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## PETITION.

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[CASE NO. 1.]

*To the Honourable Legislature of British Columbia:*

I beg most respectfully to lay my grievances before the Honourable House of Legislature, now assembled in our Capital of Victoria, asking and praying for relief from oppression of the Land Office Department, to me and others.

I, Henry Hunter, am a native of England, and came to this country in 1858; have continuously resided in the District of Yale ever since.

About 21 years ago, desiring to permanently settle and make my home in the country, I pre-empted a piece of land on the south bank of the Fraser, 7 miles below Hope. At that time I knew nothing about the measurement of land, and did not think there was more than about 80 or 100 acres of this land at all fit for agriculture. On going to Yale to record I was told to put down my stakes and draft a map, and I would get all the land within my stakes not exceeding 160 acres.

I therefore recorded 80 acres, more or less, and carefully staked off and mapped it. I have been living on this land 21 years, clearing and improving it, at a cost of from \$70 to \$100 per acre; and I have had a hard struggle to maintain my position—only to have the half of the land taken away from me now by this Progressive Government, which I have always stoutly maintained at the polls and elsewhere, on every occasion. I think I should have had to give up the struggle only that I had a little money left to me by my parents, which enabled me to start a general store 11 years ago.

All these years we have been wishing for and hoping our Government would survey and bring these lands into the market, but it has never happened around here. They have given us away to Canada, without surveying and settling up in a liberal and just spirit the old pioneer lands. We are left now to contend for our rights with Canada, if this Honourable House does not come to our rescue. Seeing no more hope of a Local Government survey, and Canadian Government surveyors coming around, I made application to the Lands and Works Department for the survey of my land and the Lorenzetto land adjoining; and Mr. Gore, I think it was, wrote me that he appointed the firm of Woods, Turner & Gamble to survey my land and land adjoining. This was in the spring of 1886. On August 16th Mr. Woods came to survey my land. We had some difficulty in arranging it. I desired to stick by my lines and stakes as to boundary. He contended he could not take my lines; he must run by the cardinal points. And as to stakes—he must try to take in my improvements if he did not reach the stakes. I consented. As to my right to 160 acres he never doubted it, as my stakes would cover that amount; also, that he believed the Government desired every settler to have 160 acres. He therefore surveyed that amount, and I made application for Crown grant through that firm, and I was assured by Mr. Woods that any survey he made was *final*. If it had been so there would be no grievance to complain of. In about a month after this I was notified by this firm of surveyors that their final survey was objected to by the Lands and Works Department. To this I wrote a strong protest, believing, as I do yet, my case should be judged by the land laws existing at the date of my pre-emption, and I desired them to show my protest to the Lands and Works Department. To this they (the firm) wrote me that I need not be alarmed that Mr. Woods was up North, and on his return he would go to Victoria and see Mr. Gore and explain, and they had no doubt it would be satisfactorily settled. The winter passed over and no more said. In the early spring of 1887, quite unexpected, Mr. Turner, of that firm, came up and told me he had orders from the Department to cut my surveyed land down to 80 acres. I had paid for the survey of 160 acres, so he would not charge for this. He explained that the words *more or less*

are used in all Crown grants or deeds to prevent the legality of them being affected by any slight errors of measurement; but he never touched upon the stakes of my pre-emption, and I have not been asked to show the original stakes, or what analogy there is between the wording of Crown grants and other legal documents and the simple record of a pre-emption on unsurveyed Crown lands. Any argument I could advance was of no avail. It was an ultimatum. The Canada surveyors were in my neighbourhood and had orders to cut it down to 80 acres; and he did so, leaving out a portion of my cleared land. To console me for this loss I was told I could homestead the 80 acres—meanly, and I believe unjustly—taken from me. But I have since learned the homestead laws of Canada would require me to live on the land, which I cannot do, although so near to me. Being afraid they would come back on me to remodel it and cut off, perhaps, my store or one of my orchards or buildings, I had to hurry up and get a Crown grant, which I have got. I have suffered the loss of half the land I have occupied for 21 years, and I most respectfully and earnestly ask the Government to restore to me the 80 acres of land that has been taken from me, on payment of \$1 per acre. I am willing to take the first final survey of Mr. Woods of 160 acres, which was not as I wanted, but I accepted it as a just compromise. I will now state my second land case, and perhaps it will be seen it was not the simple words *more or less* that lost me the 80 acres.

