLICITOR CANADIAN NATIONAL RAILWAY VANCOUVER ASKS URGENTLY IF APPROVAL

GIVEN BY LATE COMMISSIONER REFERENCE LEASE TWO ONE EIGHT STANDS (STOP)

SPUR NOW TO BE BUILT NO RECORD APPROVAL ON FILE (STOP) MAY

COMPANY BUILD SPUR UNDER CONDITIONS LEASE

C C PERRY.

FORM 614

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1





with
WESTERN UNION
TELEGRAPH CO.

# NIGHT LETTER

CANADIAN NATIONAL

TELEGRAPHS

W. G. BARBER, GENERAL MANAGER

Form 6107, replacing Form N.L. 2-T.W.

Cable Service to all the World

Money Transferred by Telegraph

RECEIVER'S NO

TIME FILED

HEAD OFFICE, TORONTO, ONT.

CHECK

EX

Send the following Night Letter, subject to the terms on back hereof, which are hereby agreed to

1

Chas.C.Perry Esq.
Asst.Indian Commissioner
Victoria, B.C.

F.30152-8

Ottawa. Feb.15th.1934.

Reference your telegram fourteenth Tractor Logging
Company have registered so plan of spur with the Department
in connection with their timber license operations on
Cowiohan Lake Reserve.STOP. If they are operating a logging
railway on this reserve it is not in connection with
reserve timber and should be investigated.

Chg.D.I.A.

A.F. MacKenzie.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



THE SENDER of this message is awaiting your reply. Will you help us give him SERVICE by answering at the earliest moment?

PHONE

for QUICK service. NATIONAL TELEGRAPHS

HEAD OFFICE, TORONTO, ONT.



W. G. BARBER, General Manager

**Exclusive Connection** with WESTERN UNION TELEGRAPH CO. Cable Service to all the World Money Transferred by Telegraph

STANDARD TIME

455

FEB 15 1934

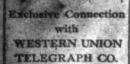
DEPT INDIAN AFFAIRS OTTAWA ONT

REFERENCE LETTER THREE NOUGHT ONE FIVE TWO DASH EIGHT JANUARY TWENTIETH NINETEEN THERTY ONE (STOP) WAS DEPARTMENT RECORD OF APPROVAL OF PLAN OF SPUR SUBMITTED TO LATE COMMISSIONER BITCHBURN BY TRACTOR LOGGING COMPANY OR J F CAMERON CONNECTED WITH TIMBER LEASE NUMBER TWO ONE EIGHT COWIGHAN AGENCY (STOP) PLEASE WIRE REPLY

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1

NIGHT LETTER

Form 6107, replacing Form N.L. 2-T.W.



CANADIAN NATIONAL

# TELEGRAPHS

HEAD OFFIGE, TORONTO, ONT.

W & BARRER CENERAL MANAGE

Cable Service to all the World

Money Transferred by Telegraph

SECRIVER'S NO.

TIME FILED

BA M.

Send the following Night Letter, subject to the terms on back hereof, which are hereby agreed to

F.22152.08

Ottawa, Feb. 17th . 1934.

Chas.C.Perry Esq.
Asst.Indian Commissioner
Victoria, B.C.

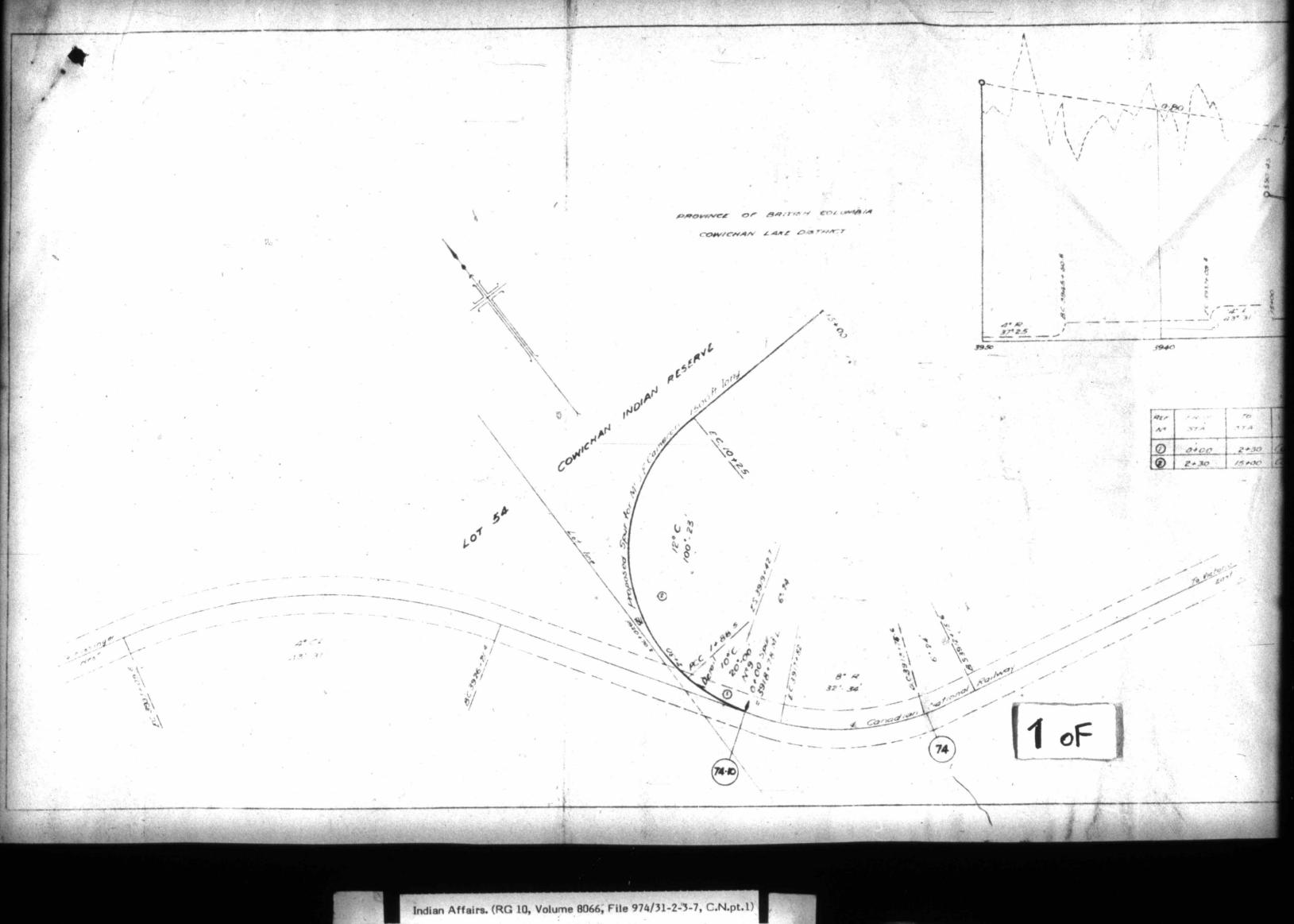
Reserve STOP. No record here of any approval having been given by late commissioner Ditchburn.STOP.Provisions of timber license allow Tractor Logging Company to construct logging railway on reserve for transfort of reserve timber only.

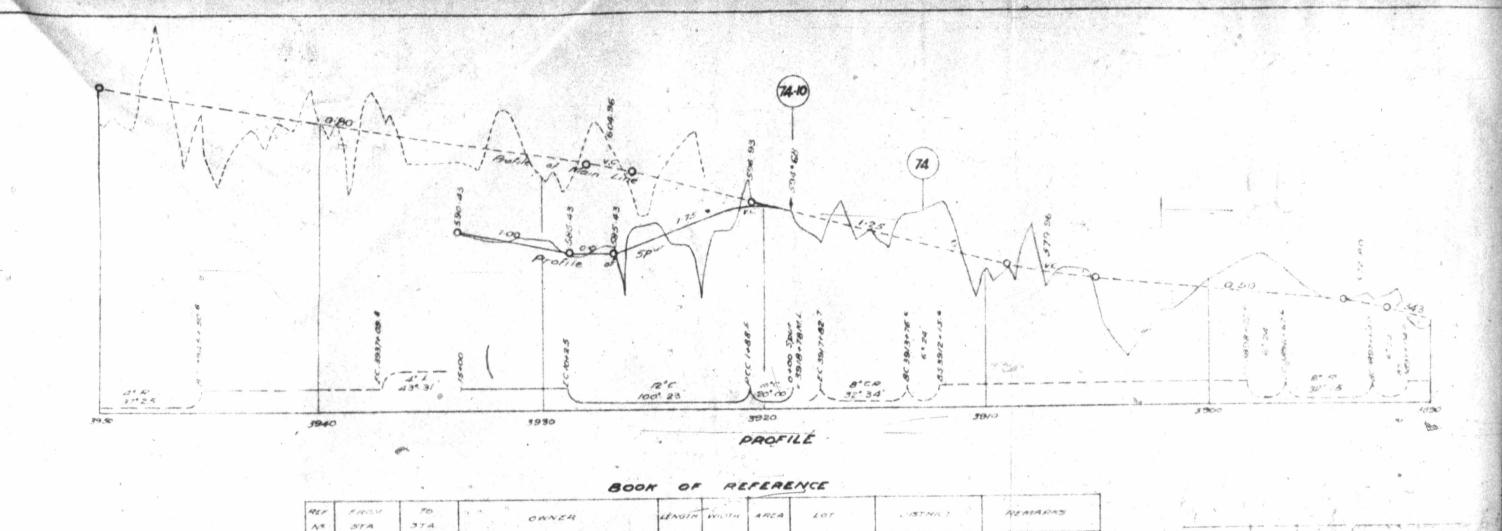
MAN DALA.

Secretary.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)







CANADIAN NATIONAL RAILWAYS

Canadian Northern Pacific Railway

WESTERN REGION BRITISH COLUMBIA DISTRICT

WANCOUVER ISLAND

MILE 74.10 & CONICHAN SUBDIVISION

ndion Reserve

PLAN, PROFILE & BOOK OF REFERENCE OF PROPOSED SPUR FOR ME J. F. CAMERON THROUGH COWICHAN INDIAN RESERVE

VICTORIA BE JAN. 88 1931

PLAN SCALE - 1 in = 200 ft.

PROFILE SCALES (HOR: 110 = 400 ft

General Manager

Congidian Northern Pocific Rly

Chief Engineer

Mamerian

2 OF 2

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)



## THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA

TUESDAY, THE 17TH DAY OF MARCH A.D. 1981.

S.J. MCLEAN,
Asst. Chief Commissioner,
HON. T.G. NORRIS,
Commissioner,
J.A. STONEMAN,
Commissioner.

IN THE MATTER of the application of the Canadian Northern Pacific Railway Company, here-inafter called the "Applicant Company", under Sections 181 and 182 of the Railway Act, for authority to construct, maintain, and operate a branch line to serve J.F. Cameron, through Cowichan Indian Reserve, mileage 74.10 Cowichan Subdivision, in the Province of British Columbia, as shown on the plan and profile and described in the book of reference combined, dated Victoria January 8th, 1931 -- deposited in the office of the Registrar at Victoria, March 4th, 1931, as No. 1187-08--on file with the Board under file No. 28543.58:

UPON the report and recommendation of the Assistant Chief Engineer of the Board, and the consents of the said J.F. Cameron and of the Indian Commissioner for British Columbia, filed, publication of notice of the application being hereby dispensed with -

THE BOARD ORDERS that the Applicant Company be, and it is hereby, authorized to construct, maintain, and operate a spur to serve J.F. Cameron, through Cowichan Indian Reserve, mileage 74.10 Cowichan Subdivision, in the Province of British Columbia, as shown on the said plan and profile and described in the book of reference combined on file with the Board under file No. 28543.58: the proposed spur to be constructed and completed within six months from the date of this Order.

BOARD OF RAILWAY COMMISSIONERS
FOR CAN ADA

Examined and certified as a true copy under Section 23 of "The Railway Act", A.D. Cartwright, Sec'y of Board of Railway Commissioners for Canada. Ottawa, Mar. 18, 1931.

(Sgd) S.J. McLean, Assistant Chief Commissioner, Board of Railway Commissioners for Canada. Dear Sir: -

I beg to adknowledge receipt of your letter dated February 19th, with enclosures with further reference to the J.F. Cameron spur at Mile 74.10 in the Cowichen sub-division.

In reply thereto I beg to say I have today forwarded to the Department at Ottawa a copy of your letter as I regret I am not in a position to add to what the Department has already advised in connection with the spur which apparently is intended to serve the Treator Logging Company in connection with its lease No. 218 in the Cowichan Lake Indian Reserve, Cowichan Agency.

It would seem desirable that the Order No. 46428 of the Board of Railway Commissioners for Canada should, with the concurrence of the Tractor Logging Company and Mr. J.F. Cameron, be smended so as to inchude the correct name of the reserve which is the Cowichen Lake Indian Reserve and not the Cowichen Reserve, and the name J.F. Cameron as the "Applicant Company" changed to the Tractor Logging Company.

I am sure it is not the wish of the Department to obstruct in any way the successful operation of the Tractor Logging Company in removing the timber from the Indian Reserve, nor in the building of a logging railway for this purpose in accordance with the Department's wire to me of February 17th. There is no record in the Department nor in this office of the approval given by the late Commissioner Ditamburn to the plan of the spur railway covered by the Order No. 46428 above referred to apart from the print which you kindly submitted with your letter of the 17th instant, which print I have forwarded to the Department with a copy of the Order of the Railway Board.

It will be obvious to you that it would be contrary to established procedure for this Department to lease a reserve to one firm and then consent to the construction of a railway spur for another person in the same area without the formal acquiescence of the Company holding the lease even though it may be understood that Mr. J.F. Cameron, in whose name the spur has been authorized by the Railway Board, signed for the Tractor Logging Company when putting in the Company's bid for the reserve timber. It will also be apparent that this Department could not hold the Tractor Logging Company nor its security for the performance of any obligation which Mr. Cameron might reasonably be expected to observe should occasion arise

R.W. Hannington, Esq.,
Asst. Counsel, Western Region,
Canadian National Railways,
Vancouver, B. C.

in.....

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-% C.N.pt.1)

in this connection nor could we held Mr. Cameron responsible for carrying out the commitment of the Tractor Logging Company should necessity arise. It is customary for the Department to held its registered lessess wholly responsible for the proper carrying out of the terms of their leases and in this instance it is considered that if Mr. Cameron can be induced to transfer any interest which he may have in the spur in question to our lessees, the Tractor Logging Company, there should be no delay such as referred to in your letter in the construction of a railway spur for the removal of the reserve timber as approved by the Department's wire of the 17th instant.

P/KD.

Your obedient servent,

Chas. C. Perry.
Asst. Indian Commissioner for B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

1-67-75

Feb. 19, 1934.

Mr. J. F. Cameron, and Tractor Logging Company, 1304 Broad St., Victoria, B. C.

Dear Sir:

#### Re Spur Mile 74.10 Cowichan Subd.

Herewith copy of my letter of today to Mr.

C. C. Perry, Assistant Indian Commissioner, Victoria, which
refers to difficulties raised by his Department concerning
our application for confirmation of the Indian Commissioner's
original approval of this spur plan.

Nothing further can be done by us towards installation of the spur until this confirmation is obtained. Accordingly, it is urgently necessary for you to call upon Mr. Perry at once. I am very hopeful that upon your leaving with him the suggested statement that you are merely agent for the Tractor Logging Company, the cifficulty will be overcome and the necessary confirmation of the original approval given us without further delay.

Yours faithfully.

RWH/ EB

Encl.

R. W. Hannington, Asst. Counsel, Western Region.

Asst. Indian Commissioner, Victoria, B.C.

> Mr. J. R. Black. Mr. S. Morrison. Mr. B. T. Chappell.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

CANADIAN NATIONAL RAILWAYS
WESTERN REGION
LEGAL DEPARTMENT

OUR FILE NO
ASST WAS COUNSEL VANCOUVER, B.C.
VANCOUVER, B.C.

VANCOUVER, B.C.

VANCOUVER, B.C.

OUR FILE NO 1-67-75

FEB 19 1934

VANCOUVER, B.C. Peb. 19, 1984.

YOUR FILE NO 1-67-75

VANCOUVER, B.C. Peb. 19, 1984.

C. C. Perry, Esq., Asst. Indian Commissioner, Victoria, F. C.

Dear Sir:

Re J.F. Cameron Spur Mile 74.10, Cowighan Subdivision.

I have your letter of 17th inst. and telegram of today reading as follows:

"Department advises provisions of timber license allow Tractor Logging Company to construct logging railway on Cowichan Lake Indian Reserve for transport of reserve timber only."

Am I to infer from your telegram that your Department will not confirm the Indian Commissioner's original approval of the spur plan because it was a spur to be constructed for J.F.Cameron, whereas the timber license on the reserve was issued to Tractor Logging Company?

It is perhaps unfortunate that the application for the spur was made in the name of J.F.Cameron, although (unknown to us) the timber limit was in the name of Tractor Logging Go. and the corresponding spur plan and spur agreement were accordingly completed in the name of Mr. Cameron. However, on examining our General Superintendent's file it appears to be quite clear that Mr. Cameron was really acting as Agent for Tractor Logging Co.; for example, I find that our account for the licensee's share of the expense of installation was paid by a cheque of the Tractor Logging Co., and that subsequently a request for delay in the installation was signed "Tractor Logging Company per J.F.Cameron".

We are being urged to complete this installation immediately, and apparently some work has already been done by us towards that end, but the time limit by the Railway Board for completion has expired and an extension of time applied for to the Board; hence (I presume) the enquiry as to whether your Department's approval of the spur plan is confirmed before the extension order is made.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

Timber License is the spur agreemen Manager of that Comaterial to warra a confirmation of plan. Failing sumative except for

Under these circumstances the fact that the Timber License is in the name of Tractor Logging Co. whereas the spur agreement and plan are in the name of the Agent and Manager of that Company, strikes me as not being sufficiently material to warrant any refusal or delay in connection with a confirmation of your Department's original approval of the plan. Failing such confirmation, there seems to be no alternative except for us to cancel the existing spur agreement and plan and take a new spur agreement from Tractor Logging Co. based upon a new plan in the name of that company, which of course would also involve a new substantive application to the Railway Board for approval of the installation for the fractor Logging Co., re-registration of the plan, etc., all of which would mean much delay to the Logging Company and the loss of revenue to them, to say nothing of the expense, delay and loss of revenue to the Railway Company.

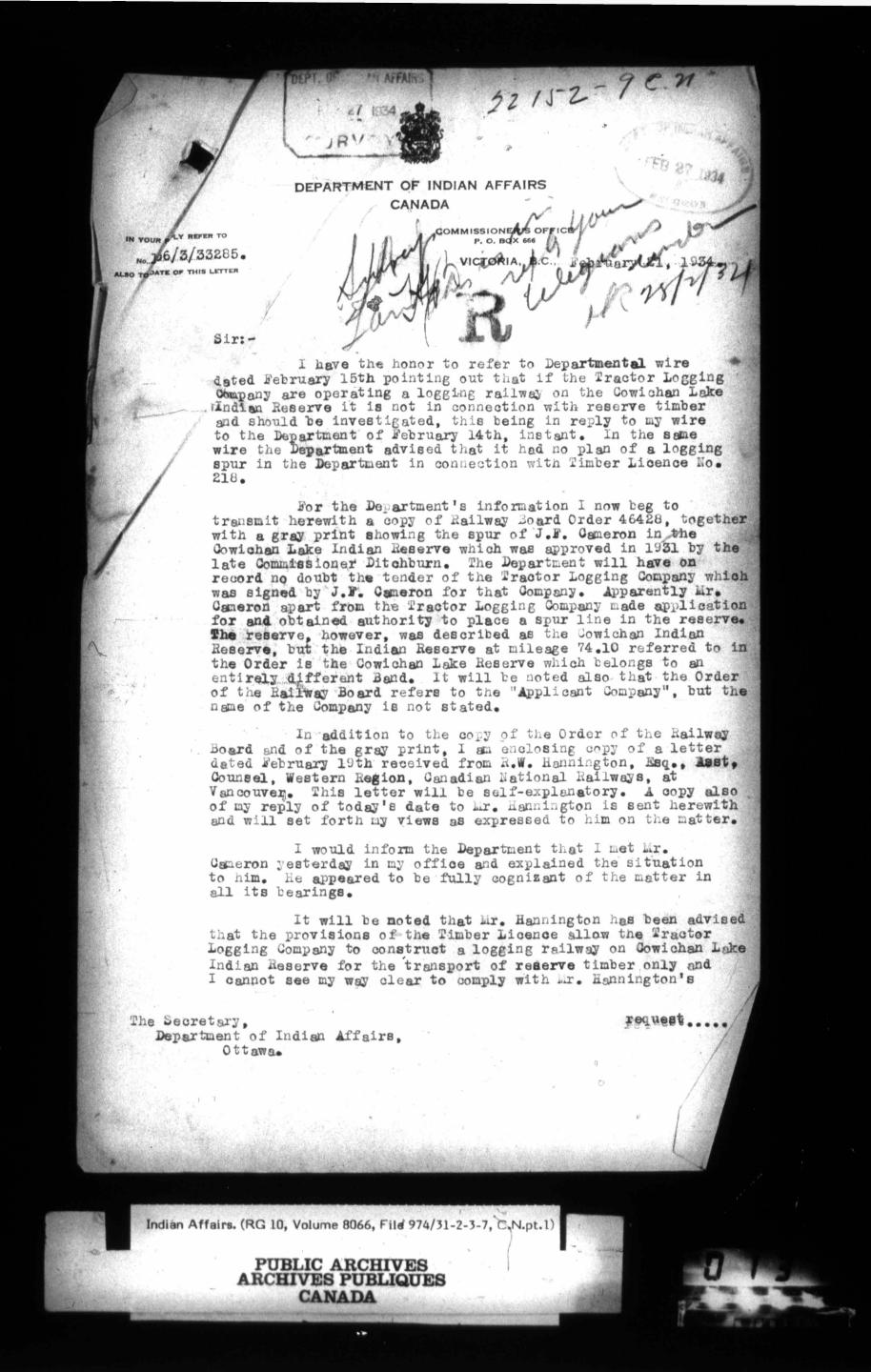
I am sending a copy of this letter to J. F. Comeron. 1504 Bread St., Victoria, and am asking him to file with you a statement signed by both the Tractor Legging Co. and himself declaring that he is merely an Agent for the Tractor Logging Co. in connection with this spur, and the operation thereof. When this is done, I trust that you will be in a position to wire me confirming Mr. Ditchburn's original approval of the spur plan so that the installation may be completed and operations commenced as soon as we can obtain the necessary extension order from the Railway Board.

