
RETURN

To an Order of the House for a Return of a copy of the Provisional Agreement entered into between the Government and the Corporation of the City of Victoria in reference to the Songhees Indian Reserve.

FRED. J. FULTON,

Chief Commissioner of Lands and Works.

*Lands and Works Department,
3rd April, 1907.*

ARTICLES OF AGREEMENT made and entered into this day of one thousand nine hundred and seven, between the Corporation of the City of Victoria (hereinafter termed "the Corporation") of the one part, and the Honourable R. G. Tatlow, the Chief Commissioner of Lands and Works for the Province of British Columbia, duly appointed in that behalf (hereinafter with his successors in office termed "the Chief Commissioner") of the other part :

Whereas the City of Victoria is desirous in the event of the surrender by the Indians of the Songhees Reserve of such reserve and their removal therefrom, to acquire certain portions thereof, viz. : the twenty-five (25) acres, more or less, lying to the north of the Esquimalt Road, for park and school purposes, and the eighteen (18) acres, more or less, lying to the south of the Esquimalt and Nanaimo Railway for terminal railroad and wharfage purposes, to be used in aid of existing as well as other railroad companies seeking access to the City of Victoria :

And whereas the Government of the Province of British Columbia claims to be entitled in reversion to the said reserve, and it is necessary in order to make title to the said lands that such reversionary interest should be extinguished, and the said Government has agreed to assist the said City of Victoria to acquire the aforesaid lands, upon the Corporation of said City entering into the covenant hereinafter contained :

Now, these presents witness that in pursuance of said agreement and in consideration of the covenant on the part of the Corporation hereinafter contained the Chief Commissioner by and with the authority of the Government of British Columbia, hereby agrees, provided the by-law hereinafter referred to receives the assent of the electors of the City of Victoria entitled to vote on money by-laws, that the said Government, in the event of the surrender and removal of the said Indians of and from the said reserve, will, when called upon so to do, grant and surrender to the said City of Victoria all and every the reversionary interest and all other the right, title, interest, claim and demand of the Government of the Province of British Columbia, in, to and out of the lands so desired to be acquired by the said City of Victoria as aforesaid :

And the Corporation, for the consideration hereinbefore appearing, hereby covenants, promises and agrees to and with the Chief Commissioner that, subject, if necessary, to legislation of the Province being passed validating the provisions of this agreement and extinguishing any interest of the Indians in the lands of the said reserve, and subject to the grant of lands being made to the Corporation as herein recited and intended, and subject to the due performance by the Government of the Province of British Columbia of the agreement herein contained, the Corporation will, upon the Province of British Columbia becoming entitled at law to the immediate possession of the funds representing the proceeds of Songhees Indian Reserve lands, or of lands representing the same, as and when called upon so to do, guarantee the Province of British Columbia to the extent of so much of the said funds representing proceeds of Songhees Indian lands as may be taken from the said funds for payment to the

