PETITION.

To the Honourable the Legislative Assembly of the Province of British Columbia.

The respectful Petition of the undersigned sheweth:—

1. Your Petitioners are holders of Crown Grants under the Great Seal of the Province of British Columbia for the following enumerated tracts of land in the District of Kootenay and the Kamloops Division of Yale District.

In Kootenay District:—

A. S. Farwell—Lot 6, Group 1, containing 1,175 acres, Crown Grant No. 319, dated January 13th, 1885.

G. B. Wright—Lot 7, Group 1, containing 214 acres, Crown Grant No. 320, dated January 13th, 1885.

In the Kamloops Division of Yale District:—

J. C. Prevost and G. B. Martin—Lot 513, Group 1, containing 226 acres, Crown Grant No. 321, dated 13th January, 1885.

G. B. Wright—Lot 497, Group 1, containing 278 acres, Crown Grant No. 322, dated 14th January, 1885.

G. B. Wright—Lot 526, Group 1, containing 1,408 acres, Crown Grant No. 323, dated January 14th, 1885.

C. E. Perry—Lot 525, Group 1, containing 166 acres, Crown Grant No. 324, dated January 14th, 1885.

D. M. Eberts—Lot 528, Group 1, containing 160 acres, Crown Grant No. 327, dated January 21st, 1885.

2. Your Petitioners continued in peaceable possession of said lands until November, 1885, when they were served with writs of intrusion at the suit of the Attorney-General of Canada. Appearances were entered to the writs, and the cases came on for trial in September, 1886, in the Court House, James' Bay, Victoria, B. C., before Mr. Justice Henry, sitting as an Exchequer Court,—the case of the Attorney-General of Canada *v.* A. S. Farwell being heard as a test case.

Mr. Justice Henry delivered judgment at Ottawa in January, 1887, in favour of the defendant, with costs. From this judgment the Attorney-General of Canada appealed to the Supreme Court of Canada. The appeal was argued at Ottawa in May, 1887, before the Supreme Court, and judgment was given in December, 1887, reversing the decision of the Court below, with costs.

3. Your Petitioners purchased the said lands in good faith, and have since paid Provincial taxes thereon, and many other persons, under precisely similar circumstances, purchased lands in the Kamloops Division of Yale District, and received Crown Grants from the Provincial Government; but the latter have not been disturbed in the peaceable possession of their property by the Dominion Government.

The following are instanced:—

S. J. Tunstall and James K. Callbreath—Lot 496, Group 1, containing 160 acres, Crown Grant No. 325, dated January 14, 1885.

James McIntosh and William Bell Wilson—Lot 529, Group 1, containing 130 acres, Crown Grant No. 338, dated January 24th, 1885.

James Ross—Lot 498, Group 1, containing 160 acres, Crown Grant No. 391, dated June 25th, 1886.

A. G. Pemberton—Lot 515, Group 1, containing 568 acres, Crown Grant No. 401, dated January 6th, 1887.

C. E. Williams and Whitfield Chase—Lot 499, Group 1, containing 640 acres, Crown Grant No. 2,992, dated May 6th, 1886.

4. Your Petitioners are aware of the nature of the judgments delivered by the Supreme Court of Canada in the Provincial "Mineral Case," delivered concurrently with those in the case of the Attorney-General *v.* A. S. Farwell; and have noted that in the latter the issues are generally dismissed, as having been decided in the said "Mineral Case" judgments.

5. Your Petitioners, though satisfied an appeal to the Privy Council would result in the reversal of the Supreme Court judgment and the support of that of Mr. Justice Henry in the lower Court, they are unable, in view of the heavy cost of an appeal to England, to continue the suit.

6. As innocent *bonâ fide* purchasers of land from the Provincial Government, your Petitioners respectfully submit their position is one of very great hardship.

Your Petitioners therefore pray that your Honourable body will be pleased to take the above facts into consideration, and protect the interests of your Petitioners in the lands so acquired by them from the Government of this Province.

And your Petitioners, as in duty bound, will ever pray, &c.

G. B. WRIGHT,
ARTHUR STANHOPE FARWELL,
JAMES CHARLES PREVOST,
D. M. EBERTS,
C. E. PERRY,
G. BYRNES.

Victoria, B. C., February 15th, 1888.

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