Yours faithfully,

RWH/ EB

R. W. Hannington,

Asst. Counsel, Western Region.



request to advise him that the Order authorizing a spur in the name of Mr. Cameron, the plan of which was signed by Mr. Ditchburn, still holds good without involving the Department in possible difficulty should any issue arise in the future in connection with the leasehold of the Tractor Logging Company. I think you should insist upon the correct name of the Company being attached to all papers in connection with this transaction especially where the Tractor Logging Company is committed in any way to the Department or the Indians by virtue of the lease.

Your obedient servant,

P/KD.

Enclosures: -

Chas. C. Perry,
Asst. Indian Commissioner for B.C.

Indian Affairs. (RG 10, Volume 8066, Fife 974/31-2-3-7, C.N.pt.1)

Ottawa. arch 1st.1934.

Sir:-

I beg to acknowledge posipt of your letter of the 21st.ult.No.136/3/3325 regarding the construction of a spur line on the wichan Lake Reserve

and wish to emphasise the following oints.
In the first place the Tractor ogging Co.who are our timber licensees on the said Reserve re the only people she have a right to construct a road f any kind, either

she have a right to construct a read of any kind, either for hauling logs by tractor or by stem power on rails, as their license permits them to do so, bt solely for the purpose of transporting timber cut on the reserve.

If J.F. Cameron has applied to the Railway Board for permission to construct a railroad st. Time on this reserve, and the Board has apparently granted sch permission it is without our knowledge, although the lat Commissioner Ditchburn appears to have given his approval, -doubtless for the reason that he deemed that Mr. Camenn was only the agent for the Tractor Logging Co., who, as I have previously stated, have a right to construct any kind of read they please, on the reserve during the time they are sur timber licensees in good standing.

in good standing.

The attitude the Department takes in the matter, is that the construction of a railroad spur or the reserve by Mr.J.F. Cameron is unautherised, whereas the construction of the said spur line by the Tractor Logging Co.com be undertaken without special authorisation from the Department.
Mr.J.F.Cameron and the Tractor Logging Co.com doubtless

be left to straighten out the matter without further

intervention on our part.

Chas . C. Perry Esq. Asst . Indian Commissioner Victoria, B.C.

Yours very truly,

Secretary.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-3-7, C.N.pt.1)

## Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

974/31-2-11-0 E AND N		COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE ESQUIMALT RESERVE D FOR THE ESQUIMALT AND NANAIMO RAILWAY.	1904-1905
974/31-2-23-1 E AND N	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SONGHEES RESERVE 1 FOR THE ESQUIMALT AND NANAIMO RAILWAY (SONGHEES BAND).	1923
974/31-2-32-3 C.N.P.		WEST COAST AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE WACHIS RESERVE 3 FOR THE CANADIAN NORTHERN PACIFIC RAILWAY. (PLANS). (SHESHAHT BAND).	1912-1929
974/31-3-3-1	1	CHARGED OUT 1974.	
974/31-3-15-1-1	1	COWICHAN AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE NANAIMO TOWN RESERVE 1 FOR A POWERLINE FOR THE NAMAIMO DUNCAN UTILITIES COMPANY.	1938-1939

FILE NO. 252 / 31-2-11-0 E & N

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION INDIAN AFFAIRS BRANCH

SUBJECT

**∞**8

RIGHTS OF WAY
ESQUIMALT & NANAIMO RAILWAY
SOUTH ISLAND DISTRICT

VOLUME

		REFERENCE	DISPOSAL				
Rasserand To	Ву	Ranasa	DATE	PA OR BF	BY	DATE	Fos Recomps Un
26	15	Reg	27-10-69	Pa	RG	9-11-64	4
R6		Rig.	yhohi	P.A	DLT 4-1-1	11.172	12/1/24
		O many many many many many many many many		-			
			19				Total every and a second
				e de		1000	
			A-4-14 - 15 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -				
					1940.		
						20,000	
p. 15							
				Kirin mayanda Tarah		1	
			Table and the design of the				465
			entire.		\( \)		
				100			
						941	
				6. 董			
					35 A.	1000	•
							2
						~~	
						1	
				1			
				(	ノ		
	1		003			***	- Parismon
						Sec. 1	

DO NOT WRITE BELOW THIS LINE

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

28/52

Department of Indian Affairs

Goldin

Rollways

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

Bo. 19451/2.

Mama.

Department of Indian Affairs, Ottawa, 28th December, 1904.

The Accountantam

was made by the Esquimalt and Nanaimo Railway Company for its Right of way, or other land taken for railway purposes, through the Esquimalt Indian Reserve, B.C.

we will have the will have the

chief Surveyor

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

12/1

Ottawa, 29th December, 1904.

Sir .-

The Esquimalt and Nanaimo Railway passes through the Esquimalt Indian Reserve, and appears also to have constructed a spur line from its main line to a wharf on the shore in the Reserve. The said Company at first intended to make their terminus on this Reserve, and with this end in view, negotiations were begun by the Company to endeavour to purchase the whole or a large part of the Reserve.

The Railway Company changed its intention and produced its line Easterly to Victoria through the Song hees Indian Reserve. In the long correspondence and negotiations relating to the land required by the Railway in the said Songhee's Reserve, the Right of Tay of the Railway through the Esquimalt Reserve appears to have been overlooked and forgotten. The lands on the Esquimalt Reserve taken by the Railway Company have not, it appears, been paid for and neither has the Department been furnished with a plan showing the said lands.

I have to request you to be good enough to communicate with the proper officer of the Railway do: on this matter. The Company should immediately for

. A.W. Vowell, Esq.,

Indian Superintendent,

Victoria. 3.G.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Dan Capy

and they should at once pay for the same. I shall feel obliged if you will axam arrange with the Company the sum that should be paid, subject, of course, to the final approval of the Department. The valuation should be based on the value of the land at the time the Railway Company took possession to which six per cent per annum should be added up to the 7th July, 1900, and from that date to the present five per cent should be added, (the legal rate of interest was changed on the said date.)

Your obedient servant,

C. MULLAN

Secretary.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

allest som have



19451. 2 269379



Indian Office Victoria B.C.

P-4-

Jany. 5th 1905.

S19:-

I have the honor to acknowledge the receipt of your letter of the 29th ultime No.19451/2 in reference to the Right of Way for the Esquimelt and Nansimo Railway through the Esquimalt Indian Reserve.

Upon inquiry I find that the proper person to address on the subject is the Honourable James Dunsmuir. President of the E.& N. Railway and the matter shall be attended to without delay.

Your obedient servant,

Supt. of Indian Affairs B.C.

The Secretary,

**设施线 多级成功** 

Dept. of Indian Affairs, Ottawa, Ont.



19<sup>4</sup>5 270322



Indian Office Victoria B.C.

P-4. 72

Jany.25th 1905.

Sir;-

In further connection with your letter of 29th ult., No.19451/2, and to my interim reply thereto of 5th inst., No.447, P-4, I have the honor to report that I personally called upon Mr. James Dunsmuir on the 4th instant and at his request wrote to him on the subject asking him to be good enough to furnish the plans and in other respects comply with the request contained in your letter.

the second of th

On the 7th instant I received a letter from the Honourable James Dunsmuir acknowledging the receipt of my letter and stating that the matter would receive all due attention. Since then I have heard nothing from him but intend again writing to him should nothing be done towards the desired end during this week.

Wilde

Your obedient servant,

Supt. of Indian Affairs B.C.

The Secretary,

Dept.of Indian Affairs, Ottawa, Ont.



dan Capy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0,



Indian Office Victoria BC 270756 January 31 2/ 190

dear Sir En

Louching the Esquimalt Right of way, I have kept the matter before me Dunamine and expect in The near fulure plans and also his views as to the payment of the tand expropriated for Night of Way,

Legal HALL well

Frank Pidler Sta

friend Arthur a

07 1 to 100

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0,

on Capy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

Scale lineh . 200 ft

Scale linen = 200ff

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

272060



Indian Office Victoria B C.

March 7th 1905.

Sir;-

In further reference to your letter of the 29th of December last No. 19451/2, in connection with the Esquimalt & Nanaimo Railway's Right of Way through the Esquimalt Indian Reserve, I have the honor to forward herewith in duplicate tracings showing said Right of Way, the amount of land taken up by same, being 2.06 acres.

The Company states that at the time the land was taken, for the purpose named, a fair valuation would be \$50. per acre. No allusion having been made to the interest to be paid on same I was obliged to again write, calling attention to that part of my previous letter referring to interest when (on the 6th instant) I was notified that the Esquimalt & Nanaimo Railway Company is not prepared to pay the interest mentioned in addition to the value of \$50. per acre placed upon land occupied for Railway Right of Way through the Esquimalt Indian Reserve.

The date of entry upon the land in question was given as 1886. Having made inquiries I do not think that land in that neighbourhood would have realized more than the figure named in 1886, and touching the matter of interest, I have incidentally learned that in settling for Right of Way through land immediately adjoining the city limits (for which of course a higher price

The Secretary,

Dept. of Indian Affairs Ottawa, Ont.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0,

I have endeavoured to obtain the above information at an earlier date but found it impossible to do so, having had to write five different letters on the subject.

Your obedient servant,

un Voival

Supt. of Indian Affairs,

B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )



No. 19451/2.

Day of the second

Department of Indian Affairs, Ottawa, 15th March, 1905.

The Deputy Supt. General .-

Referring to Mr. Vowell's letter, hereunder, of the 7th instant, and to Departmental letter of the 29th December last, I beg to state that the correspondence shows that the Esquimalt & Manaimo Railway Company was well aware that phyment should have been made to this Department for the result of way through the Esquimalt Indian Reserve at that the there it entered upon and took possession of the land, and it was the duty of the Railway Company to offer Dayment at that time. Its failure to attend to this matter should, I think, entail liability on the part of the Company to pay interest on the value of the land, and demand for the interest as well as the principal should be made accordingly.

If the Railway Company is in financial difficulties, the question of waiving the interest might be considered.

I beg to submit the question for your con-

It is to be noted that the plan submitted is incomplete, as the spur line to the shore is not shown thereon. This point will be brought to Mr. Vowell's notice in the next communication to him.

abitef Compayon

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

sideration.



A - 174

Ottawa, 17th March, 1905.

off.

with reference to your letter of the 7th instant. No. Q-4. 508, I beg to state the correspondence shows that the Asquimalt and Manaimo Railway Company was aware that payment for the right of way of the railway through the Esquimalt Indian Reserve should have been made to this Department at the time when the Company entered upon and took possession of the land. It was the duty of the Railway Company to offer payment at that time. Its failure to attend to this matter is considered to entail liability on the part of the Company to pay interest on the value of the land. I have, therefore to request you to be good enough to demand payment of the interest, as well as the principal.

the which that, a letter or the or has been and reported.

The plan submitted with your letter is incomplete, as the spur line to the shore, which the Company
has taken possession of, is not shown thereon. Kindly have
this defect remedied.

Your obedient sorvant.

3. D. M.

A. W. Vowell, Msq.,

where a Ta Mills

Secretary.

Indian Superintendent.

Victoria, B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA son Capy

Ottawa, Sth April, 1905.

Sir,-

with reference to my letter of the 17th ultimo, and with further reference to your letter of the 7th ultimo, No. Q-4. 508, I have to request you to be good enough to press, with reasonable dispatch, for payment for the right of way and spur line of the Esquimalt and Nanaimo Railway Company, through the Esquimalt Indian Reserve. It is desirable that this matter be closed, and should on no account be again lost sight of.

Your obedient servant,

Secretary.

A.7. Wowell, Esq.,
Indian Superintendent,
Victoria, B.C.

Low Capy

(Gopy)

Esquimalt & Nanaimo Railway Company.

Victoria, B.G. 19th April 1905.

A.W. Vowell Esq.

Superintendent of ,Indian Affairs,

Victoria, B. C.

Dear Sir.

I have the honour to acknowledge the receipt of your favour of the 34th ultimo, 9-4-706, informing me that the decision of this Company refusing to pay interest on the money due for right of way through the Esquimalt Indian Reserve having been submitted for the consideration of the Indian Department, Ottawa, you are advised that, apparently, this Company was aware that payment for the right of way of the Railway through said Reserve should have been made to the Indian Department at the time the Company entered upon and took possession of the land, and that its failure in carrying out such obligation renders it liable for interest on the cash value of such land from the time of occupation.

from the time of occupation.

Under usual circumstances the position taken by the Indian Department at Ottawa would be indisputable, but in this case the circumstances are unusual as the following

facts will show :-

When the Esquimalt & Nanaimo Railway was completed to the statutory terminus at Esquimalt in 1886 application was made, formally, I think, for the Esquimalt Indian Reserve for terminal purposes, and it was not until many years afterwards when the railway had been extended to Victoria that the application, which I believe was favour ably considered, was lost sight of. While under the belief that the Reserve would be granted as a whole for the purposes specified, this Company did not take the usual course of dealing promptly with a settlement for right of way through part of the Reserve. In view of the above facts, I think this Company may fairly claim exemption from payment of interest on the amount due for the right of way in question. It might be stated here that the rights of way for the railway through other Indian reserves were paid for at the proper time and in the usual manner.

With respect to the plan in duplicate of the railway right of way through the Esquimalt Indian Reserve referred to in the closing paragraph of your letter, I may observe that the spur line to the shore had long been abandoned, and only recently in connection with the newlease ted cannery in the vicinity has this portion of the right of way again been utilized. I will send you

ded plans shortly.

Your obedient serve

(sgd) Josep

Ges ma

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )



((Copy) Esquimalt & Nanaimo Railway Company, Victoria, B. C. 5th May 1905.

A.W. Vowell, Esq.

Sunt. of Indian Affairs, Victoria, B.C.

Sir,

I have the honour to enclose herewith duplicate

plans showing, in red, the land taken for right of way for
the Esquimalt and Nanaimo Railway through the Esquimalt
Indian Reserve:

You will observe that, in addition to the right of way shown on the plans forwarded to you by Mr. Dunsmuir on the 18th February, last, there is a small strip shown, 25 feet wide and 700 feet long, along the track leading to the new cannery site, containing 0.40 acres, making, in all, 2.46 acres occupied as right of way through the Esquimalt Indian Reserve by the Esquimalt and Nanaimo Railway.

Your obedient servant,
(SZ1) Joseph Hunter
General Superintendent.

Low Capy

14451.2

274753 Indian Office Victoria B.C.

May 6th 1905.

Sir;-

I have the honor to acknowledge the receipt of your letter of the 25th ultimo, No. 19451/2, referring to your letter of the 17th of March last in reference to payment for the right of way and spur line of the E.& W. Railway Company through the Esquimalt Indian Reserve.

In connection with this matter I beg to state that inmediately on the receipt of your letter of the 17th of March last I wrote to Mr. Hunter, calling his attention to the views of the Department respecting the payment of interest, &c., &c., and that on the 20th ultimo I received a reply from Mr. Hunter dated 19th ultimo, copy of which is herewith inclosed in which, amongst other things, he informed me that an amended copy of the plan showing the spur line to the shore would be forwarded shortly.

Awaiting that amended copy of the plan accounts for my delay in replying to your letters, above as knowledged, at an earlier date. I received, however, the plans this a.m., one of which I herewith inclose, together with copy of the covering letter dated 5th instant, which I trust will meet the requirements of the Department. I may say in reference to Mr. Hunter's remarks about the spur line not having been used for a long time, &c., that such has been the case, and were it not for the erection of a cannery it would have been altogether abandoned.

The Secretary,

Dept.Indian Affairs, OTTAWA.

Your obedient servant,

Supt.of Indian Affairs.

V.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

19451/2.

(Sir,-

Ottawa, 15th May, 1905.

letter of the Sta instant, R-4. 450, together with onclosures, relating to the right of say and spur line of the equivalt and menaimo Sailway Company, taronga the Esquialt insign Comerce.

The contention of the funter, the General superintendent, as to the non-payment of interest does not to be correct. If the whole reserve had been ranted to the Corpany as originally applied for, and if it has been left unpaid for, interest would be due similarly to interest new due on the payment for the right of way and apprended.

inally remeat the Curricted and to have marked thereon to the control the control the railway to each down row the railway to the centroline of the spur line, and the lengths and because of all tangents. This inforction should be given on every plan of right of way, and is especially required in the preparation of the description for insertion in the patent.

Your obedient servant.

Indian Superintendent, Victoria, B.C.

Alain.

. . Secretary.

· Parata

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

July 276 902. Mil wal of File in Jury Asionel Nº 1686. Railway Plans,

Tour and them?

MCBBB TATAL

- Kingty

Secure 1

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

Edopy)

Butter Francis Yes

Eaquinelt and Nanaimo Railway Company,

Victoria, B. C. 16th June 1905.

A.W. Vowell Beq.

Indian Superintendent,

Victoria, B.G.

TRATO POR SE E DI GE SAM DAM DOS COMPANIONS DE COMPANION DE COMPANION

Enclosed I now return plans of the right of way through the Requimalt Indian Reserve, with distances marked as requested, and hope the patent to these lands will be issued forthwith.

MARKET THE ALL THE STATE OF THE STATE STAT

TOT 10 1900年7.

Your obedient servant,
(sgd) Joseph Hunter.
General Superintendent.

To a program de de la companya del companya del companya de la com

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

white M wastered age

Low Capy

276002

Esquimelt and Nanaimo Railway Company.
Victoria, B.C. 16th June 1905.

A.V. Vovell Esq.

Indian Superintendent 8.6.

AND THE THE PARTY

" Silva

I have your letter of the 22nd May Last, informing me that the Department hold that my contention as to the non-payment of interest on the amount due for right of way through the Esquimalt Indian Beserve appears to be incorrect. With reference to this matter I shall only now add that in the case of the Eight of way through the Songness Indian Reserve, the conditions with respect to union were identical with those in the case of the Esquimalt Reserve, no interest was charged on the cash value of the land from the time of occupation.

Yours thuly,

(sgd) Joseph Hunter.

the sale of the sa

~ sudaha \

General Superintendent.

Son Car

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

a schools as a us to savey company

405: 12424 1 1 1 1 1 201

the payment should be made. With a view to having the final steps taken for the disposition of the property he is again being asked to make the required payment with as little further loss of time as possible.

Thave the honor to be

Sire by Latining and the modern servants

Your obedient servants

Indian Superintendent, B.C. Carly not side

And the modern servants

Indian Superintendent, B.C. Carly not side

And the modern servants

And the modern serv

Yourse of My.

to to foreign intrar,

to have a type inten

Son Cary

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

276902

British Columbia,

Indian Office.

Victoria, June 19th, 1905 buttory in in in intime

10 File No. 19:451/2. beg to take to elici kuthasaan Bakkbeidi dadapinda Kolaa haddi 🕍

of the rather wer was through the times Sir.-

下於也 长麻的小说

JAMBA 1802

DE BELLET AF

I have the honor to acknowledge the receipt of your letter of the 15th ultime in reference to the right of way and Partiets for the wolf the spur line of the Esquimalt & Nanaimo Railway Company, through the Esquimalt Indian reserve.

the Compact. I say For the Department's information I herewith enclose copies of two letters, dated the I6th instant, recently received from Mr. Jospen Hunter, the company's general superintendent, together with the plan referred to with the a favor manual of an onlow, eld w required details thereon indicated. manage from the cases and the ten a table

Concerning the general BARCARC RETURNS ON THE CARLO CARLO BY 1 MIN superintendent's remark relating to the demand made of his company for payment of interest. I may state that I have reminded him that as the Esquimalt & Nanaimo Railway Company has been in occupation of the land for the period stated in a letter of the 22nd of last Pebruary to this office, viz, - since 1886. it has had the use of the money representing the value of the ground ever since that time and that it is but reasonable that

The Secretary

Department of Indian Affairs, Ottawa, Ont.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N.)

BB. 10481/2.

Department of Indian Affairs, 2

The Deputy Supt. General.

less to be veril to be to that, as the Esquimalt and Sanatus Mallway doment have been long in possession of the right of the Chief Esquimalt Indian reserve, the continuous of the Chief Engineer of Railways and Canala would open in this case to be not necessary.

THE RESIDENCE MARKET TO THE TANK TO THE TANK THE

payment for the said right of way may be made by the Company in the immediate future, and in order that the Department may be able to sell the land to the Company, I beg to recommend that the usual Order in Council be applied for

which the Indians were entitled by the action taken by

exempt from the claim made by the British Columbia for a

Chief Surveyor

Sylven and Xin

Marie Care

2

Direct State of

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

19,451/2

1 Rich / DXM

Ottawa. 25th July, 1905.

His Excellency

The Governor General in Council.

The undersigned begs to recommend that, under the provisions of Section 35 of the Indian Act as amended by Sec. 5 of Chap. 33, Vic. 50-51, authority be given for the sale to the Esquimalt & Nanaimo Railway Company of a right of way, comprising an area of 2.06 acres, and space for spur line comprising an area of 0.40 acres, on the Esquimalt Indian Reserve, in the Province of British Columbia, the same to be paid for on such terms as may be agreed upon between the railway company and the Department Maul obord of Indian Affairs.

Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

19451. 2

Estract from a Report of the Committee of the Afonourable the Drivy Council, approved by the Governor General on the 27th July, 1905.

279411

On a memorandum, dated 25th July, 1905, from the Superintendent General of Indian Affairs, recormending that; under the provisions of section 35 of the Indian Act as amended by section 5 of chapter 33, 50-51 Victoria, authority be given for the sale to the Esquimalt and Nanaimo Railway Company of a right of way, comprising an area of 2.06 acres and space for spur line comprising an area of 0.40 acres, on the Esquimalt Indian Reserve, in the Province of British Columbia,

the same to be paid for on such terms as may be agreed

upon between the railway company and the Department

of Indian Affairs.