[CASE NO. 2.]

*To the Honourable Legislature of British Columbia now assembled in Victoria:—*

About six or seven years ago an old pioneer neighbour, Andrew Lorenzetto, whose land adjoined mine, a native of Italy, but adopted British subject, died intestate. The Hon. Justice Crease happening to be in Hope, and hearing of the case as intestate, kindly came down to see about it. There was a lawfully married widow and five children. The estate consisted of 160 acres of pre-empted Crown land, about ten acres cleared, a small orchard, and pigs, chickens, and barn and dwelling houses, but no money, for the long sickness of deceased had made them poor. The funeral was attended by many from Hope and surrounding country, and the Hon. Justice Crease officiated, and after the solemn ceremony of the burial service was concluded he attended to the business of the estate of this bereaved family. It did not take him long to find out that they were poor. The widow not being qualified to administrate, after some considerations I concluded to administrate. The Judge and people then adjourned to my house, where his Lordship opened Court and swore me in as administrator to the estate of Andrew Lorenzetto, deceased intestate. His Lordship wrote out administration papers, and gave me much kind assistance and advice on this matter, and he generously omitted all charges on the poor widow and her children—all honour to his generous heart. This is in strange contrast to the harsh treatment of this same widow and children by the Lands and Works Department, which I will show have taken half their land from them to give to Canada, and have taxed them more than twenty years for 160 acres, and those taxes have always been paid. As administrator the assessment roll comes to me. I see it paid; there is no arrears. They are assessed for 160 acres this year, although their land is cut down to 80 acres. I have wrote my protest to Mr. Hussey, pointing out they are cut down to 80 acres after paying taxes on 160 acres for more than twenty years. He says it is too late to revise it this year, but is silent on refunding the poor widow's money; perhaps it is no part of his business. I will now state how this came around. When I called for a survey of my land I also called for a survey of the Lorenzetto estate, and Mr. Woods, at the same time as my survey took place, surveyed them 160 acres also. There was no apparent hitch about it until the early spring of 1887, when Mr. Turner, of same firm, came up to cut me down. He told me he had orders to cut the Lorenzetto estate down to 80 acres. I asked for what reason. He said he did not know. He supposed it was on account of the record. Now I would have contested this most severely, only I had found out the poor widow was still more poor than when the Hon. Justice Crease sympathized for her, and that she had paid out over \$40 for survey, and would have to sell her last head of stock even to pay for 80 acres. But all the same the Land Office knew nothing of this; the order had gone forth and it had to be done. The people around here would like to know why it was done; I cannot tell them; will our Hon. representatives find out? If they will take this trouble to unravel this most complicated land business in the railway belt we will not forget them when the time comes. This estate is now cut down to 80 acres, and

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the poor widow has sold her last head of stock to raise the money to pay for it, and it took all she had. She brought me \$95 to pay for the land and Crown grant. I remitted the money to the firm of Woods, Turner & Gamble, and they replied they thought it would be enough. They wrote me for administration papers, and I forwarded them. They have have now wrote to ask me if I can manage to raise \$50 more from the poor widow for to pass certain papers through the Supreme Court. Well, I find this cannot be done. The widow has no more money left. Meantime the poor widow is all this money out, and they won't give her this bit of land which they have left her. Under all the circumstances there is only one remedy that I can see in this case, and that is, to humbly ask the Hon. Legislature to move a resolution that in consideration of the hardship of the case, and the overpaid taxation, extending over a term of twenty years, on this poor widow's pre-empted land, that she be allowed to receive a Crown grant of the remaining 80 acres free of any further charge than already paid, or something of this kind, which will be thankfully received by the administrator of the estate of Andrew Lorenzetto.

HENRY HUNTER.

*Huntersville, February 25th, 1888.*