The Corruittee submit the same for approval.

Clerk of the Privy Council.

The Honourable

The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )





Dia

Solo Solo Manager Ottawa, 11th August, 1905.

With reference to your letter of Geolfs to June 1984, the provious correspondence. I have to interm you that an Order in Council nearpoint obtained gives to thority for the mic to the sequent and Manaico Rail'ay Company of the right of way and space for a Sync line in the acquiralt In any hose we.

In accordance with your letter of the 7th

In addirdance with your letter of the 7th care lest, I have to request you to be continued to de-

0057.07

on the receipt of the said sub, the patent for the land wall be issued to the Railway solver. Kindly savise in those name the patent is to be issued.

A.W. Cowell, Your order of the Thirth of the Community of

dar Capy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

2.06 acus \$257.07 Ergumall

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

GOVERNMENT OF DOMINION OF CANADA.

DEPARTMENT OF INDIAN AFFAIRS, BRITISH COLUMBIA.

Corichen .

To the Esquincet & Manains Rail way Go

1905-1006

DATE

DETAIL

AMOUNT

aug to By payment of the sam of 354,00 made by the Engument or Monomine Hading les for right of way through the Engument on lion America. It will asso of have et 50 m frame = 173,00 html 0 6% from 1886 to 1900 - 14 years. 103,32

14 years. 103,32 = 5 , 30.75

25404

8254.04

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

From Indian sont Sign

APPROVED,

(Indian Superintendent.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Copy

DUPLICATE.

Voucher No.

Date of Payment

DEPARTMENT OF INDIAN AFFAIRS,

Name the C. M. M. Co.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

Carnal Revenue Vomher No !!! 280795 Vote No. GOVERNMENT OF DOMINION OF CANADA. Dorichen 1905-1906 Tooke togamelt & Man aims Rail way 60. AMOUNT. Eug ob By payment of the sum of my of made by the boquemant & Man aims Railway bo for right of way house the Esquemant bollow Reverte 2,46 ainer y hand e \$5000 per aone. I hereby Ceritin that this Youcher is correct, that the material has been supplied, the work performed, and that the charges are fair and just; also that all the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada. APPROVED, ian Superintendent. Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, ) PUBLIC ARCHIVES

ARCHIVES PUBLIQUES
CANADA

ORIGINAL,

Voucher No.

Date of Payment 1905

DEPARTMENT OF INDIAN AFFAIRS,

Name the both Ry Co.

A. W. VOWELL.
Indian Superintendent.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

1906

Indian Office, Victoria, B.C.

527.74

August 29th 1905.

Pile No. 194,51/2.

Sir:-

280795

Referring to your letter or the 11th instant, and previous correspondence on the subject of the land taken by the Esquimalt and Manaimo Railway Co., as right-of-way through the Esquimalt Indian Reserve, Cowiehan Agency: I have the honor to enclose herewith, Voucher in duplicate No.111 and Bank Receipt of Deposit in triplicate, with draft attached No.7170, showing a payment of the sum of \$57.07 to have been made by the said company for this concession; seing for purchase price of land and interest to date, as vide your letter above quoted.

I am informed, by the General Superintendent, Mr Joseph Hunter, that the Patent should be issued in the name of the Esquimalt and Nanaimo Railway Company.

Your Obedient Servant.

Supt., of Indian Affairs. B.C.

The Searctary

Dept., of Indian Affairs,

Ottoms, Ont.

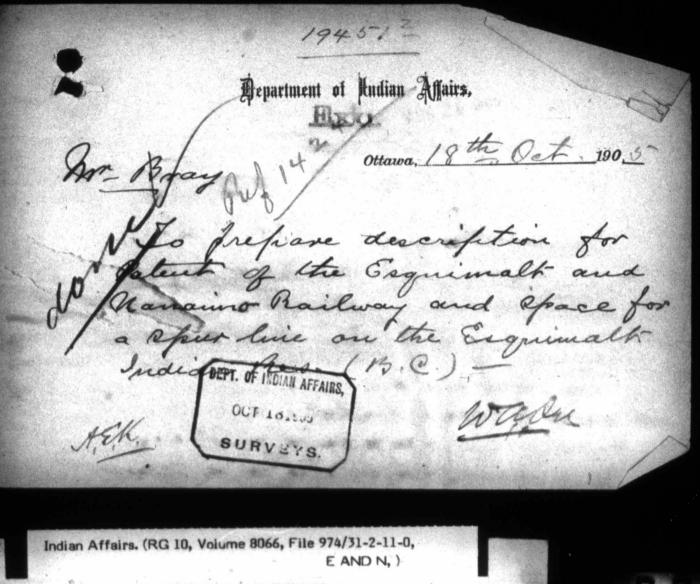
Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0,

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

No.	7170	
	33	800
\$ 2	DA	INVASO.

ORIGINAL FOR THE DEPOSITOR	
\$ 2 20795	
THE CANADIAN BANK OF COMMERCE,	
Victoria, B. C. AUG 26 1905 190	
Received from an Voivell	-
on account of Payment made by 6 . on Ry for right of way across Int	kan an
the sum of Two hundred and Fifty seven Tow solla	us.
which amount will appear at the Receiver General's credit with this Bank.	
which amount will appear at the Receiver General's credit with this Bank.  Signed in Triplicate  Chapter	
Ent'd & 6 N. Surveyer	
BURNEY COOK	L
No. 2120 COUPLICATE FOR DEPARTMENT 280795	- 44
\$ 257°% DEPARTMENT 280795	
THE CANADIAN BANK OF COMMERCE,	
Victoria, B. C. AUG 2 6 1905 190	
Received from aut. Vowell	
on account of Payment was subject for right of way across endance	urse
the sum of Two hundred and tifly-seven "Too sollars.	
which amount will appear at the Pagainer Canaral's with this Panh	
which amount will appear at the Receiver General's credit with this Bank.	
Signed in Triplicate  Later to the Receiver General's credit with this Bank.  Signed in Triplicate	

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )



PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA dar Capy

284783

1000

British Columbia.

MX a.

U. 4.

Indian Office,

Victoria, December Ist, 1905.

File No. 19451/2.

Sir,-

August on the subject of the right of way and spur line taken by the Esquimalt & Nanaimo Railway Company through the Esquimalt Indian Reserve, I have the honor to acknowledge the receipt, this day, of the Patent to the said right of way and spur line, which was enclosed in an envelope without covering letter.

The Patent is being to-day forwarded to the address of Joseph Hunter, Fagre., General Superintendent of the railway.

I have the honor to be

Sir,

Your obedient servent,

acoronel

Indian Superintendent, B. C.

The Secretary

Department of Indian Affairs,

Ottawa, Ont.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-11-0, E AND N, )

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

#### Indian Affairs Central Registry Files, 1874-1959 --

File

(RG 10, Volume 8066)

974/31-2-11-0 E AND N	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE ESQUIMALT RESERVE D FOR THE ESQUIMALT AND NANAIMO RAILWAY.	1904-1905
974/31-2-23-1 1 E AND N	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SONGHEES RESERVE 1 FOR THE ESQUIMALT AND NANAIMO RAILWAY (SONGHEES BAND).	1923
974/31-2-32-3 1 C.N.P.	WEST COAST AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE WACHIS RESERVE 3 FOR THE CANADIAN NORTHERN PACIFIC RAILWAY. (PLANS). (SHESHAHT BAND).	1912-1929
974/31-3-3-1	CHARGED OUT 1974.	
974/31-3-15-1-1	COWICHAN AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE NANAIMO TOWN RESERVE 1 FOR A POWERLINE FOR THE NAMAIMO DUNCAN UTILITIES COMPANY.	1938-1939

16/13		NO.	152 / 31-2-2;	3-1 E &	NA	RCI	IIVEŠ
131-2-23-1 EVIII	SUB.	JÉCT	- INDIAN AFFAIRS DEPARTMENT OF CITIZENSHIP RIGHTS OF WAY ESQUIMALT & I SONGHEES BANK SONGHEES RES	LWA	VOLUME 1 FROM Y TO		
120			SONGHEES RES	<u>NO. 1</u>	SOUTH TSL		
13	Reserved to the second	By	Barrier .	DAYS	PA OB BP	Br	Dates For
11	Rg	27	BF	8-1-58	DA	R9	9/1/5
P	RG	19	Reg	5-10-64	Pa	Ri	14-10-64
o	R6	15	Rig	27-10-69	CONTROL VERLEY VALUE	26	28-10-64
FILE NO.	DLT4-H	25	Reg.	21-10-71	PA	DLT 4-1-1	22-107
					44		•
			Section 1981 and the section of the				
1							
VES	res-ethic					-	
AND STATE OF THE S							
5							
ARCHI							
							1
							1.
							U
						~	/
					<b>A</b>		
¥ 1					$\overline{N}$	V	
						)_	
						1	

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)



No.22152-21 E. & N.

VOL. 2 VOLA CLOSED

COWICHAN

DEPARTMENT OF MINES AND RESOURCES

INDIAN AFFAIRS BRANCH

ESQUINALT & NANAIMO RLY. THROUGH

SONGHEES L.R.

Indian Affairs, (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)



Department of Marine & Fisheries,

Optawa Feb. 16th. 1923

Sir

In 1913 the Department of Lands in British Columbia transferred to the Department of Marine and Fisheries, for the purpose of a lighthouse depot, a parcel of land on the Old Songhees Indian Reserve. A portion of the property was occupied by a building, which at that time was believed to be owned by the E. & N.Railway, and utilized as a dwelling for the bridge tender.

The Railway requested that the building be allowed to remain on the property for the time being, pending the reconstruction of the bridge, when it would be removed.

The bridge has now been completed, and when the Railway was requested to remove the building a claim was set up by the bridge tender that the building did not belong to the Railway but to himself personally, and that in addition he had title to the site from continuous occupation for upwards of 30 years.

Mr. Carroll, the bridge tender in question, has taken up with the Department the question of compensation, and some correspondence has passed. Full particulars of this can be obtained from the Agency of this Department at Victoria.

This Department believes it was the intention of the Provincial Government to transfer the property free from encumbrance, and I should be glad to know if you are prepared to take the necessary steps to remove the same,

This Department has never simitted that Mr. Carroll had any legal claim, and I enclose for your information copy of opinion submitted by the Department of Justice, and also the opinion of the Departmental Solicitor.

I have the honour to be,

Sir, Your obeliant servant,

(sgd) E. Hawken, Assistant Deputy Minister.

The Deputy Minister, Department of Lands, Victoria, B.C.



Department of Lands,

Victoria, B.C. Feb. 27, 1923.

Sir,

I have to acknowledge your letter of the 16th inst., File 34682, regarding the lands set aside by the Province as a site for the Marine Depot for the use of your Department located on the Old Songhees Indian Reserve, and a claim made by the bridge tender of the E. & N. Railway Company in regard to the building occupied by him and standing on the premises.

aware of the circumstances relating to the acquisition of the Old Songhees Reserve by the Province. It was under the jurisdiction and administration of the Department of Indian Affairs up till that time and any person other than the Indians, who was in occupation of any portion of the land was evidently there on the sufferance of the Dominion Government. When the Transfer took place to the Province, it was understood that the same was free from encumbrance. The Province did not at any time assume any responsibility in regard to any occupant, and so far as I am aware no further form of occupancy took place on the premises in question during the time it was held by the Province, and no one has entered impossed by the land was set aside for the use of your Department in the same condition as when it was received from the Dominion Government by the Province, consequently this Department must decline to uniertake the removal of Mr. Carroll from the premises as he did not enter there on any authority granted by the Province.

Yours truly

(egd) G.R. Naden Deputy Minister of Lands.

E. Hawken, Esc.,
Asst. Deputy Minister,
Dept. of Marine & Fisheriss,
Ottawa, Canada.

Low Capy







#### DEPARTMENT OF MARINE AND FISHERIES

OTTAWA April 6th 1923.

581594

falg

Sir,

50 ±9/

I enclose copy of a latter to the Department of Lands, Victoria, B.C., relating to the occupation of a pertion of the Old Songhess Indian Reserve, at Victoria, by one Mr.P. Carroll. I also enclose copy of a reply received, and should be glad to know if you have any information regarding this case, or could obtain a report that would tend to show what rights, if any, are possessed by Mr. Carroll.

I am, Sir, Your obedient servant,

2 Enols/

E. Hawken,
Assistant Deputy Minister.

Jan Daniel

4 - 1

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



Bon Cary



Ottawn, April 11th, 19 3.

Sir:-

I beg to inclose copies of certain correspondence forwarded to this Department from the Department of Marine and Fisheries with respect to the occupation by a Mr. P. Carroll of a portion of the Old Songhees Indian Reserve at Victoria.

Kindly report to the Department in the matter at your earliest convenience.

INCL. 3.

Your obedient servant,

Assistant Deputy & Secretary.

Chief Inspector, VICTORIA, B. C.

Indian Affairs, (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

Ottawa, May 12, 1923.

3

Sir,-

In reply to your letter of the 6th ultimo, your File 34682, with regard to the occupation of a portion of the Bld Songhees Indian Reserve at Victoria, B. C., by one, Mr. P. Caron, I beg to state that this matter was recently referred to Chief Inspector Ditchburn of Victoria, for a report. You will be further advised immediately reply is received from Mr. Ditchburn.

Your obedient Servant,

J. D. McLean. Assistath Deputy & Secretary.

The Deputy Minister of Marine & Fisheries, 0 t t a w a.

STATE OF THE PARTY OF THE PARTY

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

22152-218.12

ANY FURTHER COMMUNICATION ON THIS SUBJECT SPOULD BE ADDRESSED TO

THE DE MINISTER OF

AND THE FOLLOWING NUMBER SHOULD

CABLE ADDRESS MARINE, OTTAWA

Church



CANADA

JUI 4 1923

DEPARTMENT OF MARINE AND FISHERIES

OTTAWA.

wa. June 30th, 19

585867

Regarding the composion of the old Somphess Indian Moserva as the original states of the control of the old Somphess Indian Moserva as the control of the co

Tour prodicts square.

E souve sen



Topic and the british Attention

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Bon Capy

Ottawa, July 5, 1923.

A STATE OF THE STA

sir,-

I beg to direct your attention to Departmental letter dated the 11th of April last, with reference to certain correspondence received from the Department of Marine & Fisheries with respect to the occupation by a Mr. P. Carroll, of a portion of the old Songhees Indian Reserve at Victoria.

Be good enough to submit your report in the matter as soon as possible, as the Department of Marine & Fisheries is pressing for some decision.

Your obedient Servant,

Total observant servans,

Assistant Deputy & Secretary.

W. E. Ditchburn, Esq., Inspector of Indian Agencies, Victoria, B. C

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Bon Capy











#### DEPARTMENT OF MARINE AND FISHERIES

August 24th.1923. OTTAWA

Sir,

With reference to the Assistant Deputy Minister's letter of the Joth June last regarding the occupation of a portion of the old Bonghees Indian Reserve at Victoria B.C., by one Mr.P.Carroll. I have to advise you that no reply has yet been received. Will you be good smough to give the matter your early attention.

ANDS BRANK Nu. 87 323

I have the homour to be, Sir, Tour obedient server,

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

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)

Ottawa, August 27, 1923.

Sir,-

will you be good enough to reply at your earliest convenience to the Departmental letter of the 5th ultimo, wherein it was intimated that the Department of Marine & Fisheries desired certain information with respect to the occupation by one, P. Carroll, of a portion of the old songhees Indian Reserve at Victoria. Your immediate attention to this matter is requested, as we are being pressed for a decision.

Your obedient Servant

A. F. MacKenzie.
Acting Assistant Deputy & Secretary

E. Ditchburn, Esq., Chief Inspector, Victoria, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

22-152 -21 DEPARTMENT OF OF INDIAN AR REPLY REFER TO 10/1394 CHIEF INSPECTOR OF INDIAN AGENCIES BRITISH COLUMBIA NOIAN AFFAIRS Р. О. Во 55 666 Victoria, B.C. 21st August, 1923. Replying to your letter of the 11th April, with which were enclosed copies of letters from the Assistant Deputy Minister of the Department of Marine & Fisheries and the Meputy Minister of Lands for the British Columbia Government, referring to the occupation of a portion of the old Songhees Reserve by Mr. P. Carroll, I beg to say that as Mr. Carroll and his family have been absent from Victoria for some months and only returned recently I did not wish to report on the subject until I had the opportunity of hearing what he had to say, in view of the fact that though a search had been made in the Agency office at Duncan nothing could be found to show that any right had been granted to him by this Department. Mr. Carroll has informed me that he never applied for permission but merely made extensions to his residence as his family increased and he always realized that he was coupying a portion of the Songhees Reserve. I am given to inderstand, however, that the original residence, which was built by the E. & N. Railway Company, was partly on the reserve. Mr. Robertson, the late Indian Agent, has been questioned but he knows nothing of the matter and states he never knew the house was outside of the E. & N. Railway property. Michael Cooper, for many years Chief of the Songhees Band, was also spoken to on the subject and he gave me a like reply. Such being the case it must be considered that Mr. Carroll was committing a trespass on the reserve for many years prior to its being surrendered by the Indians, which was in April, 1911, and it appears to me that if Mr. Carroll's only reason for extending the residence on the reserve was on account of his family increasing the same reason would apply for him removing, as his children have all grown up and are away from Victoria with the exception of one son, who is now over thirty years of age. Apparently he has had the use of this land for something like thirty years and has never been called upon to pay any rental for the same. Your obedient servent. WED/W. W.E. Ditchburn. Chief Inspector of Indian Agencies. The Secretary, Department of Indian Affairs, Ottawa, Ontario. Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1) PUBLIC ARCHIVES

ARCHIVES PUBLIQUES
CANADA

Ottawa, September 7, 1923.

with reference to previous correspondence regarding the occupation of a portion of the old Songhees Indian Reserve, Victoria, B. C., by one, P. Carroll, I now beg to inclose copy of report received from our Chief Inspector. Mr. W. E. Ditchburn.

Your obedient Servant,

J. D. McLean. Acting Deputy Superintendent General.

The Deputy Minister of Marine & Fisheries, Ottawa.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E AND N, pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

# 974/31-2-23-1 68

CHARGE CARD ....

то	1	DATE	3	BY	то		DATE	BY	REQ'D BY	PER	DATE
DLT4-1-1	21	10	7/	25							
								-			
										,	
									2		
											1
1											
1											
		,				7,					
			-								
									12.4		
						,	1				
							artinalise entre espera				17.0

INDIAN AFFAIRS BRANCH

IA-12

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-23-1, E/AND N, pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Bon Capy

#### Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

E AND N		RIGHT OF WAY THROUGH THE ESQUIMALT RESERVE D FOR THE ESQUIMALT AND NANAIMO RAILWAY.	1904-1905
974/31-2-23-1 E AND N		COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SONGHEES RESERVE 1 FOR THE ESQUIMALT AND NANAIMO RAILWAY (SONGHEES BAND).	1923
C.N.P.		WEST COAST AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE WACHIS RESERVE 3 FOR THE CANADIAN NORTHERN PACIFIC RAILWAY. (PLANS). (SHESHAHT BAND).	1912-1929
974/31-3-3-1	1	CHARGED OUT 1974.	
974/31-3-15-1-1	1	COWICHAN AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE NANAIMO TOWN RESERVE 1 FOR A POWERLINE FOR THE NAMAIMO DUNCAN UTILITIES COMPANY.	1938-1939

131-2-32-3 OMP. - INDIAN AFFAIRS BRANCH -DEPARTMENT OF CITIZENSHIP AND IMMIGRATION RIGHTS OF WAY

FILE NO.

SUBJECT

CANADIAN NORTHERN PACIFIC RATEWAY

VOLUME 1

FROM

SHESHAHT BAND IWACHIS RES. NO. 3

DISPOSAL

Residence To	Dr	Rosson	Dave	PA OB BF	Br	Dam	For Reposits Use
ALT 443	11	Request	25/8/69	94	ALT 43	25/8/69	
		1	A. A. Santa		- 200		
	(FIX.						5-7
	18) - FESS			30.00			
*****	a.t						184
	407 - 170		110000000000000000000000000000000000000				
		32		1 100		-	nemera e a
		//////					
		10166					
		1 80	po estados				
							A Section of the contract was
						The state of the s	
Hispania.							
Total	anilasi Santa			A A S			
		*		150	a de la companya de l		
	- 1						
							A Service Control
						1	
				10.00	1	7	
						9	
\$3	1		0			7	
			1	5	1		
	e de la company					A. Establish	
		•					

DO NOT WRITE BELOW THIS LINE

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Department of Indian Affairs

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

FIRE. ACCIDENT, SICKNESS, EMPLOYERS' LIABILITY AND FIDELITY GUARANTEE INSURANCE

AGENTS SPRINGFIELD FIRE AND MARIE

SPRINGFIELD FIRE AND MARINE EMPLOYERS LIABILITY ASSURANCE CORP. O LONDON, ENGLAND

U. S. FIDELITY & GUARANTY CO

## Green & Burdick Bros.

#### REAL ESTATE

TIMBER.

COAL

LOANS

OFFICES: COR. BROUGHTON AND LANGLEY STS.

The state of the s

TELEPHONE 10
P. O. BOX 236
CABLE ADDRESS GREENBURD

VICTORIA, B. C. March 2nd. 191

A. W. Neil, Indian Agent,

Alberni, B. C.

Dear Sir:--

Railway I am desirous of purchasing from the Government the Iwachis Indian Reserve # 3, situated on Alberni Canal, containing 26 acres, and belonging to the Tseshalt Band of the West Coast Agency.

The Company is prepared to pay the usual price to the Government, as well as to arrange for the purchase from the Indians themselves, at a reasonable rate per acre.

Kindly let me know what further steps it is necessary for me to take in connection with this matter, and oblige.

# G - HFC.

The second secon

東京 明治療 为此,因此为自治 實際學術 1 医原外性管

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

West Coast Indian Agency,

Letter No. 21/7

SIR,-

ALBERNI, B. C.,

March 4th. 1918.

5800

enclose application from Mr.R.F.Green , right of Pacific

way agent for the Canadian Northern Railway Co.for permission to purchase the Iwachie reserve No.3 of the Tseehaht band of Indians situated on the Alberni Canal and containing 26 agres.

In accordance with instructions from the Dept.I have not mentioned the matter to the Indians until I shall have permission from the Bept.; therefore I do not know what their attitude would be or what price they would ask. The reserve is very little used and only one or perhaps two houses on it.

Mr. Green informs me that he can if required obtain a quit claim from the provincial Govt. in regard to this land.

Your obedient servant,

ambeill

Indian Agent.

The Socretary,

Bentanf Indian Affaire,

Ottawa.

P.S. If the Dept.grant permission, please inform me if I may tell the Indians that they will receive one half the amount the land sells for in cash and that the balance can be spent on improvements on some of their pther reserves.

four Capy



406,883.

Ottawa, March 13, 1912.

Same No.

# emorandum for the Deputy winister.

With reference to the application hereunder No. 3

it would appear that if the Iwachis Indian Reserve, is required for the curposes of the Railway the matter might be dealt with in the same anner as land required for rights of way. The intention apparently is however a simple purchase of the land without reference to its being possibly necessary for way actual Manichity.

railway construction or operation. The Alberni canal is situated at the Southwest end of Vincouver island. The reserve in question was allotted to the Sechart Band.

They have seven other small rese was and one containing loso werea. I beg to submit whether any action is to be taken with a view of obtaining a surrender from the Indians.

Vanit of the ten attention

Chief Surveyor.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

the from the that they will

40,683.

Minister 2 Deck

Ottawa, March 20, 1912.

Sir.

with r ference to your Fetter of the 2nd. instant, addressed to Mr. A. w. Neill, Indian Agent, Alberni, B. C., stating that you desired to purchase in behalf of the C nadian Northern Pacific Railway company the Iwachis Indian Reserve No. 3, I have to request you to be good enough to give further particulars in connection with this matter, especially in the direction for what purpose the land is specially required and in what manner the company intends to make use of it.

Your obedient serwant,

Assistant Deputy and Secretary.

R. F. Green, Esq.,

Green and Burdick, Bros.,

Corner of Broughton and Langley Sts.,

Victoria. B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Cary

LIABILITY 406883

TRE. ACCIDENT, SICKNESS, EMPLOYERS' LIABILITY AND FIDELITY GUARANTEE INSURANCE



FIELD FIRE AND MARINE EMPLOYERS LIABILITY ASSURANCE CORP.

> LONDON, ENGLAND U. S. FIDELITY & GUARANTY CO

### Green & Burdick Bros. REAL ESTATE

TIMBER.

COAL.

LOANS

OFFICES: COR. BROUGHTON AND LANGLEY SIS.

VICTORIA. B. C.

March 29th.

Reference No. #40683.

Mr. J. D. McLean,

Assistant Deputy and Secretary,

Ottawa, Ontario.

Sir:--

With reference to your letter of the 20th. inst. re Franklin Creek Indian Reserve. I may say that I wired to my people, Messrs. Mackenzie, Mann & Co. Ltd. of Toronto, to supply you with the information for which you ask.

I would be very much pleased indeed to have this matter put through as speedily as possible to avoid complications which might arise.

I have the honor to be. Sir.

Your obedient servant.

Rybun

G - HFC.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

· The Transition

406883

MACDONNELL, HONEYWELL & GRAHAM

Marristers and Solletters

ONNELL ALBERTE HONEYWELL AND THE STANDARD SET STANDARD S

CAPTLE BUILDING

OTTAWA, CAN

April 12, 1912.

Frank Pedley, Esq.

Superintendant of Indian Affairs, Ottawa.

AFR 19 1912

SURVEYS

109419

Dear Sir .-

On behalf of the Canadian Morthern Pacific Railway Company I beg to apply for the purchase of the Iwachis Indian Reserve Mumber 3, situated on the Alberni Canal, containing about 26 acres and belonging to the Tseshaht Band of Indians.

This property is desired by the Railway Company for terminal and station purposes and although the plans of the Railway Company at this part have not yet been completed or approved they wish to negotiate as soon as possible for the purchase of this particular land.

I would be therefore exceedingly obliged if you would instruct the proper Indian Agent to authorize the necessary negotiations for the purchase between the Indians and our representative. Mr. R. F. Greene, of Victoria.

As the Company is applying for the whole reserve. I presume you will not require any further plans or description of the land until the actual question of drawing of conveyancing documents comes up. If, however, you do require plans or description kindly advise me and I will make immediate

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

CASTLE BUILDING

53 QUEEN STREET.

OTTAWA. CAN.

F. P. 2.

April 10, 1912.

application for anything that you require.

If the present material is sufficient would it be too much trouble to ask you to send instructions to the Indian Agent by wire.

Yours truly,

Inoficiacdamille

THIS MAD

ruor, a



OFFICE OF THE DEPUTY SUPERINTENDENT CENERAL

OTTAWA

April 29, 1912.

The Secretary

with reference to the application of the 12th instent from the Canadian Northern Pacific Railway Company for the purchase of the Ewachis reserve, on the Alberni canal, belonging to the Tseahaht band of Indiana, will you please have acknowledgment sent stating that this matter has been under consideration and the sale cannot be allowed.

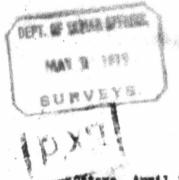
· 一种和中华的

D. S. G. I. A.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Cary

406,868



\_\_\_\_ Oftawa, Amril 30th, 1913.

Str.-

In reply to your letter of the 12th instant written on behalf of the Canadian Northern Pacific Railway Company for the purchase of the Iwachis Indian Reserve No. 3. situated on the Alberni Canal containing about 26 acres and belonging to the Tseshaht Band of Indians I am directed to inform you that this matter has been under consideration and the sale of the land to the Company cannot be allowed.

Your obedient servant.

Geo. F. MacDonnell, Rag.,

Asst. Deputy and Secretary.

Messre. MacDonnell, Honeywell & Graham,
Barristers & Solicitors,
Ottawa, Ont.

Son Cary

406888

West Coast Fraian Agency,

ALBERNI, B. C., May 9th, 1918.

Letter No. 254 -19

411689

SIR,-

Sur

With further reference to my letter of March 4th last, letter No. 21-17, I beg to request the decision of the Dept.

as the parties concerned are pressing for an answer.

MAY 15 1912 SURVEYS.

Your obedient servant,

andruce

Indian Agent.

The Secretary,

Bept. of Indian Affairs,

Ottawa.

son Cap

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

LBERN , DE .//

Gravel sail

LOT. 1.7

8 C L S . V . V

se 175 Am Rad Ottawa, May 15, 1912. Sir, Referring to your letter of the 9th instant regarding the proposed surchase of the Iwachis India Reserve No. 3, of the Tseehalt Band, containing about twentyeix acres which the Canadian Northern Pacific Railway Company were desirous of oltaining, I beg to may that the said Railway Company was advised through its representative, George F. McDonald of Ottawa, on the 30th ultimo that the matter And been under consideration and the sale of the land to company could not be allowed. Your obedient servant, Deputy and Coret Del mortel. Executive open, A. W. Neill, Esq., Indian Agent, Alberni, B. C. Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1) PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

H

Ottawa, Nov. 12, 1912.

Sir.

Pacific Railway Company has made application for the entire Iwachis Indian Reserve To. 3 of the destart Band which the company states is required for railway terminals. The reserve contains as shown on the plan enclosed herewith, twenty-six acres.

verbally that the Indian owners of the reserve are willing to accept \$100.00 per acro, provided they are paid this sum direct and the commany is willing to pay the further sum of \$100.00 per acre to be placed to the credit of the band. That is to say, the company is willing to pay at the rate of \$200.00 per acre.

Please report as soon as possible whether you consider the said price to be a reasonable one, and also state who are the acknowledged owners of the reserve.

Your obedient servant.

Of the Michean

Assistant Deputy and Secretary.

A. W. Noill, Esq.,

Indian Agent, Alberni, B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

> PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

Low Capy

### West Coast Indian Agency,

ALBERNI, B. C. November 32nd 1912.

LETTER NO. 730-17

SIR.-

J Jako

EURVEYS.

In reply to your letter of the 18th

instant, No 406/883, re application of the Canadian Northern Pacific Railway Co: for the Iwachis Reserve No 3, of the Teeshaht Band, I beg to report as follows;

I understand that some months ago someone acting on behalf of the Company, informally suggested to the Indians that they would be willing to pay \$200,00 an acre for the land. one half to be paid to the Indiane in cash, and the other to the Department to a fund for their benefit as provided in the Indian Act. At first the Endians were inclined to accept this, but later on they said they expected at least \$200.00.nn acre paid to them all in cash, and later still they spoke as if they would not sell at all. I would consider \$300.00. an acre was a fair price for the land. the adjacent land was, I believe, sold for that sum, although the area being smalles, it would not hurt the Railway Company if they paid rather more per acre, but so far as any value to the Indians goes, \$300.00 an acre is certainly very many times its value to them. As to who are the acknowledged owners of the Reserve, I would say that I have always understood that it was one of the reserves belonging to the Aseshaht Band in common. I have always been given to understand by the Department that the various reserves allocated to any particular band home are not the property of any individual Indians but are the property of the whole band would that in this case the whole band would be consulted in the sale. While that is the attitude of the Department, and is, to a certain extent, understood and recognised by the Indians amongst themselves, where there are a

food Cay

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1) certain funities claiming certain reserves, not exclusively
to do as they like with, but rather as exercising a feudal
mardianship for those rarticular reserves, but the Indians
themselves for the most part understand that the right is
not an exclusive one and that the reserves really belong
to the whole band, who must be consulted about any sale.
I man named Gallac is recognised in this femual cort of a way
as being the enief of this particular reserve, and he has a
house on it for which he expects \$150. compensation, but he
nimpost does not put in any further claim to the land than
his fellow tribesmen. The feudal rights would probably
extend to this extent, that if abother Indian wished to
build a house there he would ask Gallac's consent, more,
possibly, as a matter of Indian stiquette than anything else.

Your obedient Servent.

an level

Indian Agent.

The Secretary.

Department Indian Affairs,

ottawa.

Luko

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

> PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

Low Capy

406,883

M's poets



Ottawn, Dec. 5, 1912

Sir,

With further reference to your letter of April

12, last, I beg to inform you that Mr. Holt, Executive

Agent of the Canadian Northern Railway, called at the Dep rt
ment some time ago and stated that the Iwachis Indian

Reserve No. 3 of the Seshart Band, Vancouver Island,

British Columbia, was required by the Canadian Pacific Railway

Company for Railway purposes. In order that this matter may

receive further consideration it will be necessary for the

company to file plans in duplicate, one of which should be

on tracing cloth, showing the said lands and in a manner to

illustrate their necessity for railway purposes.

When the said plane are received action will be then thereon with the view of having them certified to the effect that the land is required for railway purposes in order that the Department may have an assurance on record to that effect.

Your obedient servant,

Assistant Deputy and Secretary.

G. F. MecDonell, Esq.,

Messrs. MacDonnell, Honeywell & Graham,
Barristers, & Solicitors,
Ottawa, Ont.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

406883 INELL, HONEYWELL & GRAHAM Marristers and Solicitors ALBERT E. HONEYWELL W. N. GRAHAM OTTAWA, CAN. DEPT OF INCLUS AFFAIRS Dec. 9, 1912. 1 191 425199 The Assistant Deputy & Secretary, Department of Indian Affairs, Cttawa, Ont.

Cir. - le twachis Indian Reserve - Your Humber
406863. Dear Cir.f am much obliged for your letter of the 5th instant and an advising the Company that they should have these plans prepared.

Yours truly.

Graperacdonul

GPM: MAC

food Cary

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

P. H.

L. I.

Department No. A

District

LOT NUMBER

MAME

ZWACH18

THIS WAN RESERVE

General's Sept. Tictoria Bla.
as for letter of Surveyore
fineral attacked.

SURVEYED BY

Waldon W. Green

B. C. L. S..

PLOTTED

191

BY WHOM

SURVEY GAZETTED

30,000/61/911

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Low Cary

#### GENERAL INSTRUCTIONS.

- 1. No Field book is to contain more than the notes of survey for one claim.
- 2. Write nothing on the outside covers of the book.
- 3. State for whom the survey is made.
- 4. e(a.) If land he held by pre-emption, give number and date of record
  - (b.) If land be held by purchase, give date of application.
  - (c.) In the case of timber or coal lands, give number of licence
- Classify all lands held by porchase or pre-emption on form supplied for Declaration of Classification.
- 6. In surveys of mineral claims, follow closely the Manual respecting the Survey of Mineral Claims.
- 7. Show situation of land surveyed by diagram on tracing linen (blue prints will not be accepted). Give connection to existing surveys, and where no surveys exist a sketch to show approximate position.
- 8. You are particularly rejuested to follow the instructions given in the "Land Act," which provides for the method of survey and the manner of keeping field-notes.
- Use plenty of paper. Do not cramp your notes. Do not write notes for more
  than 80 chains on one page. About repeat the last station on the following
  page. Show all hubs, topegraphy, and improvements. Show all posts, newly
  planted or old posts, with the markings thereon.
- 10. Page the Field book, and on the discount unsert the number of page where the notes referring to each line surveyed may be found
- All surveys must be closed and a travers: table appended and balanced in every case.
- 12. In traverses, number the stations and show the bearings and distances on the diagram or plan in red.
- 13. Mark on the plan the acreage of every claim surveyed, and the name of the owner thereof.
- 14. Sew the leaves of the Field book into the cover and trim off the edges of the paper.
- 15. Land claims should be plotted to 20 chains to an inch, and mineral claims to 300 feet to an inch, except in cases where the area is too small to be shown by these scales.
- Attach tracings and classification forms with mucilage to the notes, so that they
  cannot be lost.
- N. B.—Place your work in such a clear shape that the Draughtsman can check and plot the survey with the least loss of time and without reference to the tracing attached.

The field-notes of each claim must be complete in themselves.

Measurements of mineral claims to be in feet and tenths.

Measurements of land claims to be in chains and links.

All calculations for observation and triangulation must be given.

The above line was run the

day of

191

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

IN ALL MACTRES TOWNSHIPS AN SWAYERS AND ALL MACTRES TO PILE NO. PI

prints will

the "Land

of keeping

tes for more ie following

sts, newly

where the

nces on the

dges of the

al claims to o be shown

o that they

can check

THE EPIC VIEW E OF BISTORY CEELINGSA

SURVEYOR GENERAL & OFFICE

Victoria Lagember Lth. 1811.

D.O.Lewin Naq.
Chief Anginger.
O.B.P.R.
Victoria, B.C.

Sir:-

Lanclose herewith copy of field-notes : Iwashis Indiana neserve Mo.Z. situated on Alberni Canal.

The notes are a true cony of notes of the survey of this Reserve made by Ashdawn W.Green, B.C.L.S. setting under instructions from the Indian Department.

The notes in question would appear to be the original notes; It is possible, however, that these are in demosit in Ottawa and that the notes supplied to this Government that he considered as a copy.

I have the nor or to be,

Sir.

Your olediest or vmot

Gter awar

3 774 - ...

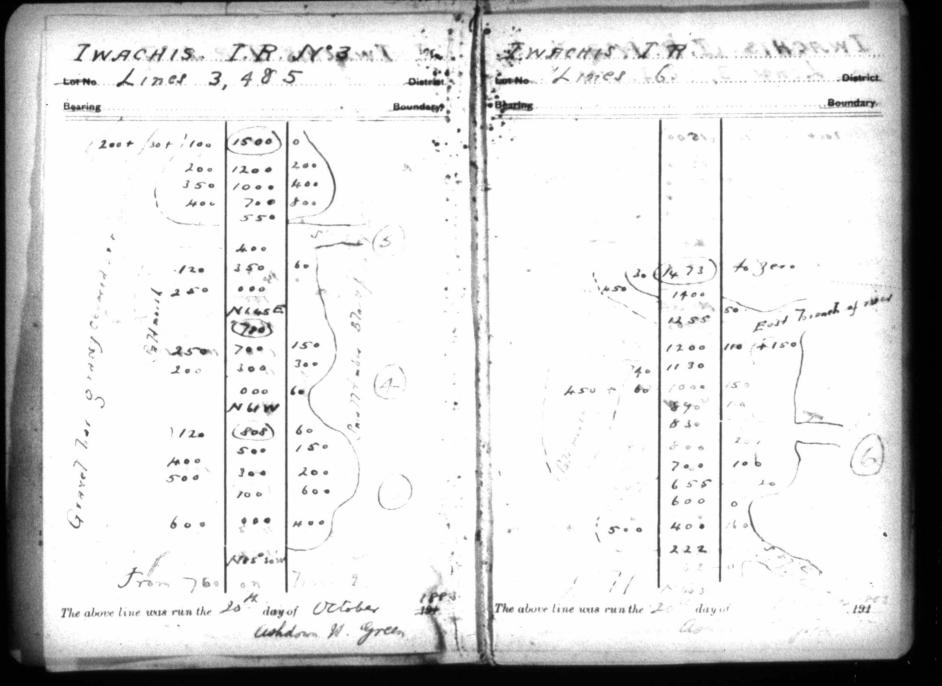
-A3.

MNC .

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

ot No	* * *** **** **	0000 3111	K S O KNOSS A K KNOSS	District	Bearing	Bearing		2 ,2 b 213322		Boundary
Bearing		and the same against	e management man man and the same	Boundary	,				106 6	)
						From 3	0,	line 1	(S. E. Come	
								45 10		
					000	Worthle	18 Soil	Small	Alack pont	
			J	in the said	1	Line to	er fir	3134	diam !	25
			1.2	·	(7/1	01 C	1 6-	W mar	ed Ind 1	
			( of 1.4k )	,	(/6.					
						Plog				
ij.					B	Sex 5	Araba.	NSIL	+5 Junits	
,	= 7 .	pi	,4 2n	4				7 74.	e .	
	4								4	
10							*			0
		ч	₹>							
	Bì									
	~				ě					
	B									
	N.									
	art .									
	- 1	- 4			Į.			1 46	October	1

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)



Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

FORM D. Iwachio h. 3. From Spruce macked by Ind Res Lot No S 23.15 E Bearing-Bearing 20/10/83 000 thick brush, crab, rose Spruce Offsot to right to HWM SOLKS Right bonk of cost branch of Ter Tell book 550 Offert across sever 115 to left 700 Not Soil Thick Brush (over flowed) 770 totoo Crosses Small horach of 1 1001 955 Line tree Cedar 2ft dis Not seel Codo, Alter Spower heralock 1230 Right Bonk of west Branch 1623 Left Offset acres 200 to left 1704 Lens tres after 1840 diam 46 1867 1952 3 10 Fix & hemlock 2000 Nº 2 2017 2523 Lim tree for 5° dep Nº3 soil (3000 Let Cedar post marked Ind "Kes" Pile of 1 to nes of Base in N 37° sow 36712Kg 14"11 The above line was run the 20th day of Oclober The above line was run the asklyn W. grean

Poor Copy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

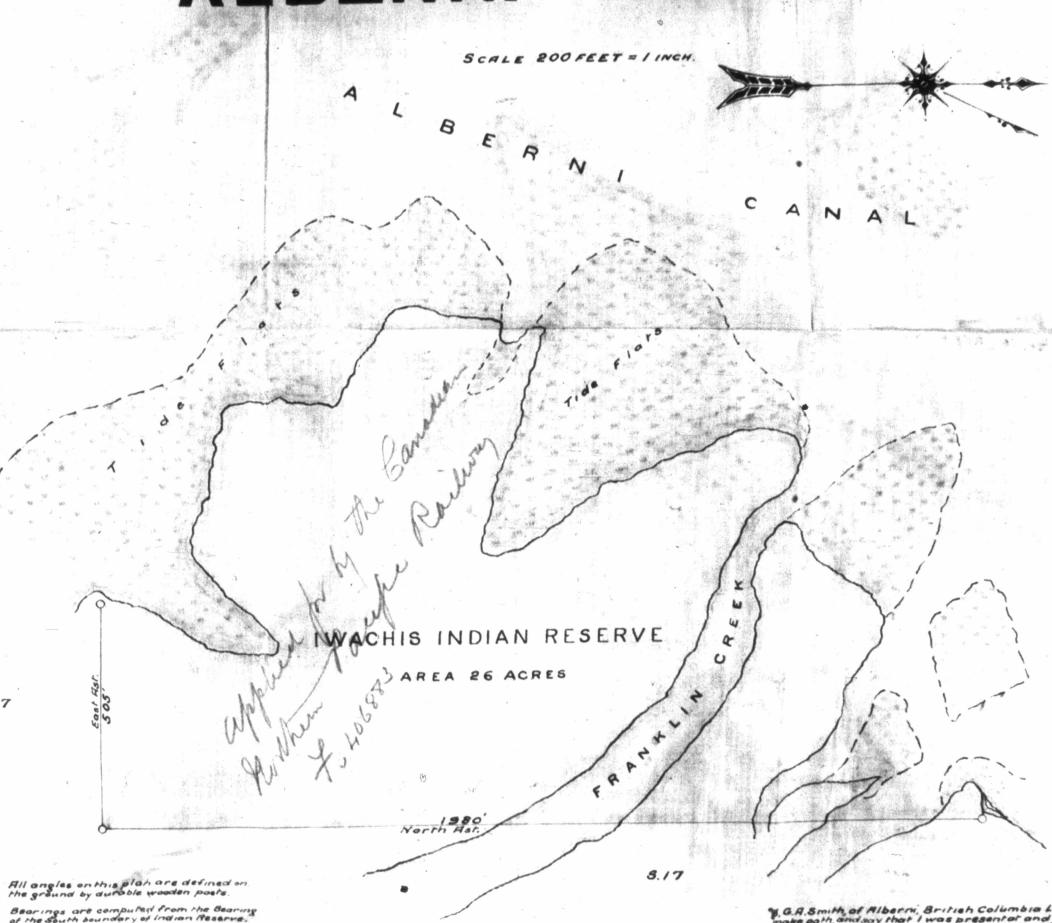
FORM D. I Kachie Nº 3 AFFIDAVIT. LOLNO TRAVERSE TABLE of Bearing Boundones Nº93 IWA CHIS. SCALE I INCH- 20 CHAINS A.D. 191 The above line was run the 25,000/1/1912 Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

LOI NO Traverse Teble of Bearing Boundorses ..... a duly authorised Land Surveyor for the Province of British Columbia, make oath and say artollows (1.) I have surveyed .day of ..... , 191 . (3.) That the whole of above survey was carried out under my personal supervision on the ground. (4) The notes and plan in this field-book marked "A" are a true and correct representation of the work done on the ground, and are correct to the best of my knowledge and belief. So help me God. SWORN before me A.D. 191 The above line was run the 25,000/1/1912

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

## PLAN

# IWACHIS INDIAN RESERVE ALBERNI CANAL



Bearings are computed from the Bearing of the South boundary of Indian Reserve.

S. 17

Original survey made by Hehdown H Green O.L.S. October 2012 1985.

M. G.A. Smith of Alberni, British Columbia Land Surreyer, make auth, and say that I was present at and did personally superintend the survey represented by this plan, and that the surrey and plan are correct. The said surrey was completed in the 15 day of July. 1912

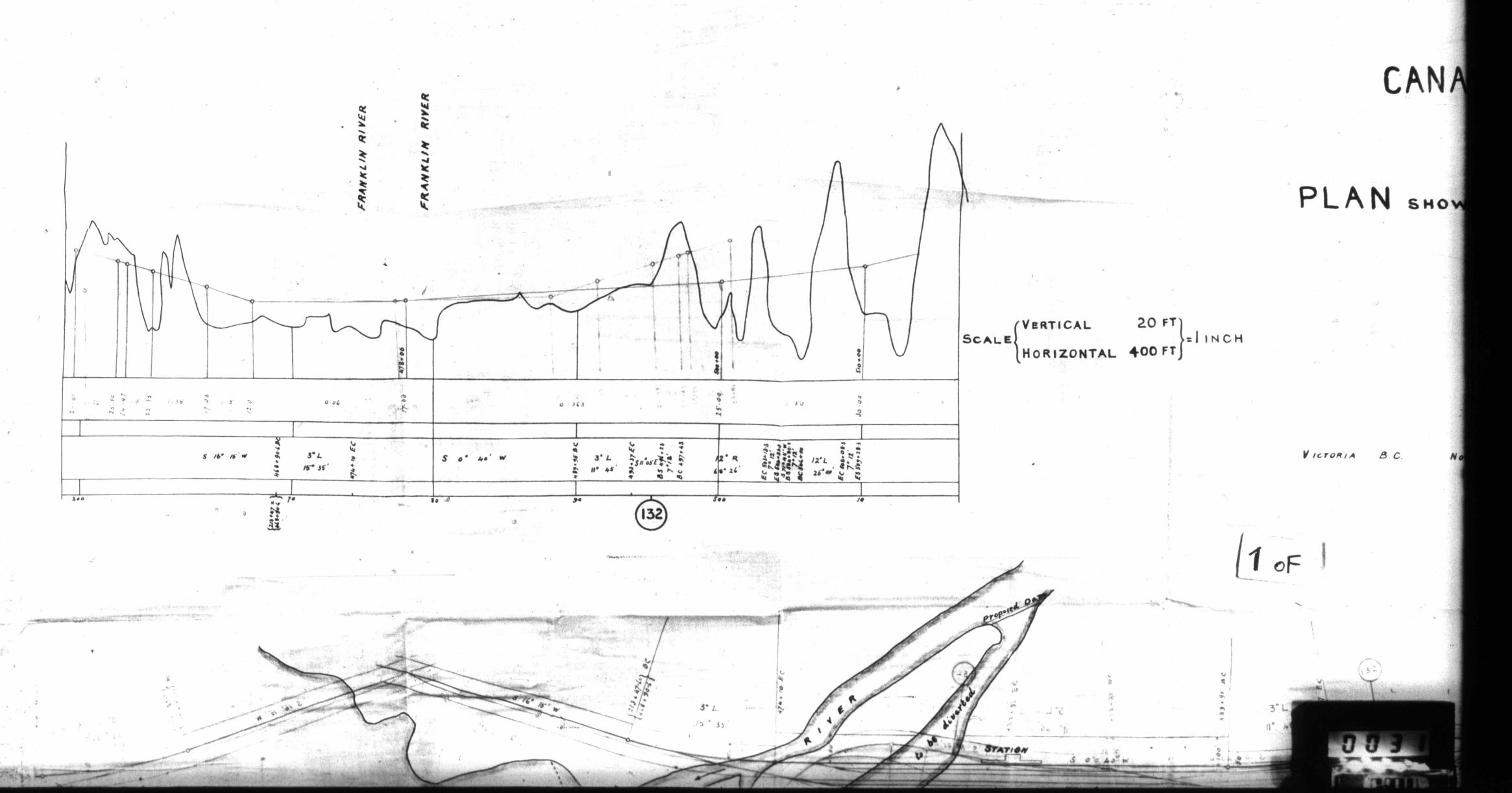
SWORN before me this

Gravel & Rock Scattered Cedar, For & Underbruch

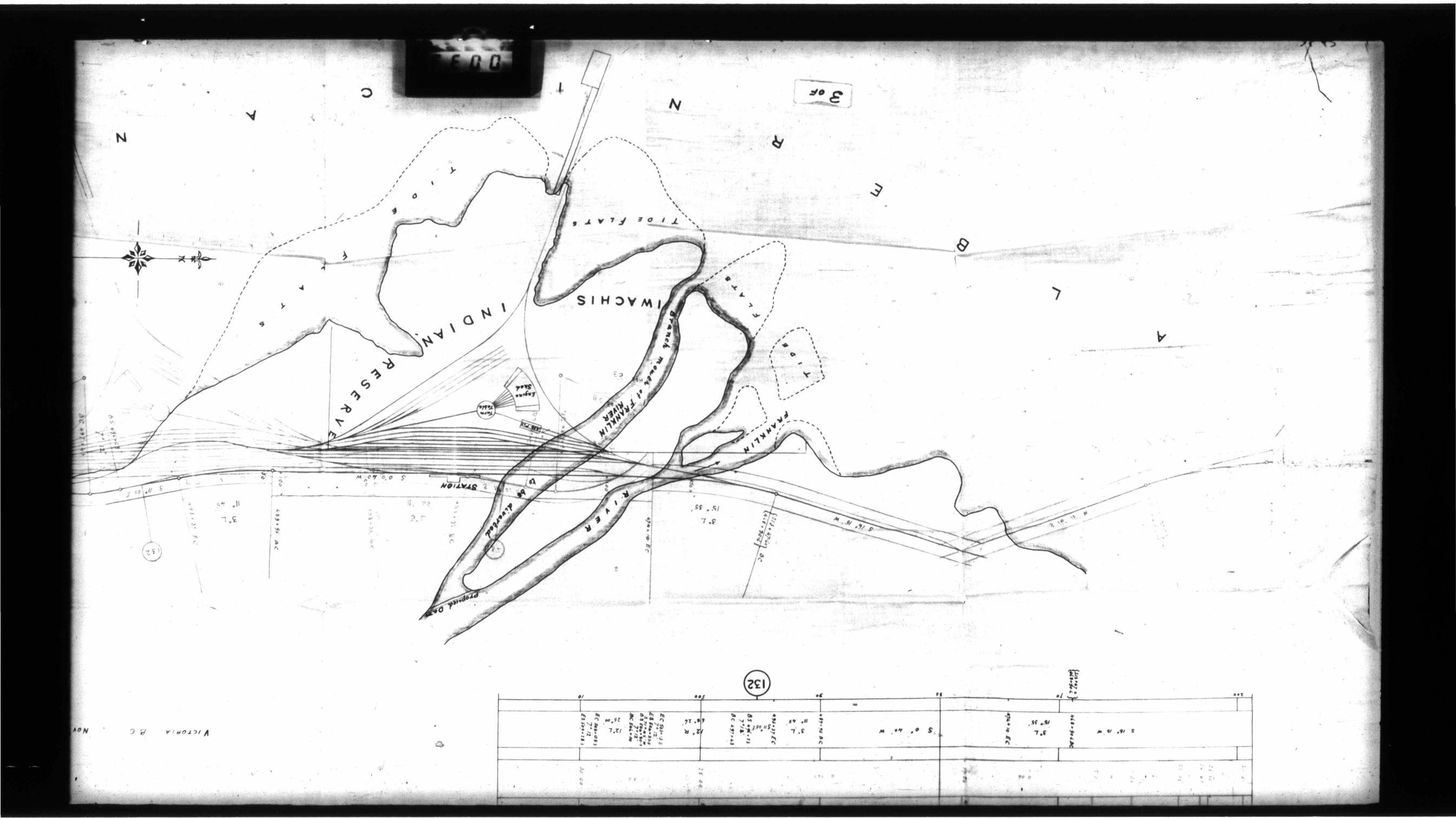


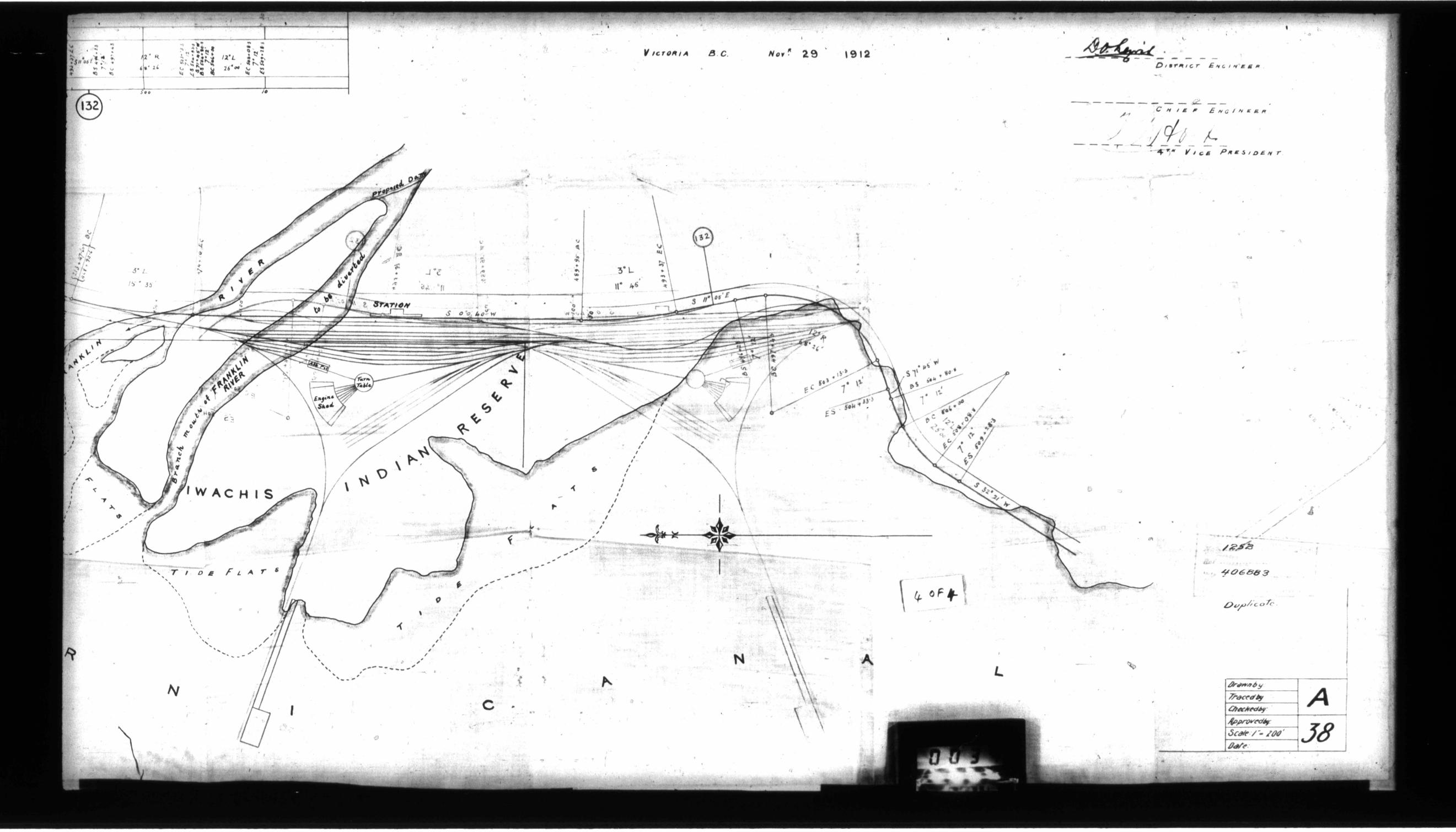


Rock



CANADIAN NORTHERNPACIFIC RAILWAY VANCOUVER ISLAND PLAN SHOWING PROPOSED YARD & DOCK IWACHIS INDIAN RESERVE BARCLAY DISTRICT HORIZONTAL 400 FT SCALE 200 FT= I INCH DISTRICT ENGINEER (132) 3° L





CABLE ADDRESS "GRAYWELL" 40688

MACDONNELL, HONEYWELL & GRAHAM
Barristers and Solicitors

GEO. F. MACDONNELL ALBERT E. HONEYWELL W. N. GRAHAN

DEC 26 1912 SURVEYS. CASTLE BUILDING

53 QUEEN STREET

OTTAWA. CAN

Dec. 23. 15120F

J. D. McLean. Tsq.,

Assistant Deputy & Secretary.

Department of Indian Affairs.

Ottown.

7267h8

Dear Sir. - Se Your Humber 406383.

Titl further reference to my letter to ir.

Pedley of April 12th and your letter to me of Dec. 5th

of this year, I am herewith forwarded you plans in duplicate
both on tracing ploth slowing the lands which the Canadian

Northern Pacific Railway wishes to tale, and also two
plans on tracing aloth showing the railway layout on the
said lands.

which I understand covers 26 acres, as the portions which are left would not be of much value to anyone even with the present railway works constructed on them and would be required in the very near future for further railway works.

I may add that I have in my possession a letter from the limister of Lands of Iritish Columb a addressed to hr. T. T. Tolt the executive agent of the Commany, stating that if arrangements are made with the Indians to extinguish their rights in this reserve the Provincial Department would dispose of its reversionary interest to the Company on the

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

> PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

Imelia &

CARLE ADDRESS "GRAYWELL"

## MACCONNELL, HONEYWELL & GRAHAM Barristers and Solicitors

GEO. F. MAGGONNELL ALBERT E. HONEYWELL W. N. GRAHA

GARTLE BUILDING

53 QUEEN STREET

OTTAWA, CAN

J. D. McL. 2.

Dac. 23, 1972.

usual terms.

7/26/68

Hay I ask if your Department will give us instructions to enter into a bargain with the Indians and fixing a price for the property and send the necessary instructions to the proper Indian Agent to make arrangements for a conference.

Yours truly.

La francisco de academically

7711140

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

406,883.

M. Beeln

Ottawa, Dec. 28, 1918.

Sir,

in duplicate showing the proposed lines to be constructed by the Canadian Northern Pacific Railway in the Iwachia Indian Reserve, British Columbia. The Company desires to acquire the whole reserve containing twenty-six acres and has not forth in their letter to this Department that their works will eventually require the whole of that area. I have to request that the proper of idea of the Railway Commission will be good enough to certify on the plans in the usual manner that the land is required for railway surposes, provided there is no objection thereto. One plan may be retained for record in your office if so desired.

Your obedient servant,

Assuctant Deputy and Secretary.

A. D. Cartwright, Esq.,

Secretary, Board of Railway Commissioners, Ottawa, Ont.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Minister 2) perh

Ottawn, Dec. 28, 1912.

Sir,

Referring to your letter of the 23rd instant,
I beg to inform you that it is intended to appoint a
Commission to deal with Indian Reserves in British Columbia
and until action has been taken by the said Commission it is
not intended to alienate any portion of an Indian Reserve
in the Province. The Department is therefore at present not
in a position to deal with the application of the Canadian
Northern Pacific Railway for the Iwachia Indian Reserve.

Your obedient servant,

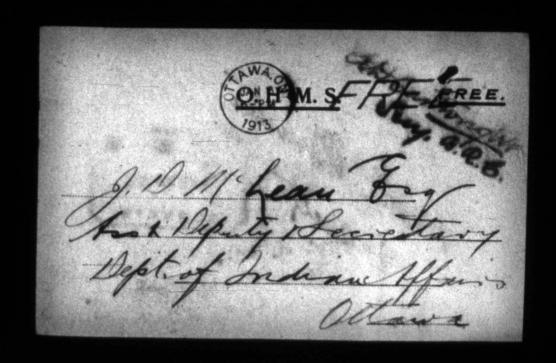
Assistant Deputy and Secretary.

Geo. F. Macdonnell, Esq.,

Barrister, Etc.,

Mesers. Macdonnell, Honeywell & Graham, 53 Queen St., Ottawa, Ont.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)



Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Board of Railway Commissioners for Canada,

Ottawa,

I beg to asknowledge the receipt of your letter

of Land V which will receive the attention of the
Board.

In writing further on this subject, please refer to File

No.2 / I A. D. CARTWRIGHT,

Secretary.

NOTE Letter addressed to this Board are asmed treed by the few Office Department.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

NOTE ALL COMMUNICATIONS IN REPERENCE TO DEPARTMENTAL MAYTERS SHOULD BE ADDRESSEED TO THE DEPUTY MINISTER OF LANDS.

ALL CHEQUES A PROPERTY AND MADE PATABLE AT PARTIES.



LANDS DEPARTMENT.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA. VICTORIA 13th June 1912

T. G. Holt Esq.,

Executive Agent Canadian Northern Railway Company

Vancouver. B.C.

Dear Sir.

With reference to your verbal enquiry about the Province's attitude regarding their reversionary interest in Indian Reserve No. 111, on Alberni Canal; I have to advise you that if you will arrange with the Indians to extinguish their rights in this reserve, and secure a proper conveyance from the Dominion Government, this department will dispose of its reversionary interest to your Company on the usual terms.

Yours truly.

Minister of Lands

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

406883

A. D. CARTWRIGHT.

Encl.

#### BOARD OF RAILWAY COMMISSIONERS FOR GANADA.

OFFICE OF THE BEDRETARYS

AE /M

1.B

DEPT. OF INDIAN AFFAIRS, an. 14th, 1913.

SURVEYS.

42882

Dear Sir: -

File 21136

enclosing plansin duplicate showing the proposed lines to be constructed by the Canadian Northern Tacific Rail-way Company and, in accordance with my telephone conversation with your Mr. Bray, I am returning the plans herewith as the C.N.P.R. has a provincial charter and this board has no jurisdiction.

Yours truly,

Secretary, D.R.C.

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

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

me Sylvenie

Ottawa, Jan. 16, 1912.

DESCRIPTION FOR BURRENDER.

The Iwachis Indian-Reserve No. 3 of the Seshart
Band of Indians, situated on the Alberni Canal at the mouth
of Franklin River, Barclay District, Vancouver Island,
containing twenty-six acres as shown on attached plans

7.13.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

(Copy)

### Know all Men by these Presents

THAT WE, the undersigned Chief and Principal men of

The Seshart Band of Indians

resident on our Reserve No. 3

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 county of and Province.

be the same more or loss and being composed of

the Iwachis Indian reserve, No. 3, situated on the Alberni Canal at the mouth of Franklin River, Barclay district, Vancouver Island, containing twenty-six acres as shown on attached plan.

Form No. 65.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

TO HAVE AND TO HOLD the same unto His said Majesty The King. his Heirs and Successors forever, in trust to 8011

the same to such person or persons, and upon such terms as the Government of the Dominion of Canada may deem most conducive to our welfare and that of our people.

AND upon the further condition that all moneys received from the sale \_\_\_\_\_\_\_\_ thereof, shall, after deducting the usual proportion for expenses of management, be placed to our credit and interest thereon paid to us, in the usual way. less the amount to be paid to the individual Indians for their improvements, and the amount not exceeding fifty per cent., to be paid to the band.

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

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

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

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 thirteen.

Signed, Sealed and Belivered,

IN THE PRESENCE OF

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

\$06,883.

Ottawa, Jan. 14, 1913.

Sir,

Referring to your letter of November 22, last,

I beg to inform you that it has been decided to prefer
to the Canadian Northern Pacific Railway Company the Iwachis
Indian Reserve No. 3 of the Seshart Band, provided the
eaid Reserve is duly surrendered by the Indians.

Enclosed herewith are surrender forms in duplicate and you are hereby authorized to take the surrender from the Seshart Band of Indians. Please be careful to be guided by the provisions in the Indian Act relating to surrenders.

You will require to arrange the final terms with the Indian. If there are any Indian improvements of any kind on the reserve such as buildings, clearings or special claims there should be valued separately and the ayments will be made to the individual Indians who own the said improvements. The land itself should be valued separately. Fifty per cent. of this valuation may be paid to the acknowledged owners of the reserve or in anyother manner that the Indian Council may desire, provided their decire is reasonable and just. For this purpose the Indian Council will require to pass a formal resolution and a copy of the said resolution should be forwarded to the Department by yourself. The remaining fifty

A.W.Neill, Esq., Indian Agent, Alberni, B.C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

> PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

7h./

Encl.

per cent. will be credited to the general funds of the band. Kindly take the necessary action in this matter at as early a date as you conveniently can.

In arriving at your valuation please be careful to consult each Indian interested as to his improvements, etc., and the Indian Council as to the total value of the land and endeavour to obtain their concurrence in such reasonable valuations as you may arrive at. In arriving at the said valuation please hear in mind that it is to be based on the actual value of the land as to quality, locality etc., and not as to what value it may be to the Indians themselves.

Before taking this matter in hand please communicate with Mr. T.G.Holt, C/o Mackenzie Mann & Company, Vancouver, British Columbia, who intends to have the right of way agent of the company so with you inorder to endeavour to arrange valuations that shall be actiefactory to all concerned.

Your oredient servant,

Reputy Superintendent General . .

Sed Frank welly.

#### West Coast Indian Agency,

ALBERNI, B. C., Feb., 25, 1918.

Letter No. 30 -15

SIR,-



13112

I have the honour to return herewith, the surrender of the Iwachis Reserve, No. 3 of the Seshaht Band, dwly signed by a majority of the men over the age of twenty-one years, together with endorsed cheque for \$5.300, being amount in full, asked by the Indians. \$5.200 for the Reserve and \$100 for Indian Gaelic, who had a house on the said Reserve.

You will please forward chelle for \$2700, as soon as possible, that I may pay the Indians, as they are very anxious to get their money.

The Indians wished me to suggest, that the \$2.600 held by the Dept. for them, would not be put toward a relief fund.

Your obedient servant,

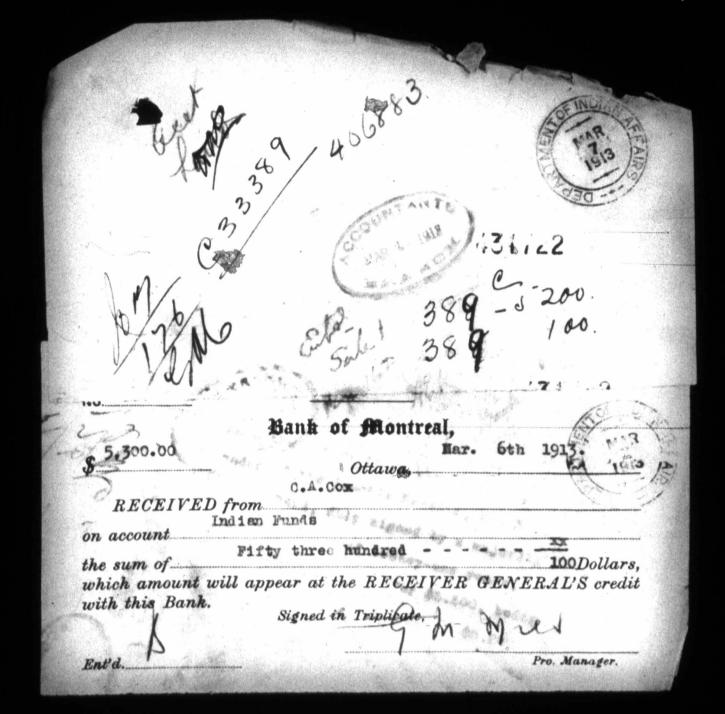
Indian Agent i

The Secretary,

Dept. of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)



Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

#### Bank of Montreal,

\$5.300.00

6th 1913. Har.

\*or \$0.400, belog

of tenney-one season,

Anty attended by a managerie,

Ottawa, C.A. COR

The same of the same of the same of the

RECEIVED from....

Indian Funds

on account.

Fifty three hundred

100 Dollars.

the sum of ... which amount will appear at the RECEIVER GENERAL'S credit with this Bank.

Signed in Triplicate,

Ent'd

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Ottawa, March 12, 1913.

81r .-

I beg to acknowledge the receipt of your letter of the 25th ultime, No. 130-16, inclosing surrender by the Seshart band of the Iwachin Indian reserve, No. 3, situate on Alberni Canal at the south of Franklin river, Vancouver Island, B. C., and annieding cheque for the sum of \$5,300.00 and in reply to say that it is regretted that unnecessary delay will be caused in this matter by your failure to have the documents properly executed.

The surrender, in duplicate, is herewith returned in order that the date on which it has been cuted may be filled in in each document and the affidavit of execution made by yourself and the Chief and a Principal Man before a Justice of the Peace or a stipendiary magistrate, as required by the provisions of the Indian Act. Blank affidavits are attached to the surrender for the purpose.

I may say that no return of the money can be made until the surrender has been properly attested and returned, and accepted by His Royal Highness in Council.

Your obedient Servant,

Asst. Deputy and Secretary.

C. A. Cox, Esq., Indian Agent,

Alberni, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

DOMINION OF CANADA, Personally appeared before me, Province of British lolus ha wir: the West of Orling Colins of Alberta and therease & her Bell Chiefof the said Band of Indians. D AND the said for himself saith :-That the annexed release or surrender was assented to by a majority of the Zseshah male members of the said Band of Indians of the of the full age of twenty-one years then present. That such assent was given at a meeting or council of the said Band summoned for that purpose and according to its rules. That he was present at such meeting or council and heard such assent given. That he was duly authorized to attend such council or meeting by the Superintendent General of Indian Affairs. That no Indian was present or voted at said council or meeting who was not a member of the Band or interested in the land mentioned in the said Release or Surrender. And the said Shemish or his Bill say#: That the annexed Release or Surrender was assented to by and a majority of the male members of the said Band of Indians of the full age of twenty-one years then present. That such assent was given at a meeting or council of the said Band of Indians summoned for that purpose, according to its rules, and held in the presence of the said presence of the said That no Indian was present or voted at such council or meeting who was not an habitual resident on the Reserve of the said Band of Indians or interested in the land mentioned in the said Release or Surrender. Thatthe a Chiefoof the said Band of Indians and entitled to vote at the said meeting or council. Sworn before me by the Deponents C.a. Cot bleman he Bid Sherwich his & mank at the Country of Rananno this the Country of Rananno this 11.7 the Clhis - mank 18 day of Lebrury A.D., contul.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Form No. 66.

Personally appeared before me, DOMINION OF CANAL Province of in the Province of Chief of the said Band of Indians. AND the said 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 of the full age of twenty-one years then present. That such assent was given at a meeting or council of the said Band summoned for that purpose and according to its rules. That he was present at such meeting or council and heard such assent given. That he was duly authorized to attend such council or meeting by the Superintendent General of Indian Affairs. That no Indian was present or voted at said council or meeting who was not a member of the Band or interested in the land mentioned in the said Release or Surrender. And the said says: That the annexed Release or Surrender was assented to by thim and a majority of the male members of the said Band of Indians of the full age of twenty-one years then present. That such assent was given at a meeting or council of the said Band of Indians summoned for that purpose, according to its, rules, and held in the Ca. lot and theush That no Indian was present or voted at such council or meeting who was not an habitual resident on the Reserve of the said Band of Indians or interested in the land mentioned in the said Release or Surrender. That he is a Chief of the said Pand of Indians and entitled to vote at the said meeting or council. Sworn before me by the 2 244 Deponents ( a.t. I Sham in at the thing of alberra in anhers ho a horning Table in and be the ronne of Brisa Common

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Form No. 66.

DOMINION OF CANADA, Personally appeared before me, Province of Intale Columbia County of hanaining C. C. Co Cot of Alberia

To Wit: the West of County Coping in the Province of Drietale Com hig and theres to a no. Bull Chief of the said Band of Indians. AND the said 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 of the full age of twenty-one years then present. That such assent was given at a meeting or council of the said Band summoned for that purpose and according to its rules. That he was present at such meeting or council and heard such assent given. That he was duly authorized to attend such council or meeting by the Superintendent General of Indian Affairs. That no Indian was present or voted at said council or meeting who was not a member of the Band or interested in the land mentioned in the said Release or Surrender. themet and hor. Buil And the said say#: That the annexed Release or Surrender was assented to by the and a majority of the male members of the said Band of Indians of the full age of twenty-one years then present. That such assent was given at a meeting or council of the said Band of Indians summoned for that purpose, according to its rules, and held in the presence of the said thurst ? mil on a That no Indian was present or voted at such council or meeting who was not an habitual resident on the Reserve of the said Band of Indians or interested in the land mentioned in the said Release or Surrender. That they a Chief of the said Band of Indians and entitled to vote at the said meeting or council. Sworn before me by the Deponents C. a. Con thunk & holl och the Country of Russiani, this his. Only him

18th day of February A.D.,

orm No. 66.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

an Dull

DOMINION OF CANADA, Personally appeared before me,
Province of British Columbia C- Q- Cot
Commence & Cardia : Caled of
west ever aging
To WIT: the countrol transmit
in the Province of Branch Columnia
the and man and Showsh and mo. Os all
Chief of the said Band of Indians.
* AND the said & Q . Evt 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 Seshart Vans
of the full age of twenty-one years then
That such assent was given at a meeting or council of the said Band
summoned for that purpose and according to its rules.
That he was present at such meeting or council and heard such assent given.
That he was duly authorized to attend such council or meeting by the Super-
intendent General of Indian Affairs.  That no Indian was present or voted at said council or meeting who was not
a member of the Band or interested in the land mentioned in the said Release
or Surrender.
And the said Sewell and In Bill
Chief and Fern upal man uspectively says:
That the annexed Release or Surrender was assented to by him and a
majority of the male members of the said Band of Indians of the full age of twenty-one years them the said.
That such assent was given at a meeting or council of the said Band of
Indians summoned for that purpose, according to its rules, and held in the
presence of the said themsh and m. All
That no Indian was present or voted at such council or meeting who was not an habitual resident on the Reserve of the said Band of Indians or interested
in the land mentioned in the said Release or Surrender.
That he is a Chief of the said Band of Indians and entitled to vote at the
said meeting or council.
Sworn before me by the Law-
Deponents
at the lown of allering in - there is his must
Will 3 M min & mine
day of Jettine A.D.,
1975
or will.
I ha dian market
And Day Long
mand of the every
2
mann.

Form No. 66.

406883 , ALBERNI, B.C. Warch, 26, 1913.

West Coast Indian Agency,

LETTER NO 211-18

406.883, March, 12.

I have the honour to return herewith surrender of Iwachis Reserve, Wo. 3, together with affidavit, duly executed. I regret error being made in first instance, and hope this will prove satsfactory to the Dept.

Your obedient servant,

Indian Agent.

The Secretary,

Dept. of Indian Afficairs,

Ottass.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Ottawa, April 1, 1913.

81r,-

I beg to acknowledge the receipt of your letter of the 26th ultimo, No. 211-18, returning surrender of Iwachis Reserve, No. 3, and in connection therewith to say that the Department is unable to understand your failure to comply with specific instructions in this matter. You were advised in letter of the 12th of March, when the surrender was returned, that it would be necessary to have the affidavit of execution made by yourself and a Chief and Principal Man before a Justice of the Peace or a stipendiary magistrate; as required by the provisions of the Indian Act, but instead of doing so, you again returned the document with affidavit taken before a Notary Public, who is not authorized under the Indian Act to take the affidavit Your failure to comply with specific instructions has caused considerable delay, and you will give this matter your prompt attention and have the affidavit of execution again made by yourself and a Chief and Principal Man before a Stipendiary Magistrate or a Justice of the Peace and then return the documents at once to the Department.

Your obedient Servant,

C. A. COX, Esq.,

Indian Agent,

Asst. Deputy and Secretary.

Alberni, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

Jan Was

406.883

### West Coast Indian Agency,

LETTER NO.

STR,



125344

Harris

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Ottawa, April 22, 1913.

sir,-

--XH

I beg to acknowledge the receipt of your letter of the 12th instant. No. 290-18, inclosing surrender, in duplicate, by the Seshart band of Indians of the Iwachis Indian reserve, No. 3, Vancouver Island, and referring to your letter of the 25th of February last, advising that the surrender was signed by a majority of the men over the age of twenty-one years, I have to request that you will be good enough to advise the Department by return mail of the total number of male members of this band over twenty-one years of age, the number present at the meeting when surrender was assented to, the number voting for the surrender and the number voting against. If any of the members of the band residing off the reserve were not present at the meeting, you should advise as to the distance from the reserve where they are living.

As this information is essential before surrender can be submitted to Council for approval, you will kindly furnish it by return mail.

Your obedient Servant.

F. D. MCLEAN

Asst. Deputy and Secretary.

C. A. Cox, Esq.,

Indian Agent,

Alberni, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

406883

#### WEST COAST INDIAN AGENCY,

Alberni, B.C., And Table 1

SIR,

Letter No. 3 56-18



The filter the the se sever pro- seem of all 1 to 1. how there were proportion of the best of the first of the The party of " and the same are to the comme

中心學 衛衛衛 實施的 经工作证证 经证明 经收入证据 经收入证据 \$50 Liber to Live Description Company I the street of the larger of the

the passage and the state of th the not that it gains

> Promise at This day rapidation is had ignored at lither place or one or of the 35 make the wire in a rivery

関係なるすべいたい 11 c

The normality;

other .

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

406,883.

Ottawa, April 22, 1913.

Str,-

I beg to acknowledge the receipt of your letter of the 12th instant, No. 290-18, inclosing surrender, in duplicate, by the Seshart band of Indians of the Iwachis Indian reserve, No. 3, Vancouver Island, and referring to your letter of the 25th of February last, advising that the surrender was signed by a majority of the men over the age of twenty-one years, I have to request that you will be good enough to advise the Department by return mail of the total number of male members of this band over twenty-one years of age, the number present at the meeting when surrender was assented to, the number voting for the surrender and the number voting against.

If any of the members of the band residing off the reserve were not present at the meeting, you should advise as to the distance from the reserve where they are living.

As this information is essential before surrender can be submitted to Council for approval, you will kindly furnish it by return mail.

Your obedient Servant,

(sga) J. D. McLean.

Asst. Deputy & Secretary.

C. A. Cox, Esq.,
Indian Agent,

Alberni, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Ottawa, May 20, 1913.

81r .-

of the 7th instant, No. 356-18, in connection with the surrender by the Sechaht band of Indians of the Iwachis Indian reserve, No. 3, Vancouver Islam, and in reply to say that no further action can be taken by the Department in this matter at present, as the papers dealing with the same are before the Indian Reserve Commission.

The transfer of

Your obedient Servant.

Asst. Deputy and Secretary.

C. A. Cox. Esq.,

Indian Agent,

Alberni, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

# ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA

HON. E. L. WETE CHAIRMAN NATHANIEL W. K. C. JAMES A. J. MCKENNA. LL D. JAMES P. SHAW. M. L. A. DAY H. MACDOWALL.
J. G. H. BERGERON. K. C. SHAWAN NATHANIAN NATIONAL CONTROL OF THE PROPERTY NATHAN BOLISTON.



ADDRESS OFFICIAL COMMUNICATIONS TO THE SECRETARY

VICTORIA. B. C.

July 7th 1913

File No. 406883

J. D. MoLean Bag. , Secretary,

Department of Indian Affairs Ottawa Canada ()

Sir:

The Royal Commission on Indian Affairs for the Province of British Columbia having today had before it File No. 406883 containing application of the Canadian Northern Pacific Railway Company to purchase the Iwachis Indian Reserve No. 3 of the Seshart Band, it was ordered by the Commission that

purchase, following a surrender and arrangement to sell, this is not a matter coming within the scope of the Commission's authority and that the File be returned to the Secretary of the Department of Indian Affairs, Ottawa, together with a copy of this Minute.

In pursuance of such order I herewith return File
No. 406883 therein referred to.

I have the honour to be

Sir,

Your obedient servant

Secretary

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

408,833.

Sharing County of Sharing County of the Shar

Ottawa, July 15, 1913.

I beg to acknowledge the receipt of your letter of the 7th instant, inclosing file of papers in regard to application of the Canadian Northern Pacific Railway to purchase the Iwachis Indian Reserve, No. 3, of the Seshart Band.

Your obedient Servant,

An Roseway

State PERO

Asst. Deputy and Secretary.

J. G. H. Bergeron, Esq., K.C.,

Secretary, Royal Commission on Indian Affairs,

Victoria, B. C.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

ttowa, July 17. - to 2 1 1 to xcellency The Administrator in Council. The undersigned begs to submit herewith a surrender in duplicate made on the eighteenth day of February, 1913, by the Seshart Band of Indians of their Reserve No. 3, known as the Iwachis Reserve, on the Alberni Canal, on Vancouver Island, in the Province of British Columbia, the surrender having been given in order that the said Reserve may be sold for the benefit of the Band. The surrender has been duly authorized, executed and attested in the manner required by the 49th section of the Indian Act, and the undersigned would recommend that the came be accepted by Your Excellency in Council, the original surrender to be returned to the Department of Indian Affairs and the duplicate to be kept of record in the Privy Council Office.

Superintendent General of Indian Affairs. Sprender of Iwachis Indian Reserve, B. C.

In order the the locerve may be sold to the landdim/Corthogo acific harlway for any the landscape of the comprise the close heart.

The recar of atten for the disposal to the langed the langed to the factor let us as ended by section at of the fer obtained by the mallway Tempany in the factor obtained by the mallway Tempany to the factor of the section of the less only for railway pure sec. is, however, the Company does not desire to the tiems are for instance of the market purroses - as may for instance of the meary has been estained from the indicate permit of the sale to the Company and upon the surrender being accepted by Orior in Journal the land can be used by the Company for railway or other purposes.

The surrender has been properly taken. There are S. male norborn of the Band of the are of Al years. Twenty seven were present at the necting and all voted for the surrender. The surrender has been executed and attested in the namer required by the ordinal let.

\$200.00 per acre which is the same valuation as was placed on the land last year by the projects of the resent front. There is also a how a following to an indian on the Reserve which the treat values at \$100.00, noting a total of \$2,500.00 which has been deposited in full by the tailed Company to the

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

the credit of the Receiver Reneral on account of Indian funds. As is allowable
under section 89 of the Indian let, the
Indians have stipulated in the surrender
that 50, of the sale price of the land
(02000) shall be said direct to them. The
remainder will be credited to the capital
account of the Band in general, and the
(100.00 will be paid to the individual Indian she das to he see on the Reserve.

The file containing the yapers in this matter was recently before the (Joint). Royal Journalist of Indian Affairs, for the Province of British Johnsta. The Commission almosted of the matter in so far as they are achieved as follows:

"Inaumuch as the application involves simply "a purchase, following a degreeder and armirangements to sell this is not a matter "coming within the scope of the Jamission "authority."

Indica iffuiro, July 17, 1918.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Victoria, B. C.

To
The Hon. Robert Mogers,
Superintendent-General of Indian Affairs,
Ottawa.

Sir:-

442123

Mr. T. G. Holt, the Executive Agent of the Canadian Northern Railway Company in B. C.. saw me some days ago in respect to the desire of the Company to acquire Indian Reserve No. 5 on the Alberni Canal for deckage and right-of-way purposes.

Mr. Holt discussed the matter with the Hon. I. J. Bowser, Attorney-General, and myself and the Attorney-General and I agreed that the reserve might be alienated with the comment of the Bomminion and Provincial Governments pending the negotiations new in progress respecting Indian Lands. And the Provincial Government, as you will see by the copy of the letter addressed to Mr. Holt by the Hon. W. R. Ross, Minister of Lands, on the 13th instant, is prepared to dispose of its reversionary interest in the Reserve to the Company. The consideration which may be fixed upon by the Government for the reversionary right will be ever and above the valuation put upon the land as an Indian Reserve.

On subsequently taking the matter up with the Local Indian Agent, I ascertained that the Department per its letter of the 15th. ult. file No. 206865, a copy of which is attached hereto, had decided that the sale of the land could not be allowed.

I have just returned for a special visit to the Reserve, which I made with a representative of the Company and the local Indian Agent, Mr. Neill. The Reserve is situated on the Alberni Canal, about 15 miles below Alberni. It consists in the main of a gravelly bench with a slight growth of brush and little triangles of small timber running on to it from the high lands above. It contains twenty-six acres, and the surveyed line of railway runs through the Reserve at its base. There is no habitation on the Reserve and no

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

The Hon. Robert Rogers (dontimed) ....

evicence of Indian occupation. The only building is an old dilapidated barnlike building which is claimed by one of the Indians.

Viewing it from the boundary post at the rear of the Reserve, it
is difficult to say whether this building is on the Reserve or not,
but the Company is willing to compensate the Indian whether it is or
not. The value that is placed upon the building is \$150.00, and this,
would be paid.

The Reserve was originally set aside as a fishing place for the Indians, but is now no longer necessary to them for that purpose.

of 1458 acres. The population of the Band is 128. The per capita acreage is, therefore, 11.38 or about 57 acres per family of five. The principal Reserve is situated on the Canal near Alberni and contains 1,030 acres, a fair proportion of which is good land. There is also another Reserve on the Canal of 156 acres.

The Agent assured me that the Indians are willing to surrender the Reserve for \$100.00 per acre which he considers a fair valuation; but they insist upon that amount being paid to them in cash. The Indian Act provides that 50% of the proceeds of the sale of any land may be paid to the Indians. The Company are prepared to pay \$200.00 per acre for the Reserve, 50% of which would meet the demands of the Indians for \$100.00 per acre in cash. Two hundred dollars an acre is a high price for the land, and there can be no doubt at all that the exchange of the 26 acres for \$5,200.00 would be greatly to the advantage to the Indians.

The Company is prepared to provide \$2.600.00 for payment at the time of surrender through the Agent, if the Department so desires, and I think it would be well for the Department to avail itself of the advance for payment to the Indians when they make the surrender, as they are rather suspicious, and are so fixed upon getting the money in their hands that if it were not there for payment to them at the formally time the question of surrendering the land is farmerly submitted they might refuse to surrender.

From where the line of the C.H.R.comes north out of the mountains

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)



at Coleman Creek, Reserve & affords the only possible place for dockage between that Creek and Port Alberni, where the waterfront is occupied by the C.P.R. and the C.P. Lumber Company. If the line came out of the hills to Canal water at China Creek, the only other available place for dockage, the gradients necessary to bring the line back would be far too heavy.

The Previncial Government acquiescing as they do, the work being clearly in the interest of the public, and of the Indians as well, and most generous compensation being accorded the Indians for the relinquishment of their rights in the Reserve, I cannot say why steps should not be promptly taken to have the Reserve surrendered, and the land conveyed to the Company.

I would, therefore, recommend that A. W. Meill, Indian Agent of Alberni be authorized under Section 49 of the Indian Act to take the assent of the Indians of the Tseshart Band to the surrender of the land comprised in their Reserve known as number three upon the terms of aforesaid.

I have the honour to be.

Sir.

Your obedient servant.

Special Commissioner.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

ROYAL COMMISSION ON INDIAN AFFAIRS FOR THE PROVINCE OF BRITISH COLUMBIA JAMES A. J. MCKEN VICTORIA. B. C. July 12th, 1913 The Honourable W. J. Roche, M. .. Superintendent-General of Indian Affairs. 442123 OTTAWA. Dear Dr. Roche..

DAY H. MACDON

I was rather surprised to find referred to the Commission the case of the Iwachis Reserve No.3 of the Seshart Band, which was surrendered some time ago, for sale to the Canadian Northern Pacific Railway Company.

The File was returned on the 7th July with an order of the Commission, to the effect: "That inasmuch as this application involves simply a purchase following a surrender and arrangement to sell, it is not a matter within the scope of the Commission".

In looking over the file, I de not find thereon my Official Report of the 2nd June, 1912, on the subject of the acquiring of this reserve by the C. N. P. Railway for dockage and right-of-way purposes, and, it occurring to me that the report might be of use to you, I have had a copy prepared, which I am enclosing herewith.

Yours faithfully.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

This cashe to Council in consection with the surpender on the 17th instant, the formal a report of the 2nd Junior and in which he reports in layour of the threshold in which he reports in layour of the threshold property to the hardest point of the land covered thereby being conveyed to the rail and covered thereby being conveyed to the rail to partners. Fylo 406;833 Joy es of his report only e vering totter are submitted horevill for the in-Royal a mission on Indian Mairs for the you he of British leburbie. 71etoria, D. ... July 13th. The less rable . J. Mario, L. D., and or stairs Circ ... our ... odio. fin ref well to the lesion the case of the amelia e give No.5 of the eshart Band, which was purrondered some time ago. Railway or pany. The "lile was returned on the 7th

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

to the effect: "That incommend as this application involves simply a purchase following a surrender and arrangement to sell, it is not a matter within the scope of the Commission."

In looking over the file, I did not find the open of fficial lepert of the Onl June, 1910, on the subject of the activity of this reserve by the '. N. P. Anilway for locking can'right-of-way purposes, and, it excuring theme that the report night so of use to you. I have had a copy repared, which can enclosing herewith.

To re faithfully.

J. J. J. Conna.

C . Y.

Tieterie, 7. . . . 2nd. June, 1912.

The Jon. Robert Torers,

. uperintendent-Denoral of main ifti wa. fairs,

Jir. -

tive treat of the landian forthern wilway long my in 3. 3. my me some days ago in respect to the desire of the longary to acquire ladian severve No.5 on the 1berni Canal for decaye and right-of-way

purposes.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

with the condition in the internal and the matter and a proof found the internal above rail and I agreed that the measure and the assembled with the assemble and the political and the assembled with the assemble and the political and the resonant and the assemble and the the assemble and assemble assemble and assemble assemble as an ending assemble as as a most and as an ending as a server.

matter we with the deal of the matter of the factor of the limits of the least of the limits of the least of the limits of the land of the limits of the land of t

a standard voil to the active, the table to be a served to the control of the con

olali ed

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

classed by one of the Indians. Viewing it from the boundary post at the rear of the Reserve, it is difficult to say whether this building is on the deserve or not, but the Company is willing to compensate the Indian whether it is or not. The value that is glassed upon the building is \$150.00, and this would be paid.

The decorve was originally set aside as a fishing place for the Indians, but is now no longer necessary to them for that purpose.

The Toddiens of this Tribe have nine Reserves centaining an area of 1453 acres The population of the Band is 188. The percapita acreage is, therefore, 13.38 or about 57 acres per family of five. The principal Reserve is situated on the Sanal near Alberni and contains 1.030 acres, a fair proportion of which is good land. There is also another Reserve on the Canal of 156 acres.

The Agent assured me that the Indians are willing to surrender the Reserve for ARO.00 per acre which he considers a fair valuation; but they insist upon that amount being paid to them in each. The Indian Act provides that 50 of the proceeds of the sale of any land my be paid to the Indians. The Jorpany are repared to pay (200.00 per acre for the leserve, 50 of which would meet the demands of the Indians for \$100.00 per acre in each. Two hundred dollars an acre is a high price for the land, and there can be no doubt at all that the exchange of the 26 neres for \$5.200.00 would be greatly to the advantage to the Indians.

The Company is prepared to provide [0.600.00 for payment at the time of surronder through the Agent, if the Department so desires, and I think it would be well for the Department to avail itself of the ad-

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Typing for engment to the Indians when they make the authorises, as they are rather suspictions, and he was a successful the menegation the feet of the first the time of the mention of the submitted the submitted to a first the surrender.

II. I. come a series of the come of the companies at Colored the control of the c

would be in the own.

The explicitly breakent of the explicit and of the latter bear well, in most generous componentian being accompanied to a latter for the relationship to a latter be really from the latter be remarked, and the result of the latter be remarked, and the latter be remarked.

that . We is a set of the analysis of the reliance of the remaining of the reliance of the remaining of the reliance of the remaining of the r

Your ballow sorvert.

(17). I. . I. c omno. I

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

406883

## WEST COAST INDIAN AGENCY,

Letter No. 650-18

SIR,

ALBERNI, B.C.,

Col Ky Wille

1/1/16

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

Ottawa, 21st August, 1913-

Sir,

I beg to state that the Surrender by the Seshart
Band of Indians of the Iwachis Reserve, No. 3, Vancouver
Island, B. C. in Duplicate, is herewith retwened, and I
have to inform you that the Minister of Justice has
advised the Department as follows:-

"and the Indians proving the proceedings for the surren"der of the Reserve, should set out not only that the
"Sutrender was agreed to by a majority of the male
"members of the Band, of the full age of twenty-one
"years, present at the meeting, but that it was agreed
"to by a majority of the male members of the Band, and
"that cheir consent was obtained at the meeting. This
"would be effected by having the Affidavit re-sworn as
"it is, leaving out the words 'then present', which I
"have underlined in pencil, in the Original Affidavit.
"When this correction has been made, the matter might be
"referred to Council again, when, no doubt the report will
"be approved".

You will, therefore We good enough to

have

C. A. Cox, 384.

Indian Agent,

Alberni,

B. C.

A SING

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Copy

have this cosrection made, and the Affidavit re-sworn, as suggested above, and the same, together with the Surrender in Duplicate, returned to the Department, with as little delay as possible.

Your obscient servant,

J.D. MA

Asst. Duraty & Secretary-

son Capi

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

406 883

Ollawa 18th A u 8 14 1918.

Please address replyto
Diputy Minister of Justice

Your report to Council of 17th ultimo, with respect to the surrender of the Iwachis Reserve, we so referred to the Minister of Justice by Council, and the Minister is of opinionXthat the affidavit of Indian Agent Cox and the Indians proving the proceedings for the surrender of the reserve, should set out not only that the surrender was agreed to by a majority of the male members of the band of the full age or twenty-one years present at the meeting, but that it was agreed to by a majority of the male members of the band, and that this consent was obtained at the meeting. This would be effected by having the affidavit resworn as it is, leaving out the words "then present", which I have underlined in , pencil in the original afridavit. Then this correction has been made the matter might be referred to Council again, when no doubt the report will be approved.

I have the conour to be.

S # 2.

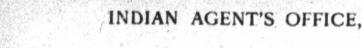
Your obesident servant,

The Secretary,

Dept of Indian Affairs, Assist, Deputy Minister of Justice.
O T T A W A.

Low Capy

40688



MORLEY Alta.

29th.August,

Sir,-

TO DATE OF THIS LETTER.

444422

I have the honor to enclose herewith sheet of a letter as sent by the Department to the Indian 130 Sales 200 A Agent, Sarcee Reserve. Mr. Agent Fleetham has forwarded it on to me as not intended for him, and I ALDER OF BUILDING am returning it to the Department not knowing to what it refers.

I have the honor to be, Sir,

Yours obedient servant,

Indian Agent.

ont,

OTTAWA

OTTAWA

Lead to the control of the state of

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

West Coast Indian Agency,

ALBERNI, B.C.

A

LETTER NO.

ŜIR,

Thank the myll

Ramid

444427

Hw. tt.65

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

September 10, 1913.

Encl.

Mar Str.-

of the 17th of that month was sent to Council with a surrender of the Wachis Indian Reserve.

mentioned Report to Council and the surrenders were referred by Council to the Justice Department for consideration and report. The Justice Department suggested a change in the affidavit of execution in connection with the surrenders, which change has now been made.

The Report to Council and the surrenders referred to are therefore returned herewith for
re-submission to Council. A copy of the Justice Department's letter is also hereto attached.

Yours truly.

Deputy Superintendent General of Indian Affairs.

nodolphe Bondreau, Lsq.,

Clerk of the Privy Council,

Ottawa.

Indian Affairs. (RG 10, Volume 8066, File 974/31=2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA son Copy

#### MEMORANDUM.

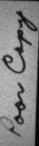
Ottawa, September 19, 1913.

To the Deputy Minister-

In regard to the question of surrender by the Semant Band of Indians, of their reserve No. 3, known as the Iwachis, on the Alberni Canal, Vancouver Island, I beg to submit as to whether any further action in regard to disposition of this reserve should be taken pending final confirmation of the reserve by the British Columbia Land Commission

In Charge Lands & Timber Branch.

Indian Affairs. (RG IO, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)







OFFICE OF THE DEPUTY SUPERINTENDENT CENERAL.

OTTAWA September 25, 1913.

The Lands Branch,

Ép

I should judge from the letter of the 13th of June, 1912, from W. A. Ross, Minister of Lands for the Province of British Columbia, to Mr. Holt, of the Canadian Northern Railway, that the province has practically consented to the sale of the Iwachis reserve in so far as its interest is concerned. The subsequent correspondence on file, including that with the British Columbia Indian Reserve Commission and the memoranda submitted to the Government upon which the Order in Council accepting the surrender is based, would indicate that the reserve can be disposed of without reference to the British Columbia Commission. The patent might contain the usual clause that this Government should not be in any way liable for any damages, etc., arising from the British Columbia claim.

D. 8. G. I. A.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Ottawa, 30 Sept - 19/3

1st Suffe Lo farmish description for fatent of the Swachis Res. no. 3 Barclay Diet - Uncouver Island - B. 6 Cory-under. DEPT. OF INDIAN AFFAIRS SEP 80 1913

406,883

Bepartment of Andian Affairs,

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt.

Ottawa, Oct. 1, 1913.

File 406,883.

#### DESCRIPTION FOR PATENT.

Seli

All that certain tract of land situate at the mouth of the Franklin Creek or River on the Easterly side of the Alberni Canal, Barclay District, Vancouver Island, Previous of British Columbia and known as the Iwachis Indian Reserve, No. 3 of the Sechaht Band of Indiano, containing twenty-six acres be the same more or less X as shown on a plan of survey dated 1883 made by Ashdown H. Green and of record in the Department of Indian Affairs and which may be described as a tract or tracts of land bounded on the West by the Alberni Canal, on the South by a line drawn from a post planted on the shore of the said canal East five hundred and five feet and on the East by a line drawn North from the Easterly end of the said line crossing the Franklin Creek one thousand nine hundred and eighty feet to a post phanted on the said Alberni Canal. Provided, and it is hereby expressly declared that this patent is issued and accepted without recourse against the Dominion Government in case of the establishment of any claim on the part of or under the Province of British Columbia to the said land or any interest therein.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)



Ottawa, Oct. 2, 1913. File 406,883. randum for the Deputy Superintendent General:-It is provided in the terms of the surrender of the Iwachis Indian Reserve which has been sold to the Canadian Northern Pacific Railway Company that an amount not exceeding 50% of the sum received is to be paid (distributed) to the band. There is also the sum of \$100.00 to be first paid to the Indian, Gaelic, for a house he had on the said reserve. The balance is therefore \$5,00.00, 50% of which may be distributed among the members of the band. I beg to recommend that the er be referred to the Accountant for action. (See tters from Agent C. A. Cox of Feb. 25 and Aug 4, last

Chief Surveyor.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

,00.00

406883

With cheques.

Ottawa, 4th October, 1913.

Sir:-

I beg to transmit herewith cheque No. 3231 in your favour for \$2600.00 being amount available for distribution to Indians of the Iwachis Reserve in connection with land surrendered and sold to the Canadian Northern Pacific Railway Company. The cheque in question represents 50% of the amount received from the sale. Payment to the Indians should be made at an even per capita rate. Men, women and children should share alike in the distribution. The payments for minor children should be made in each case to the father of the family. If the father is dead, the mother should receive payment, and if both parents are dead, the payments should be made to the regularly appointed guardians, or if no such personsexists, the money should be returned to the Department with explanations It will be necessary for the pay-lists to be prepared in duplicate. A third copy should be made and kept in your office for reference. All the payments are to be witnessed and the pay-lists are to be certified by you.

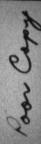
I also enclose cheque No. 3232 for \$100.00 in favour of the Indian Gaelic in compensation for the building which he owned on the land which was surrendered.

Your obedient servant.

C.A.Cox Esq., Indian Agent, Alberni, B.C.

Asst. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)



#### Memorandum for Agents' Guidance.

- 1. The names of all heads of families (including absentees) entitled to participate in a distribution should be entered on the pay-list each year.
  - 2. The Band Number of a family should on no account be changed.

Should a family become extinct, its number should be dropped and not used again.

3. When a member of the family is to be paid separately, as all adults should be, his or her name must be added at the end of the pay-list, under a new number; and the reason for paying separately should be given in the column for remarks.

Changes that to not seet the subser in the Band as not to be entered the column and in ging cases and decreases leaded. Other causes "

- 4. All increases and decreases that affect the number in a Band must be entered in the column headed "Other Causes," and be carefully explained in the column for "Remarks."
- 5. No money should be paid to merchants or other persons who are not Indians, except by special permission of the Department.
- 6. No money should be paid to any Indian other than the one entitled, unless upon presentation of a written order, which should be attached to the pay-list.
- 7. Wherever possible the share of an absentee is to be remitted to him, by express order or post office order, at his expense, and the stub or number of the order is to be attached to or stated in the list. When money is sent by registered letter, a receipt for the letter from the postmaster should be attached to the list.
- 8. All money columns and the columns showing the number of Indians should be correctly added.
- 9. The Statutory Declarations should be taken before a Justice of the Peace, or a Commissioner for taking affidavits, according to regulations.
- 10. The pay-list should be returned to the Department promptly after the distribution. Only under very exceptional circumstances should it be retained longer than one month.
- 11. No additions are to be made to the pay-list unless title to be paid is made clear. The best attainable evidence of birth is to be got. In organized discricts the paymaster should demand production of a copy of certificate of birth.

In the case of women from other districts entering the Band by marriage the paymaster must assure himself that they are not paid elsewhere by communicating with the Agent of the district from which they come. No one but newly born children and women entering the Band by marriage should be added to the list without the sanction of the Department.

1913

		Nt	MBE	R IN	FAMII	γ.				
Band	NAMES.						Ame	-	Amount returned to	No: on previous
No	N. A. M. B. W.	n.	omen,	Boys	Girls.	Total.	Pa	id.	Dept. for Absentees,	Pay-List.
	A SECRETARY OF THE SECRETARY	Ä	W	B	ē	ř				An on marrie years
1	I ma wife scholarin	/.	/	2	,	#	96	25.		
9	Bos Jackson wife . ch.	,	1		/	3	57			
3	Ray Jaylor	/				/	19	25-		2
4	Emma bana Jeh			9		3	17	71-		
5-	Old varia	/		7		/	19	25.		
6	John Jick, wife, & ch.	/	/		4	6	115	50	1	
,	Old vick, wife	,	1			2	38	5.0		
8	Showish, wife 3 ch	1	1	2	1	6.	96	28-		
9	Jacob Shows &	/				1	19	25-		
10	Watty Shinesh, wife	1	<i>;</i>		1	2	31	50		
1/	Jackson	/				/	19	20.		
19	In. Bill, wife, 3 ch.	7	1		3	J.	90	25-	t.	
13	In Johnston & ch		1	1	/	J	37	75-		
14	mo Im what	+	1			,	19	25-		
15-	ma macici		1	2 10-		1	14	25		
16.	Charle materie, wife	1	1			- 4	38	50		
17	Jomes h	1			. • ,	-1	19	25-		. 0
18	Capt Bile wife / ch.									
19	Edward Elntree mife						38			
20	Chilies 3 children						77			
21	Jomny Bill, wife						39			
22	Kish - histora, wife, 2ch	. /	1.	- /	1	4	77	00	*· 6	
23	m. Joultsmuth		/				19	Mary San	4.4	J (
24	Johnny yekum, wife, the	/	/		/	3	57	70	104)	
2,5	Billy yulum, wife, ch.	- /			./	3	57	75	and the	
2.	James Yukum						19		.p.	
27	Ams. Chinas Jack		1	, ,		1	19	25	-1 H. *	

21 00 9 17 17 1289 23

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

Fred hart for is Bol Jacken that made Roy Jaylow " Emma sand has tombote Old Cana has & mini John Sich . + Della? Shows h his . 8 . 8 2

Jacob Shuristo the X mark Jackson have the Bill his on small & Man stranger ha & translat

mas I makap to x mak Jan. machie has provided Charle Malari his & mak Somish his + mark Capt Bill . Track

Edward March Cluster hang mank the Tommy Bill this firmank Hish Kish a hist mark him Joulteen with mant try gulum ha to mak

Billy yukum. James yukun Marchanist Jack hand made Grand Comment of the is the parties with the

Janes Dames Jes gg.

a grande and the second CLE

foliand has as while it is whose and the same

manual to All many the

white have

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

presious Pay-List,

#### NUMBER IN FAMILY

, Band No	NAMES.		Jeh.		, 3	-1	Amount Paid.	Amount returned to Dept. for
		Men	Won	Boys	Girk	Total		Absentees.
-	a proposation of the second	in the	20	9	17	67	189 7	s e jeke o
28	agnis Johnny yalumis arole		8.			/	19 25-	
29	Jim had	/				/	19 25	
30	Garlie, wife, & children	/	1	2	2	4	115 80	N.
31	Some, wife	/	1			2	38 50	
32	Jany Clutisim, wife	1	1		Ф	2	38 50	
334	Chilisin wife	. /	1			2	39 50	· horas
34	William	1					14 25-	
35	I rank William, wife Ich	/	/	1	2		96 25	N.
36	S onglas, wife, 2 chitan.	/	/	1	1		77:00	
37	alex sougher, wife, thild	1	1		/		67 75	
33	Ola Jon, wife	/	/			-	38 50	* *
39	Many I homas infe, & ch.	. 1	/		2		77 00	
40	Santo, wife	/	/			art.	38 50	
41	Jimmy Santo, mife, Ich.	1	1		1		67 75	
42	gus, wife, Schildren	1	1	2	,		96 25	lin.
43	Bot wife , 2 children	1	1		2		77 00	
44	Willie Robuts, wife	1	1				39 50	
45-	Old for, mife		/				31 50	y
46	Chimiske for wife		/					
47.0	mas N unto on or the	,	,		*		39 50	- W
49	Matty, wife 7 children		,	./.	7	-	10 50	
49	High in - a - her (mm)		,	~	7		173 25	
50	agnis	3	1				19 25-	
	Charle Ross. wife, I child	1	21				19 25	
51	Charles white I child		/	medical part	marka - va	treatment out	57 75	
		41	. 61 6	19	73	7 +	91.44 0	

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Poor Capy

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA son Capy

PAY-LIST of Interest

NUMBER IN FAMILY. returned to Dept. for

Pay List.

 $\Lambda$ bsentees.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

#### INTEREST PAY-LIST.

#### DECLARATION OF INDIAN AGENT.

,	
	,
County of Mulling	7
Province Statista ( perusare of the	
To WIT:	we legentus for
or Mouris in The	Persone of the
do solemnly declare that I am an Indian Agent for	22 10 13 11
do solemnly declare that I am an Indian Agent for	About the back to handle offerthe to a bet in a harry
That the money set down on annexed pay-list a	s having been paid forthe the selection
de of superior to to 5 1905, was	en paid by me to each Indian and in a
legal representative.	्रिके
-	W. C.
That to the best of my knowledge and belief each	
the amount set opposite to his or her name, and that	each Indian head of a family has correctly

stated the number of the members thereof whose moneys are payable to him or her. And I make this solemn declaration conscientiously believing it to be true, and knowing that

it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act."

Declared before me at

alleon

in the Province of British Country

A.D. 1963

anduifm

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)



Atha

440134

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

427050 - 59 INDIAN AGENT'S OFFICE Alberni, B.C. 19 20 October 30, 1.57-24 544360 TO DATE OF THIS LETTER Sir,-Mrs. William who was originally an Opitchesaht woman, but who narried a Seashaht Indian, came to this office on the morning of the 29th. of Oct.. and endeavored to establish her claim to the monies now . coming to the Opitchesaht Band. After I had explained Sect. 15 of the Indian Act, she then asked for a refund of the money she refused at the time of the distribution of the monies from the sale of the Iwachis Peserve No. 3, bf the Seashaht Fand in November 1913. When this money was paid the Seashaht Indians, I have a recollection that I explained this fully to her, but on this point I am not absolutely certain. However, if possible I would like that she get the amount that she refused at the time of the above mentioned payment, viz., nineteen dollars and twenty five cents. Your obedient servant, The Secretary, Dept. of Indian Affairs, Ottawa. Indian Agent. Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1) PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

157-24

Ottawa, November Sth., 1920.

Sir,-

Referring to your letter of the 30th ultimo, relative to the case of Mrs. William, an Opitchesaht Indian woman who married a Seashaht Indian, and who now claims that she is entitled to share in the distribution of money made sometime ago to members of the Opitchesaht Band, I beg to say that you should inform the Department definitely as to the number under which this woman's husband is paid in the Seashaht Band.

In this connection I may say that when you refer to a family you should be particular to give the family number, if one has been assigned thereto. It is by the name of the band and the band number that the Department identified various Indians belonging to your agency.

zma

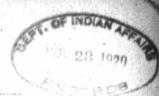
C.A.Cox Esq., Indian Agent, Alberni, B.C. Your obedient servant,

For Aset. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

406883

#### INDIAN AGENT'S OFFICE



Alberni. B.C.

g-----(fish-qu-74f-qu-------

November 17th. 19 20.

545060

Sir,—

No. 171-24.

I have the honour to acknowledge receipt of the Departments letter of November the 9th, and which as reference to the claim of Mrs. William an Opitchesaht Indian woman, and who is married to a Seachaht Indian. Her claim is for money distributed to the Seachaht Band, and not to the Opitchesaht Band as per your letter. William the husband of the woman above referred to, is number \$4 on the pay list of the Seachaht Band of 1913.

I have the honour to remain,
Your obedient servant

Indian Agent.

The Secretary,
Department of Indian Affairs,
Ottawa.

ACCOUNTANT

Pay mis William.
1920: Share of surrender

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Seelut. 36 929 C. Scott En 8 MAR 7 1929 I work to white for a the and as & you a question which I do get a clear understanding from our Sudien sold a piece of land to a cutain Railway Co and we got half of the value in Ed h and the other half was put into the Bank. When that money was put into the Bunk we got understanding that I we Guld use the interest of the ornney and to be used for the tibe (Shoot tibe) The Indian agent has told me that the money was all used frequency relief to the agel sudians, and an Seott will you please muse plain to one it this mine has really been used, there has been while beder given our og the Indian Dest ing before our cand was cold, and on the that hand we got understanding that this money could not be touched but the interest " sandly give one a clear sinderstance of oblige Thief & hewish

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

Sir.-

Ottawa, March 11, 1929.

In reply to your letter of the 26th ultimo, I may say that seemingly you have misunderstood the information furnished you by Mr. Edward E.Frost, Indian Agent for the Sechart Eand.

When land belonging to the Band was sold in 1913, one-half of the purchase money was paid to members of the Band in cash, and the other half was funded for their benefit. A small account was incurred for fighting of fire on the reserve, and the said account was charged against the Band's account. The amount at their credit at the present time is \$2512.71. The interest on this amount at 5% per annua has been used to provide relief for destitute members of the band. Expenditure for relief in excess of the interest on the amount above stated has been met from funds voted by Parliament, and I may remark in this connection that, before the Sechart Band had funds to their credit, relief accounts were paid for from a Parliamentary appropriation.

It is hoped that the foregoing explanation will make quite clear to you the manner in which the Band's money is being administered.

ayin the

Chief Shewish, Sechart, B.C. Your obedient servant,

A.F. Mackenzie
Acting Asst. Deputy and Secretary.

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Low Capy

974/31-2-323 C.N.A

то	DA	TE	вч	то	DATE		REQ'D BY	PER	DATE
ACT43	25 8	169	//.			-			
			4						
		-		,					
							The state of the s	- the contribution of the	
1		-							-
		-						A Service of Management of the Service	
		-		parameter in the appropriate of the section of the					
		-							
		-							
	-			0					
		-			-		,		
		and a second				-			
-	-	-	2						198
		-							
		-							
		_							
		_							
		-	September 1 and the second						
		-	3						-
			,						
			* 4			9			, I
-		-							

INDIAN AFFAIRS BRANCH

Indian Affairs. (RG 10, Volume 8066, File 974/31-2-32-3, C.N.P., Pt. 1)

IA-12

#### Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

974/31-2-11-0 E AND N	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE ESQUIMALT RESERVE D FOR THE ESQUIMALT AND NANAIMO RAILWAY.	1904-1905
	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SONGHEES RESERVE 1 FOR THE ESQUIMALT AND NANAIMO RAILWAY (SONGHEES BAND).	1923
974/31-2-32-3 1 C.N.P.	WEST COAST AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE WACHIS RESERVE 3 FOR THE CANADIAN NORTHERN PACIFIC RAILWAY. (PLANS). (SHESHAHT BAND).	1912-1929
974/31-3-3-1 1	CHARGED OUT 1974.	*
974/31-3-15-1-1	COWICHAN AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE NANAIMO TOWN RESERVE 1 FOR A POWERLINE FOR THE NAMAIMO DUNCAN UTILITIES COMPANY.	1938-1939

# CORRECTION

#### Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

974/31-2-11-0 E AND N			1904-1905
974/31-2-23-1 E AND N	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SONGHEES RESERVE 1 FOR THE ESQUIMALT AND NANAIMO RAILWAY (SONGHEES BAND).	1923
974/31-2-32-3 C.N.P.	1	WEST COAST AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE WACHIS RESERVE 3 FOR THE CANADIAN NORTHERN PACIFIC RAILWAY. (PLANS). (SHESHAHT BAND).	1912-1929
974/31-3-3-1	1	CHARGED OUT 1974.	
974/31-3-15-1-1	1	COWICHAN AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE NANAIMO TOWN RESERVE 1 FOR A POWERLINE FOR THE NAMAIMO DUNCAN UTILITIES COMPANY.	1938-1939

File No. 21152-8.

THIS INDENTURE, made in triplicate this Twentyeighth day of November 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, hereinafter called the "Grantor"

of the one part,

and

THE BRITISH COLUMBIA ELECTRIC RAILWAY COMPANY, LIMITED, of the City of Victoria in the Province of British Columbia, hereinafter called the "Grantee"

of the other part.

Hundred and Seventy-five dollars (\$975.00) now paid by the Grantee to the Grantor (the receipt where is hereby acknowledged), the Grantor doth, subject as hereinafter mentioned, grant unto the Grantee, its successors and assigns, and its and their agents, servants and workmen, with the necessary equipment, a free and uninterrupted right of way (easement) of thirty-three (33) feet in width, through, along and over that certain parcel of land in Quamichan and Cowichan Districts, Vancouver Island, Province of British Columbia, more particularly known and described as follows, that is to say:

ALL AND SINGULAR that certain parcel or tract of land known as the Cowichan Indian Reserve No. 1 and being part of sections eleven (11), twelve (12), thirteen (13) and fourteen (14), ranges one (1) and two (2), and sections fifteen (15), sixteen (15) and seventeen (17), range one (1), Cowichan District, and sections sixteen (16) and seventeen (17), range eight (8), Quamichan District, the said right of way (easement) being described, laid out and following the route described and the mupon the plan

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-3-1, pt. 1)

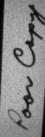


attached hereto, for the purpose of placing and erecting, and with the right to place, erect and maintain at any time thereon a sufficient number of poles, not to exceed fifty-five (55) in number as marked and placed on said plan for a single pole line, and to place and carry on the said poles the necessary wires for an electric transmission line and-or telephone line (hereinafter called the "said line") SUBJECT. HOWEVER, to the Grantor or any person occupying the said reserve or any part thereof having the right to cultivate and till and take the produce thereof from the ground comprised within the said right of way (easement) granted herein, but in such manner as not to damage the property of the Grantee.

THE GRANTEE, its agents, servants and workmen, with the necessary equipment, may at any time enter upon the said land along the said right of way for the purpose of erecting, maintaining, operating and repairing the said poles and lines, and may at any time out down any trees and clear away any brush upon or along the said right of way, which may, in the opinion of the Grantee, be blown down by wind and/or interfere with the operation and lise of the said line: PROVIDED AIWAYS that the said Grantee does hereby covenant to clear up and destroy or remove from the said reserve all trees and brush cut by the said Grantee and all debris and trash caused through the operation of the said Grantee.

and at the cost of the Grantee, make, do, execute, or cause to be made, done or executed, all such further and other lawful acts, deeds, things and assurances in the law whatsoever for the better and more perfectly granting the said right of way (easement) hereby granted or intended so to be, and by a more particular and definite description, should it be so required, unto the said Grantee as the said Grantee shall require or be advised to require.

1380



and The GRANTEE hereby covenants and agrees to compensate the Grantor and/or any person or persons occupying the said reserve for any injury or damage caused to the Grantor or to such person or persons or to any property, stock or animals upon the said reserve in any way arising out of the erection of the said line or caused by any electric current, whether such injury or damage is due to the negligence of the said Grantee or otherwise.

compensate the Grantor and/or any person or persons occupying or being upon the said reserve or any part thereof under the authority of the Grantor and/or of the occupier of the land for the time being for any loss or damage occasioned on the said right of way (easement) and/or on any part of the said reserve by the operations of the Grantee or its servants or workmen upon the said require including damage to growing crops and/or to any animal or animals or person or persons caused through the operations of the said Grantee whether such injury or damage is due to the negligence of the said Grantee or otherwise.

AND THE GRANTEE hereby covenants with the Grantor to compensate for all damages as aforesaid.

AND IT IS HEREBY ACREED that these presents and everything herein contained shall respectively enure to the benefit of and be binding upon the parties hereto, their heirs, executors, administrators, successors and assigns, respectively.

IN WITNESS WHEREOF the Director of the Indian Affairs

Branch of the Department of Mines and Resources, on behalf of

the Minister, and the Grantee have hereunto set their hands

138 b

and seals the day and year first above written.

in the presence of

As to the signature of the Director of Indian Affairs.

Director of Indian Affairs.

al .

The Common Seal of the British Columbia Electric. Railway Company, Limited, was hereto affixed in the presence of

ERIEISH CORTIMBIA.

ERIEISH CORTIMBIA.

POPULITIES DOUBLES OF THE ORIGINAL PROPERTY OF THE ORIGI

No

138e

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-3-1, pt. 1)

PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA Son Capy

21152-8 No File

RESOURCES ON T MINES OF MINISTER

TISH H

RAILMAY.

LINE

the wind single result from manifest transmittening want opposite climate come deposite

DESCRIPTION OF STREET PROPERTY OF THE PROPERTY AND ADDRESS OF THE PROPERTY OF

DEMERSOR'S BOW STATE WEST OF THE THE CHARGE STATE CONCERNOS AND

ment with the parties of the parties of the contraction of the section of the contraction of the contraction

THE THE STREET STREET STREET STREET STREET STREET STREET STREET STREET STREET

1842 City City Allen \* Free of Track Street of the Section of the City Commence of the City C

THE RESERVE TO THE PROPERTY OF THE PROPERTY OF

the supplies of the second second

TO THE PART OF THE PARTY OF

distance and their contractional fractions in transfer of the L and by specific single and the

· (2) and the first the management of them party assessment (20)

THE VIEW WAS COMPLETED IN THE THE STREET OF THE STREET OF

THE RESIDENCE STANDARDS AND TRANSPORTED THAT SHAPE

SH COLUMBIA ELECTRIC
AY, COMPANY, LIMITED.

INE EASTERNY

dian Reserve No. 1, 12, 13 and 14, 16 and 3 and 14, 4 and 3 and 14, 4 democration District. Indian Sections il, Ranges 1 and 17, Fange 1, 17, Fange 8,

the street street at the party

The second second second second second

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-3-1, pt. 1)

#### Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

974/31-2-11-0 E AND N		COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE ESQUIMALT RESERVE D FOR THE ESQUIMALT AND NANAIMO RAILWAY.	1904-1905
974/31-2-23-1 E AND N	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SONGHEES RESERVE 1 FOR THE ESQUIMALT AND NANAIMO RAILWAY (SONGHEES BAND).	1923
974/31-2-32-3 C.N.P.	1.	WEST COAST AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE WACHIS RESERVE 3 FOR THE CANADIAN NORTHERN PACIFIC RAILWAY. (PLANS). (SHESHAHT BAND).	1912-1929
974/31-3-3-1	1	CHARGED OUT 1974.	
974/31-3-15-1-1	1	COWICHAN AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE NANAIMO TOWN RESERVE 1 FOR A POWERLINE FOR THE NAMAIMO DUNCAN UTILITIES COMPANY.	1938-1939

# CORRECTION

#### Indian Affairs Central Registry Files, 1874-1959

File

(RG 10, Volume 8066)

974/31-2-11-0 E AND N			1904-1905
974/31-2-23-1 E AND N	1	COWICHAN AGENCY, SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE SONGHEES RESERVE 1 FOR THE ESQUIMALT AND NANAIMO RAILWAY (SONGHEES BAND).	1923
974/31-2-32-3 C.N.P.		WEST COAST AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE WACHIS RESERVE 3 FOR THE CANADIAN NORTHERN PACIFIC RAILWAY. (PLANS). (SHESHAHT BAND).	1912-1929
974/31-3-3-1	1	CHARGED OUT 1974.	
974/31-3-15-1-1	1	COWICHAN AGENCY SOUTH ISLAND DISTRICT - CORRESPONDENCE REGARDING RIGHT OF WAY THROUGH THE NANAIMO TOWN RESERVE 1 FOR A POWERLINE FOR THE NAMAIMO DUNCAN UTILITIES COMPANY.	1938-1939

FILE NO.

979 152 / 31-3-15-1-1

VOLUME - INDIAN AFFAIRS BRANCH -31-3-15-1-1 DEPARTMENT OF CITIZENSHIP AND IMMIGRATION SUBJECT POWER LINE RIGHT OF WAY TO NANAIMO BAND NANAIMO TOWN RES. NO.1 NANAIMO DUNCAN UTILITIES CO FILE NO.

DO NOT WRITE BELOW THIS LINE

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-19-1-1, pt. 1)

No. 21152-11-2

DEPARTMENT OF MINES AND RESOURCES

COWICHAN

APPLICATION MANALEO DUNCAN UTILITIES LOTD FOR R.W. POLE LINE TERQUEH MANALEO NESE VE.

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

21152-11-2 DEPARTMENT OFFICE OF THE OF MINES AND RESOURCES INDIAN APPAIRS BRANCH August. 3I Si::-Included in .. ency clib se Mo. 1464, made in favor of the ledelver coeral and forwarded with returns for period entire request list, 1938, same is the sum of 13.0 pair in by the Mensimo-Duncen Utilities, Lt., 1 covering authority given by the Arief to errot a poter pole on the elge of the Macaino in the captre oil, on the street also page. on the storet alm suce . I would and that that money be cradition to me funda ar the Service one. Leave formal 28.1. XI Your oldstens servent, The Secretary, Indian affairm réach, Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1) PUBLIC ARCHIVES ARCHIVES PUBLIQUES CANADA

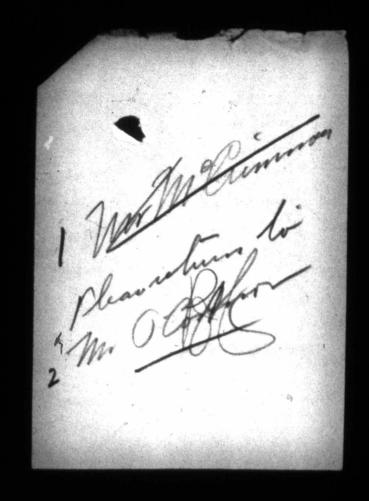
File No. 21152-11-2 Credit Advice The following remittance has been received from Indian Agent H. Graham at Cowichan and recorded in the Official Cash Book. Folio Amount \$ 5.00 Agency Receipt No. 671 dated dang 19 1/38 Payer Manaima Duncan Utilities on account of fourer line it of way.

(nanaims I. P.) Leave Susp. 353.

Mr. Mchingmon

For Treasury Branch.

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt#1)



Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1=1, pt. 1)

21152-11-2.

Ottawa, September 21st, 1936.

Dear Sir, -

I acknowledge receipt of your letter of August 31st last, No. 197-A-4, advising that the Nanaimo-Duncan Utilities, Limited, had paid the sum of \$5.00, under authority of the Chief, to erect a power pole on the edge of the Nanaimo Indian Reserve No. 1 on the street allowance.

In reply I may say that the Chief has no authority to grant such permission and I would ask you to be good enough to bring the matter before the Band for consideration, in order that the necessary action may be taken by them. You will then forward the resolution to the Department in the usual way.

Yours very truly,

D. J. Allan,

Superintendent, Reserves and Trusts.

86

H. Graham, Esq., Indian Agent, Duncan, British Columbia.

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

21152-112

OFFICE OF THE

DEPARTMENT OF

OF
MINES AND RESOURCES
INDIAN AFFAIRS BRANCH

FILE 339/A/4

Duncan. B.C.

Sept. 27th. 1938

Dear Sir.

four file # 21152-11-2

Replying to yours of the 21st. inst. in connection with Chief Paul White of the Nanaimo giving his consent to the Nanaimo-Duncan Utilities to erect a poer pole on the Indian Reserve at Nanaimo.

In regard to this I beg to advise you that this was an emergency case, as the Power Company was held up until they could get authority to place this pole on the reserve.

This matter was taken up before Mr Christianson Superintendent of Agencies, MrMackay Indian Commissioner and myself when visiting the Reserve, and the Chief was advised that it would be quite in order for him to consent, and when did, I was instructed to write the Company to this effect.

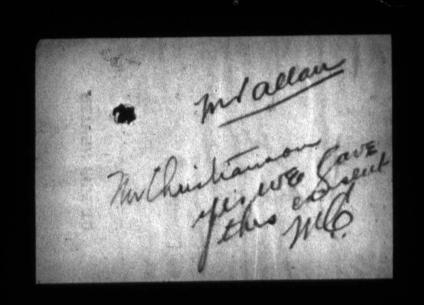
Under the above circumstances, please advise me if it will still be necessary to obtain the Bands consent.

Yours obediently.

(H.Graham)

(Indian Agent.)

The Secretary.
Indian Affairs.Branch.
Dept. of Mines & Reseurces.
Ottawa. Ont.



Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

Ottown, Onterio, October 14th, 1938.

Dear Sir: -

With reference to your letter of September 27th, re the power pole on the Indian Reserve at Hamaino, owing to the fact that this was consented to by Mr. Christianson, Major MacEny, yourself and the Chief, the mutter may for the present be considered as done with authority. You should, however, at the carliest opportunity have the Chief's action confirmed by resolution of the Band and in this way doing what we can to regularize a procedure which strictly speaking is not authorized under the Indian Act.

I would suggest that you should give this matter attention at the first meeting of the Band Council.

Yours very truly,

D.J. Allen, Superintendent.

erves and Trusts.

H. Graham, Req., Indian Agent, DUNGAN, B.C.



MONEY TRANSFERRED BY TELEGRAPH B3RAGS

## CANADIAN PACIFIC TELEGRAPHS

POSTAL TELEGRAPH-CABLE CO.

56 COLLECT AL SENDARD TIME

PULL RAT

PULL RATE

DAY LETTER DL CODE CO

MIGHT LETTER ML DEFERRED LI

TELEGRAM MM HIGHT CABLE ME

This is a full-rate Telegram or Calls gram unless otherwise indicated by signal in the check or in the address. TELEGRAM CABLEGRAM

W. D. NEIL, GENERAL MANAGER OF

(延むやナーヤ

NAMALNO B. C. DEC 20TH

HON CRERAR DI MINES & RESOURCES PARLIAMENT SLOGS, OTTAWA ONT.

NAMAINO INDIANS RECEIVING REPORT OF NON DISTRIBUTION OF FUNDS APPEAL TO YOU
TWO LARGE COLLIERIES ONE RAILMAY ON RESERVE LARGE RESERVE AGREAGE WITH CORL
UNDERNEATH HELD BY COMPANY MANAINO DUNCAN UTILITIES THREATEN INNEDIATE
EXPROPRIATION OF RESERVE PROPORTY FOR DANGEROUS POWER LINES NOW OF ABOVE
BENEFAT INDIANS NUCH PLEASE AGT FOR US SPEEDILY.

CHIEF WHITE HARRY MANSER SECRETARY

1232AM21

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

Minister's Office MEN NDUM Dec. 21, 1938 THE DEPUTY MINISTER The attached telegram to the Minister from Chief White Harry Wanser, Secretary, Nanaimo, B.C., Dec. 20, reading --NANAIMO INDIANS RECEIVING REPORT OF NON DISTRIBUTION OF FUNDS APPEAL TO YOU TWO LARGE COLLIERIES ONE RAILWAY ON RESERVE LARGE RESERVE ACREAGE WITH COAL UNDERNEATH HELD BY COMPANY NANAIMO DUNCAN UTILITIES THREATEN IMMEDIATE EXPROPRIATION OF RESERVE PROPERTY FOR DANGEROUS POWER LINES NONE OF ABOVE BENEFIT INDIANS MUCH FLEASE ACT FOR US SPEEDILY",

is referred for departmental attention.

W.J.F. Pratt

Encl.

Dr. McGill -

For attention of your Branch.

leny

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

Manamo 180, Mr W Cresar munister of mines & / Besources Farleamen & Bulding. Otlaisa We have been note fred by the nanawwo Duneau Cast of our Indean Reserve for he exclim of Alin We do not want such poles on our offerene wa have no lights on the struts and segards such poles as a menace to our populy and the parting your Children moreaver we feel that \$200 for a perpetual rights & way is altogether to small a sum for such a privilege, and would prefer an Immual sum for the length of the leave of the The Hackway running through the Ofeserve brings To recompense do Jas The small sum paid he dideans so years ago is now claimed hite a genet Have payment and the case in under advisement we from all fresther dealings with Corporations quevances yours, sign Chief Paul Molite Beely namarun Is an

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

Houseman 22 (12) V 1/2/2 Michaelia y money Pleas Help Frank on water pro · Her have bean Diete good Paradas To likelie Its hat they in when thegode of sprante Rlease help is along live More to a full that for a for a feel that is such a greetige that would proper me mount never you the length is in those of in be Marker of the war it hereing bearing is 300 becomplement to fait the during bound fresh he to have so yours ago we now I amost he a quest law ment and he case in adminute. grus : HA juner acety residence in the angle

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

Minister's Office 2//1/2-//-

THE DEPUTY MINISTER:

I am enclosing, for departmental attention, the attached (1r Jany 6) from H.P. Wanser, Secretary, Nansimo Band, Nansimo, B.C. advising that the Indians oppose expropriation by the Nansimo Duncan Utilities Ltd. of part of their land for the purpose of erecting power poles.

Medel Pratt.

Private Secretary.

Dr. McGill -

MEM

MUDI

For attention of your Branch.

swif

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)



Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

### 132/31-3-18-1-1

			CHARG	E CAR	D	714	QS.	
то	DATE	ву	то	DATE	ВҮ	REQ'D BY	PER	DATE
alta	11 8 66	1						
								46
	-							, mle t
		-						
			4					
		1 1000 100 100						
				- •				V -0
H							80 20	
		the state of the s						
			93		*			
							1	
		-						
							^	. 1
			1 <sup>2</sup> 23					8
B	- ,							
	DEPARTMEN	т оржи	TIZENSHIP AND II	MMIGRATION	- Indian	Affairs Branch		
IA1-57								

Indian Affairs. (RG 10, Volume 8066, File 974/31-3-15-1-1, pt. 1)

## END OF REEL

# FIN DE LA BUBINE